

LOUISIANA'S
IEP
HANDBOOK
for
GIFTED/TALENTED STUDENTS

April 20, 2002

**Louisiana Department of Education
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This public document was published at a total cost of **\$233.00**. **Two hundred fifty** copies of this public document were published in this third printing at a cost of **\$93.00**. The total cost of all printings of this document including reprints is **\$365.20**. This public document was published by the Louisiana Department of Education; Division of Special Populations; P.O. Box 94064; Baton Rouge, LA 70804; to provide information regarding the Individualized Education Program (IEP) the basis for educational programming for students with exceptionalities in Louisiana. This material was printed in accordance with the standards for printing by State Agencies established pursuant to R.S. 43:31.

TABLE OF CONTENTS

SECTION 1

Chapter 1

Purpose	3
---------------	---

Chapter 3

Types of IEPs	4
---------------------	---

Chapter 5

Initial IEP Development	5
Responsibilities	5
Timelines	6
Participants	7
Placement Decisions	9
Related Services Decisions	12
Accommodations/Modifications for LEAP Testing	12
Parental Consent	12
Parent Withholding of Consent	12
Mediation	13
Due Process	13
Implementation of the IEP	14

Chapter 7

Review IEP Development	15
Responsibilities	15
Participants	16
Placement Decisions	16

Chapter 9

Responsibilities and Timelines	17
Placement Decisions	17

Chapter 11

Interim IEP Development	18
Responsibilities and Timelines	18
Placement Decisions	18
Parental Consent	19

SECTION 2

Forms and Instructions for Use	21
--------------------------------------	----

Chapter 1. Purpose

§101. Introduction

A. *Louisiana's IEP Handbook for Gifted/Talented Students*, revised 2001, provides information regarding the Individualized Education Program (IEP), the basis for educational programming for G/T students in Louisiana. The handbook describes the IEP process and the legal procedures involved as mandated by *Revised Statute 17:1941, et seq.*, and its regulations. This handbook outlines mandatory procedures. It serves as a training vehicle for interested parties in the effort to improve the quality of Gifted/Talented IEPs in Louisiana.

B. A separate IEP form described in the handbook must be used for all students identified as gifted and talented, with the exception of students, gifted and/or talented who have an identified disability.

C. Any student with a disability as identified in the *Pupil Appraisal Handbook* and identified as gifted/talented will use the IEP for students with a disability to develop his/her individualized educational program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

Chapter 3. Types of IEPs

§301. The IEP and evaluation/re-evaluation of G/T students.

A. The IEP process is one intertwined with the process of evaluation and re-evaluation of G/T students.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

§303. The four types of IEPs

A. The INTERIM IEP may be developed for students who have been receiving special educational services in another state concurrent with the conduct of an evaluation. An interim IEP may also be developed for students out of school, to age twenty-two, who have left a public school before obtaining a State diploma.

B. The INITIAL IEP is developed for a G/T student who has met criteria for one or more exceptionalities outlined in the *Pupil Appraisal Handbook* and who has never received special educational services, except through an interim IEP, from an approved Louisiana school/program.

C. The REVIEW IEP is reviewed and revised at least annually or more frequently to consider the appropriateness of the program, placement, and any related services needed by the student.

D. The DECLASSIFIED IEP is developed when a student's reevaluation determines the student is no longer exceptional. This IEP allows the student to receive special educational services for up to one year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

Chapter 5. INITIAL IEP DEVELOPMENT

§501. Responsibilities

A. A student is initially determined to be exceptional through the individual evaluation process. The responsibility for making a formal commitment of resources to ensure a free, appropriate public education (FAPE) for a student identified as exceptional rests with the local education agency (LEA) in which the student resides. **Note:** *Louisiana Revised Statute 17:1941 et seq.*, clearly indicates that while the local educational agency must locate and identify all students who meet the criteria for gifted/talented, the LEA is not responsible for providing FAPE to gifted/talented students whose parents have voluntarily enrolled the student in a private school.

B. The LEA is responsible for initiating the assurance of FAPE regardless of whether the system will:

1. provide all of the service directly or through interagency agreements,
2. place the student in another system or in a nonpublic facility, or
3. refer the student to another LEA for educational purposes.

C. The responsibility for offering FAPE is met through the process of developing an initial IEP. This process includes:

1. communication between the LEA and the parents;
2. IEP meeting(s) at which parents and school personnel make joint decisions and resolve any differences about the student's needs and services;
3. a completed IEP/placement document, which describes the decisions made during the meeting(s), including special education and related services that are to be provided;
4. a formal assurance by the LEA that the services described in the document will be provided;
5. parental consent for initial placement;
6. procedural safeguards for differences that cannot be resolved mutually; and
7. initial placement and provision of services as described in the IEP/placement.

D. The LEA is required to offer FAPE to those G/T students whose ages fall between 3 and 21 years.

1. The responsibility for providing services to a G/T student continues until
 - a. the student receives a State diploma; or
 - b. the student reaches his or her 22nd birthday. (If the 22nd birthday occurs during the course of the regular school session, the student shall be allowed to remain in school for the remainder of the school year.)
2. The LEA is not responsible for providing FAPE if, after carefully documenting that the agency has offered FAPE via an IEP, the parents choose to enroll the student voluntarily elsewhere or indicate their refusal of special educational services. Documentation of these parental decisions should be kept on file.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

§503 Timelines

A. An initial evaluation is considered "completed" when the written report has been disseminated by the pupil appraisal staff to the administrator of special education programs. A LEA has a maximum of 30 calendar days after the completion of the evaluation to complete the IEP/placement document for an eligible student. During this time, two activities must take place and be documented.

1. Written Notice(s) that the LEA proposes to provide FAPE through the IEP process must be given to the parents. The notice(s) must be provided in the parents' native language or must be given using other means of communication, whenever necessary, to assure parental understanding.

2. The notice(s) must indicate the purpose, time, and location of the IEP meeting; who will be in attendance; the parents' right to take other participants to the meeting; the student's right to participate (when appropriate); and the name of the person in the LEA the parents can contact if and when they have questions or concerns.

3. The notice(s) must explain the procedural safeguards available to the parents: that they can negotiate the time and place of the IEP meeting, that they have the right to full and meaningful participation in the IEP decision-making process, that their consent is required before initial placement will be made, and that all information about the student shall be kept confidential.

4. Additionally, if the LEA has not already done so, the system must inform the parents of their right to an oral explanation of the evaluation report and of their right to an independent education evaluation (IEE) if the parents disagree with the current evaluation.

B. An IEP meeting(s) that results in a completed IEP/placement document must be held. The IEP meeting(s) should be a vehicle for communication between parents and school personnel to share formal and informal information about the student's needs, educational projections, and services that will be provided to meet the student's needs. The completed IEP/placement document is a formal record of the IEP team's decisions. The timeline for completion of the document is intended to ensure that there is no undue delay in providing a free, appropriate public education (FAPE) for the student. The document is "completed" when the form has been completed and signed by the LEA's officially designated representative.

Additional Notes About Timelines

Summer Recess. When an initial evaluation report has been completed within the 30 days prior to the summer recess or during the recess, the LEA may request, through written documentation, parental approval to delay the initial IEP meeting until the first week of the next school session. However, if the parents wish to meet during the summer recess, the LEA must ensure that the appropriate IEP team members are

present.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

§505 Participants

A. At any initial IEP meeting, the following participants must be in attendance: an officially designated representative of the LEA, the student's regular education and special education teachers, the student's parent(s), and a person knowledgeable about the student's evaluation procedures and results. The student, as well as other individuals the parents and/or LEA may deem necessary, should be given the opportunity to attend. Documentation of attendance is required.

1. *An officially designated representative of the LEA (ODR)* is one who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of G/T students, is knowledgeable about the general curriculum, and is knowledgeable about the availability of resources of the LEA. The LEA may designate another LEA member of the IEP team to serve also as the agency representative, if the above criteria are satisfied. A special education teacher cannot serve as the ODR for a child's IEP if he/she is also the child's teacher. A LEA must have on file and must disseminate within the agency a policy statement naming the kinds of persons who may act as the official representative of the LEA. Representatives may include the director/supervisor of special education, principals, instructional strategists, teachers, or any other LEA employee certified to provide or supervise special educational services. A member of the student's evaluation team may serve in this capacity.

2. *Parents* are equal participants in the IEP process in discussing the educational and related services needs of the student and deciding which placement and other services are appropriate. As such, one or both of the student's parents should participate in the initial IEP/placement meeting(s). Other team members must rely on parents to contribute their perspective of the student outside of school. Parental insight about the student's strengths and support needs, learning style, temperament, and ability to work in various environments is of vital importance to the team in making decisions about the student's needs and services. The concerns of the parents for enhancing the education of their child must be documented in the IEP.

NOTE 1: *Parent* is defined as a natural or adoptive parent of a child; a guardian, but not the State if the child is ward of the State; a person acting in the place of a parent of a child (such as a grandparent or stepparent with whom the child lives or a person who is legally responsible for the child's welfare); or a surrogate parent who has been appointed. A foster parent may qualify as a "parent" when the natural parents' authority to make educational decisions on the child's behalf has been extinguished under State law, and the foster parent has an ongoing, long-term parental relationship with the child; is willing to participate in making educational decisions in the child's behalf; and has no interest that would conflict with the interests of the child.

B. The LEA must take measures to ensure that parents and all other team members, including sensorially impaired and non-English-speaking participants, can understand and actively participate in discussions and decision-making. These measures (i.e., having an interpreter or translator) should be documented. Local education agencies shall further ensure that, for those parents who cannot physically attend the IEP meeting(s), every effort is made to secure parental participation. After documenting attempts to arrange a mutually convenient time and place, several possibilities remain.

1. The meeting(s) may be conducted via telephone conference calls.
2. The IEP team may consider parental correspondence to the school regarding the student's learning environment, any notes from previous parental conferences, and any data gathered during the screening and evaluation period.
3. Visits may be made to the parents' home or place of employment to receive parental suggestions.
4. If, however, every documented attempt fails and the IEP/placement document is developed without parental participation, the parents **still must** give written informed consent for initial placement before any special education services may begin.

NOTE 2: When a G/T student has a legal guardian or has been assigned a surrogate parent by the LEA, that person assumes the role of the parent during the IEP process in matters dealing with special educational services. When a G/T student is emancipated, parental participation is not mandated. Additionally, if the LEA has been informed that a parent is legally prohibited from reviewing a student's records, that parent may **not** attend the IEP meeting(s) without permission of the legal guardian.

NOTE 3: Beginning at least one year before the student reaches the age of majority, the parents will be informed that the rights under state statute will transfer to the student.

C. *An evaluation representative* is a required participant at an initial IEP meeting. The person may be a member of the pupil appraisal team that performed the evaluation or any person knowledgeable about and able to interpret the evaluation data for that particular student.

D. *A regular education teacher* is at least one of the student's regular teachers (if the student is, or may be, participating in the regular education environment). The teacher must, to the extent appropriate, participate in the development, review, and revision of the student's IEP.

1. Thus, while a regular education teacher must be a member of the IEP team if the child is, or may be, participating in the regular education environment, the teacher need not (depending upon the child's needs and the purpose of the specific IEP team meeting) be required to participate in all decisions made as part of the meeting, or to be present throughout the entire meeting, or attend every meeting. For example, the regular education teacher who is a member of the IEP team must participate in discussions and decisions about how to modify the general curriculum in the regular

classroom to ensure the child's involvement and progress in the general curriculum and participation in the regular education environment.

E. *A special education teacher* is at least one of the student's special education teachers, or when appropriate, at least one special education provider of the student.

F. The student should be given the opportunity to participate in the development of the IEP. In many cases, the student will share responsibility for goals and objectives.

1. Beginning at least one year before the student reaches the age of majority, by the student's seventeenth birthday, the student must be informed that his or her rights under state statute will transfer to him or her.

G. Other individuals may be invited, at the discretion of the parent or LEA, who have knowledge or special expertise regarding the student, including related service personnel as appropriate. The LEA also must inform the parents of the right of both the parents and the agency to invite other individuals who have knowledge or special expertise regarding the child, including related service personnel as appropriate to be members of the IEP team. The LEA may recommend the participation of other persons when their involvement will assist the decision-making process.

1. It is also appropriate for the LEA to ask the parents to inform the LEA of any individuals the parents will be taking to the meeting. Parents are encouraged to let the LEA know whom they intend to take. Such cooperation can facilitate arrangements for the meeting and help ensure a productive, child-centered meeting.

NOTE: The determination of the knowledge or special expertise of any individual described above shall be made by the parent or LEA, whoever invited the individual to be a member of the IEP team.

H. When the LEA responsible for the initial IEP/placement process considers referring or placing the student in another LEA, the responsible LEA must ensure the participation of a representative of the receiving system at the IEP meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

§507 Placement Decisions

A. The IEP team has the responsibility for determining the special education needs and placement for a G/T student. Program decisions must be made and written on the IEP in the following areas that form the basis for the placement:

1. the student's strengths and support needs;
2. the concerns of the parents for enhancing the education of their child;
3. the results of the initial evaluation or most recent reevaluation of the student;
4. as appropriate, the results of the student's performance on any general state

or district-wide assessment program;

5. the student's present levels of educational performance;
6. in the case of a student with limited English proficiency, whose language needs relate to the student's IEP;
7. the measurable annual goals, including benchmarks or short-term objectives, related to:
 - a. meeting the student's needs that result from the student's exceptionality and progress in an accelerated and enriched curriculum,
 - b. meeting each of the student's other educational needs that result from the student's exceptionality, and
 - c. appropriate activities for the preschool-aged student;
8. a statement of related services and program modifications for school personnel that will allow the student to advance appropriately toward the annual goals;
9. the explanation of the extent, if any, to which the student will not participate with students in the regular class and extracurricular and other nonacademic activities;
10. any individual modifications and/or accommodations in the administration of State or district-wide assessments of student achievement that are needed in order for the student to participate in the assessment as documented by an attached Section 504 Plan;
11. and the anticipated frequency, location, and duration of the special education services and modifications.

B. The IEP team, following a discussion of the student's educational needs, must choose a setting(s) in which the educational needs will be addressed. The term *placement* refers to the setting or class in which the student will receive special educational services.

C. **Placement decisions for students whose ages are 6-21.** For the location of instruction/ services, IEP team members should consider the following:

1. where would the student attend school if he or she did not have an exceptionality?
2. based on IEP goals and objectives or benchmarks, what the instructional setting(s) would support the achievement of these goals and objectives or benchmarks?

D. **For students aged 6-21.** Utilizing the above information, the IEP team should choose the most appropriate setting from the continuum below:

1. regular classroom (less than 21% of the day outside the regular class);
2. resource with regular classes (at least 21%, but no more than 60% of the day outside the regular class);
3. self-contained class on a regular campus (more than 60% of the day outside the regular class).

E. **For students aged 3-5.** In determining the appropriate setting for a preschool-aged student, each noted setting must be considered, but the list should not be

considered a continuum of least restrictive environment. The settings for preschool-aged students, three through five years, are defined as follows:

1. Regular Preschool Placement: Head Start, Title 1, kindergarten, pre-kindergarten, child care center, Even Start, 4 year-old at-risk program, or any other program designed for children.
2. Self-Contained: A preschool class, or any other program designed for exceptional children.

F. The official designated representative shall be knowledgeable about placement considerations and shall be responsible for informing the IEP team members. The IEP team must participate in decisions made about the placement; however, the LEA has the right to select the actual school site in view of committee decisions.

NOTE: See Section 2 for the complete instructions for writing the IEP.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

§509 Additional Clarification

A. Although throughout Louisiana most exceptional students are served in their neighborhood schools, there are some extenuating circumstances that impact the decision to serve a student in a school other than his or her neighborhood school.

B. The following is provided as an example: *A Resource Center for Gifted/Talented* is a type of instructional setting, designed or located in one school, that provides instructional services to students who are gifted/talented from two or more schools and in which special education is provided by an individual certified in accordance with *Bulletin 746*; pupil/teacher ratios established in *Bulletin 1706 G/T* are used; instructional time is not less than two and one-half hours per week.

C. In addition to the questions on the IEP and Site Determination Form, the following issues must be considered:

1. students should be placed in programs on the basis of their unique needs;
2. placement cannot be based on either a particular local education agency's special education delivery system or on the availability of related services;

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

§511 Related Services Decisions

A. If an identified gifted/talented student needs related services including

transportation, or counseling, then the IEP should address these concerns on the IEP document.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

§513 Accommodations/Modifications for LEAP Testing

A. G/T students shall be included in the Louisiana Educational Assessment Program with appropriate accommodations and modifications in administration. These accommodations and modifications should be incorporated in the student's educational program throughout the year. The Section 504 Plans should be attached.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

§515 Parental Consent

A. A LEA **must obtain** formal parental consent before it can initially provide a student with special education in any setting. Consent includes the following:

1. the parent and/or student has been fully informed of all relevant information in a manner that is clearly understandable to the parent and/or student, and
2. the parent and/or student formally agree/agrees in writing.

B. After the parent and/or student has/have given written consent, the IEP is in effect. The parent and/or student must be provided a completed copy of the IEP/placement document signed by the official designated representative of the LEA.

NOTE: The student's consent is needed once the student reaches the "age of majority."

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

§517 Parental Withholding of Consent

A. Parents may disagree with all or some part(s) of the **initial** program, placement, or related services proposals. The LEA and the parents should make conciliatory attempts to resolve the disputes, including making modifications to the proposed program, placement, and related services. A LEA may not use a parent's refusal to consent to one service or activity to deny the parent or student any other service, benefit, or activity of the LEA.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

§519 Mediation

- A. *Mediation* is an informal, voluntary process by which the parent and the LEA are given an opportunity, through the help of a trained mediator, to resolve their differences and find solutions to enhance the overall learning environment for the student. Differences may arise in the planning and implementing of programs for exceptional students. It is important for parents and LEAs to have an opportunity to present their viewpoint in a dispute.

NOTE: See *Louisiana's Educational Rights of Gifted/Talented Children in Public Schools* and the *Mediation Services for Students with Exceptionalities* brochure for more information.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

§521 Due Process

- A. The parents and the LEA both have the right to an “impartial due process hearing” when disagreements arise between the parent and the LEA relative to initiating or changing the identification, evaluation, or educational placement of a student with an exceptionality. Due process hearings may be initiated by the parent or the LEA.

See *Louisiana's Rights of Gifted/Talented Children in Public Schools* and the *Mediation Services for Students with Exceptionalities* brochure for more information.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27

§523 Implementation of the IEP

- A. *Implementation of the IEP* means that the student begins participating in the special education placement and related services as written on the IEP/placement document. A LEA must begin providing services as stated on the IEP within ten (10) calendar days. The date of initiation of services shall be noted on the IEP. When meetings occur during the summer or other vacation periods, a delay may occur. When meetings to develop the initial IEP/placement document occur just prior to the summer vacation, the date of implementation of services may be delayed to the beginning of the next school year if the parent(s) agree.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

Chapter 7 REVIEW IEP DEVELOPMENT

§701 Responsibilities and Timelines

A. A LEA is required to initiate and conduct IEP meetings periodically, but not less than annually, to review each student's IEP in order to determine whether the annual goals for the student are being achieved and to revise the IEP as appropriate. The LEA must notify parents of the review IEP meeting or the review/reevaluation IEP meeting in accordance with the same procedures as the initial IEP.

B. An additional IEP/placement review meeting is not required when a LEA elects to move the student to another school site within the agency when all of the information on the IEP remains the same and the effect of the program has not been changed.

C. The IEP team should

1. review the student's progress toward achieving the annual goals and objectives/benchmarks;
2. review the student's progress in the general education curriculum;
3. discuss any lack of expected progress toward the annual goals and in the general education curriculum;
4. review the results of the student's performance on any State or district-wide assessment;
5. review the results of any reevaluation;
6. review information about the child provided to, or by, the parents;
7. discuss the student's anticipated needs;
8. review the student's special educational needs; for the preschool-aged child, address his or her developmental needs;
9. make updated decisions about the student's program and placement;
10. in making decisions for location of instruction/services, refer to pages 12-14 of this handbook for guidance;
11. any other concerns.

D. A review meeting must be conducted in addition to the required annual review when;

1. a student's teacher feels the student's IEP or placement is not appropriate for the student; or

2. the student's parents believe their child is not progressing satisfactorily or that there is a problem with the student's IEP; or

3. the LEA proposes any changes regarding program or placement, such as to modify, add, or delete a goal or objective; to add or delete a related service; or

4. either a parent or a public agency believes that a required component of the student's IEP should be changed; or

5. The LEA must conduct an IEP meeting if it believes that a change in the IEP may be necessary to ensure the provision of FAPE; or

6. a hearing officer orders a review of the student's IEP/placement document;

7. an out-of-district placement or referral is being proposed.

NOTE: A review IEP meeting must be conducted as part of the reevaluation process.

E. In the cases listed above, it may not be necessary to rewrite the entire IEP/placement document. However, the following documentation must be provided:

1. signatures of the team members,
2. the date of the meeting,
3. the changes made in the IEP, and
4. the dated signatures of the official designated representative of the system and the parent who authorized the change.

F. In the case in which the IEP/placement document is entirely rewritten, the date of that meeting shall become the anniversary date for the next annual review meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

§703 Participants

A. The LEA must ensure there is attendance by an officially designated representative of the system, the student's regular education and special education teachers, the parents, and the student, as appropriate. At the discretion of the parent(s) or the LEA, other individuals who have knowledge or special expertise regarding the student may attend. A representative of another LEA or approved facility may be included if a placement in or referral to another LEA is proposed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

§705 Placement Decisions

A. The IEP team must address the placement of the student according to the same placement guidelines required for an initial IEP meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

Chapter 9 DECLASSIFIED IEP DEVELOPMENT

§901 Responsibilities and Timelines

- A. Following the receipt of a re-evaluation that indicates NO EXCEPTIONALITY for a student currently enrolled in special education, the LEA has two options. The LEA may
1. place the child in regular education after obtaining formal parental approval, or
 2. recommend a declassified special education program.
- B. When the declassified program is chosen, an IEP meeting must be held and conducted in accordance with all the guidelines required for a review meeting. This IEP may be in effect for up to one year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

§903 Placement Decisions

- A. The declassified IEP provides the student with a systematic, structured program for moving into regular education. The declassified program shall include regular education in combination with special educational services. The IEP team should discuss and document on the IEP the systematic plan for the student's full integration into regular classes by the end of the specified time. This plan may be documented by indicating a decreasing range of time in special classes during the year and/or by writing goals and objectives that indicate a gradually reduced special support system for the student. Such documentation will remove the necessity to reconvene the IEP team during the year as the placement gradually changes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

Chapter 11 INTERIM IEP DEVELOPMENT

§1101 Responsibilities and Timelines

A. The interim IEP provides a basis on which the student may begin to receive special educational and related services and provides an appraisal program to gather assessment data for the individual evaluation process.

B. A student must be offered enrollment in a LEA. This enrollment process, from initial entry into the LEA to placement, shall occur within ten (10) school days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

§1103 Placement Decisions

A. Local supervisors of special education may approve enrollment in special education after existing student information has been reviewed by pupil appraisal personnel. An interim IEP would be developed and formal parental approval obtained. The interim IEP remains in effect as long as the evaluation is in process and may be revised as necessary. During this time all regulations pertaining to gifted/talented students shall apply. The interim IEP shall not exceed the duration of the evaluation.

B. Often, discussion about the current performance, goals, and objectives for the student will have to be conducted without the benefit of integrated assessment data or teacher observation.

C. To gather information about current performance, the parent may be the prime source of information about the student's skills, development, motivation, learning style, etc.

D. The goals and objectives should address the student's educational program during the assessment process.

E. When available information indicates that related services are required, services should be provided.

F. The student's performance during an interim placement must be documented by the teacher and pupil appraisal personnel. This documentation should provide meaningful data for determining an appropriate program and placement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

§1105 Parental Consent

- A. Parental consent for the interim placement and related services must be obtained by parental signature on the IEP form.
- B. Parents should be informed that the student will exit from the special educational program if the student is found to be ineligible for special educational services according to the criteria of the *Pupil Appraisal Handbook*.
- C. If the student is eligible for special educational services, an initial IEP/placement meeting will be conducted within thirty (30) calendar days from the date of dissemination of the written evaluation to the LEA's special education administrator.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 27:

SECTION 2

**INDIVIDUALIZED EDUCATION PROGRAM
INSTRUCTIONS FOR USE**

APRIL 20, 2002

A separate IEP form described in the handbook must be used for all students identified as gifted/talented, with the exception of students, gifted/and or talented, who have an identified disability.

Before the IEP meeting begins, the school system should determine that the parents have received a copy of their rights, have had an opportunity for an oral explanation, and have received answers to any questions they may have. Also, for initial IEP conferences, parents should have received a copy of their child's evaluation and an opportunity for an oral explanation of the evaluation.

If parents agree, the school system may "draft" the instructional part of the IEP. In all cases, the IEP committee **must** review each section of the IEP and assure agreement. A draft IEP **must not** be regarded as a final document because any section can be modified by the IEP committee. In no circumstances can any information be entered regarding placement prior to the IEP conference.

Instructional information-such as summary of educational needs and performance, annual goals and differentiated objectives-is provided for each area in which special education is needed. No goal or objective may be changed without reconvening the IEP committee.

PAGE 1

1. Write the name of the school system developing the IEP.
2. Write the student's full name.
3. Write the date(s) of the IEP meeting(s) to develop or review the IEP.
4. Write the student's date of birth by month, day and year.
5. Follow school system guidelines and record a student identification number or computer code number assigned to the student.
6. Indicate the number of pages included in the IEP after writing the objectives.
7. Write the dissemination date that is recorded on the evaluation.

Note: This date is the date on which the evaluation report was sent to the special education supervisor/ director.

8. Write the grade in which the student is currently enrolled.
9. Check the primary exceptionality named in the student's evaluation report.

For a declassified placement, write "no exceptionality."

NOTE: Do not use the Gifted/Talented IEP form if any other exceptionality is present.

10. Check the secondary exceptionality named in the evaluation report.
11. Write the school in which the student is currently enrolled.
12. Check the kind of IEP being developed. The four types of IEPs are outlined below:
 - a. The **INTERIM IEP** *may be* developed and implemented to provide temporary special educational services concurrent with the evaluation of a student, suspected of being exceptional, who has been receiving special education in another state.
 - b. The **INITIAL IEP** is developed for an exceptional student who has met criteria for one or more exceptionalities outlined in the *Pupil Appraisal Handbook*, and who has never received special educational services from an approved Louisiana school/program.
 - c. The **REVIEW IEP** is reviewed and revised at least annually or more frequently to consider the appropriateness of the program, placement and any related services needed by the student.
 - d. The **DECLASSIFIED IEP** is developed when a student's re-evaluation determines the student is no longer exceptional. This IEP allows the student to participate for up to one year in a special education program.
13. IEP committee members **who attend the conference** should sign their name and state their positions, such as principal, supervisor, educational diagnostician, special education and regular education teacher, or other agency personnel. Their signatures do not imply agreement with the IEP. An officially designated representative of the school system **must be** in attendance at the meeting.
14. Write a general overview of the student's needs, highlighting major aspects pertinent to the student's educational needs. Include the overall results of any district or statewide assessments (CRT/NRT). Input from all teachers and parents should also be gathered and noted. At the initial conferences, this information will be obtained from the evaluation report, the student, his/her parents and/or teachers. Specific current performance information for each curricular area should not be indicated here but should be noted in the Current Performance section.

When developing information for this section, the following issues must be addressed:

- the student's strengths and support needs;
- general concerns as noted in the most recent evaluation;

- the concerns of the parents for enhancing the education of their child;
 - the student's present level of educational performance;
 - behavioral concerns of the student that affects his/her learning or other the learning of others;
 - the language needs of the student should be included in the case of a student with limited English proficiency.
15. On the basis of the summary of educational needs and performance, check the curricular area(s)-ACADEMIC, SOCIAL/EMOTIONAL and/or OTHER-in which special education is needed. At interim conferences, project areas of special educational needs.
Academic - addresses needs in the academic area, such as reading, math, social studies, and/or cognitive needs, including talent areas.
Social/ Emotional – addresses needs, such as more appropriate peer interaction, strengthening self-concept, behavior problems and problems associated with perfectionism.
Other – addresses other needs that may be noted here.
 16. If accommodations/modifications are required for the student's educational program, attach the Section 504 plan.
 17. Indicate the date of the next re-evaluation or note concerns in the re-evaluation box, if the IEP team meeting is not a reevaluation meeting. A statement regarding the reevaluation decision is appropriate, if the IEP team meeting is a reevaluation meeting.
 18. This block should be used to add any additional information that the IEP committee feels is needed to clarify a student's instructional program.
 19. *Related services* refers to transportation, counseling or any service as may be needed to assist a child with an exceptionality to benefit from special education.
 20. Circle the type the statewide assessment in which the student will participate.
 21. Write one or more annual goals based on the summary of the student's educational needs and performance. Give careful consideration to the student's specific strengths and weaknesses. Each goal statement must describe the behavior expected of the student when the educational program

for the **year** is completed and must be written in measurable terms. If more than one goal is included, number each goal.

22. Fill in the actual date on which the annual goal is achieved by the student.
23. Describe the student's specific current performance in the educational area for which special education services are recommended. This specific performance could be gathered from formal and/or informal assessments and may include a description of behaviors in and out of school. Although most of the initial committee's data will come from the evaluation, most of the review IEP conference data should be gathered from current service providers and parents. Although the current performance should be noted, a review of past educational data can give an overview of how much progress or lack of progress has been made. The data for review IEPs should include specific student skills at the time of the conference. These will provide the basis from which annual goals and objectives or benchmarks will be developed. Specific current behaviors should include **more** than just grade/age levels or test scores.
24. Describe how the achievement of the goal will be measured, such as by criterion-referenced test, checklist, rubric, portfolio, or unit test.
25. Write short term objectives/benchmarks that describe specific abilities that the students will develop for each goal. Each objective/benchmark must be written in behavioral terms that identify specific behaviors, conditions and criteria for measurements. Measurement criteria must include a performance standard (such as percentile, ratio, curriculum level) and method of measurement. Each objective/benchmark should be assigned a number that corresponds to a specific goal (*i.e.*, objective 1.1 for Goal 1).
26. Fill in the date on which objective/benchmark is achieved by the student.
27. Check the position(s) of the individual(s) who will implement the instructional program that addresses the annual goal. There may be one or more persons responsible for a particular goal and/or objective/benchmark.

PAGE 2

28-33 (See 1-6.)

34-40 (See 21-27.)

41. List the minutes in the student's **total instructional** day. This figure does **not** include meals, recess, or transportation. The total instructional day should be comparable to the length of the instructional day for non-exceptional students. Any variation from this schedule must be documented on the student's IEP. (Refer to the local Pupil Progression Plan for details regarding required minutes per day for instruction in the school system.)
42. Put the actual date the student will begin services and tell how long those special education services will be provided (duration). For initial IEPs, placement shall occur within ten (10) calendar days. If services will be delayed, reasons must be noted in the comment section. If services are not to begin immediately, note when the IEP will take effect. Enter the actual minutes per day of special education services to be received. Enter the number of days per week.
43. Check the appropriate setting(s) needed to implement the student's program as discussed. This designated setting must be indicated for all students ages 3 through 22. For additional clarification the following definitions for each setting are provided. If the placement decision is not a regular class/setting, the reason must be explained.

Note: The definition of each setting is defined on the form. A conversion chart is attached for your use. For placement other than regular class setting, provide justification for each setting rejected.

Regular class

If a student spends less than 21% of the instructional day outside his/her regular class, the setting determination is considered regular class. Instruction is provided in the regular classroom with additional services provided such as, but not limited to, a special class with a certified gifted teacher, teacher consultation, materials, supplies and equipment as needed.

Resource with regular classroom

If at least 21%, but not more than 60%, of a child's instructional day is outside the regular class, the placement is considered resource with regular classroom.

Self- contained

If more than 60% of a student's instructional day is outside the regular class, the placement/service is self-contained.

Pre-school

Pre-school gifted/talented services are provided to children from 3 - 5 years of age. For children receiving services in a center or school setting, consider the percentage of time served in each setting.

- a. Indicate regular placement when a child receives services for less than 60% of the day outside the regular class.
 - b. Indicate self-contained for setting when a child receives services for more than 60% of the day outside the regular class.
44. Fill in the number of weeks that correspond to the regular reporting period for the school system.
 45. Have the officially designated representative (ODR) of the school system date and sign his/her name.
 46. Have the parent/guardian/surrogate parent/competent major check the boxes signifying agreement with the statements. A student must be informed of his/her rights at age seventeen and that these rights will transfer to the student when he/she reaches eighteen.
 47. The parent/guardian/surrogate parent/competent major should provide a dated signature to indicate informed consent.
 48. Complete this section at the conclusion of the IEP meeting. Although the IEP committee must participate in placement decisions, the school system has the responsibility of determining the school site in keeping with the committee's decisions. The signature of the ODR and date are required.

If this section is not completed at the conclusion of the IEP committee meeting, the officially designated representative of the school system must complete the Site Determination section, with a copy forwarded to the parents within ten (10) calendar days.

A copy of the completed IEP document must be given to the parents and the receiving special education teacher and regular education teacher(s) providing services. A copy of the completed IEP document should be kept on file in the central office of the LEA.

PAGE 3

This page can be used if additional goals and objectives/benchmarks are needed and then **inserted between the first and last pages of the IEP.**

49-54(See 1-6.)

55-61 (See 21-27.)

System 1 Student Name 2

Meeting Date(s) 3 DOB 4 ID# 5 Page 6 of 6

INDIVIDUAL EVALUATION DATE <u>7</u> GRADE <u>8</u> Homebased School <u>11</u>	PRIMARY EXCEPTIONALITY <u>9</u> Gifted Talented SECONDARY EXCEPTIONALITY <u>10</u> Gifted Talented TYPE IEP <u>12</u> Interim Initial Review Declassified
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IEP PARTICIPANTS <u>13</u> Sp Ed Teacher _____ Reg Ed Teacher _____ Student _____ Parents* _____ *See block for parent decisions.	**Official Designee of System(ODR) _____ Eval. Rep. _____ Other(s) _____ ** Must be in attendance
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GENERAL STUDENT INFORMATION <u>14</u>	15 EDUCATIONAL NEEDS Academic Social/Emotional Section 504 Plan <u>16</u> (Attach if student requires accommodations and/or modifications)
REEVALUATION COMMENTS <u>17</u>	COMMENTS <u>18</u>
RELATED SERVICES <u>19</u> LEAP <u>20</u> CRT/NRT _____	

ANNUAL GOAL: <u>21</u>	DATE ACHIEVED <u>22</u>
Specific Current Performance: <u>23</u>	
Method of Measurement: <u>24</u>	
Differentiated Objectives/Benchmarks - The student will <u>25</u>	
Person(s) responsible for implementing goal: ___ SpEd Teacher ___ RegEd Teacher ___ Student ___ Parents ___ Other <u>27</u>	

ANNUAL GOAL:	DATE ACHIEVED
Specific Current Performance:	
Method of Measurement:	
Differentiated Objectives/Benchmarks - The student will	
Person(s) responsible for implementing goal: ___ SpEd Teacher ___ RegEd Teacher ___ Student ___ Parents ___ Other _____	

System 28 Student Name _____ Meeting Date(s) 30 DOB _____
 31 ID# 29 Page 32 of 33

ANNUAL GOAL: 34	DATE ACHIEVED 35
Specific Current Performance: 36	
Method of Measurement: 37	
Differentiated Objectives/Benchmarks - The student will 38	Date Achieved 39

Person(s) responsible for implementing goal: ___ SpEd Teacher ___ RegEd Teacher ___ Student ___ Parents ___ Other _____ 40 _____

ANNUAL GOAL:	DATE ACHIEVED
Specific Current Performance:	
Method of Measurement:	
Differentiated Objectives/Benchmarks - The student will	Date Achieved

Person(s) responsible for implementing goal: ___ SpEd Teacher ___ RegEd Teacher ___ Student ___ Parents ___ Other _____

Students Total Instructional Day (Minutes) _____ 41 _____	The LEA assures that the program and services described in the IEP will be provided. The schedule for determining progress toward achievement of short term objectives will be every <u>44</u> weeks. Achievement will be documented through the use of Progress Reports _____ Date _____ Officially Designated Representative of School System Signature _____
Students instructional program begins (date) _____ 42 _____ duration _____ for _____ SpEd minutes _____ day(s) per week.	

<p>PLACEMENT/SERVICE DETERMINATION 43</p> <p>Regular class (Less than 21% of the day outside the regular class)</p> <p>Resource with regular class (At least 21%, but no more than 60% of the day outside the regular class)</p> <p>Self-contained (More than 60% of the day outside the regular class)</p> <p>Preschool (Explain setting.)</p> <p>Explain placement choice _____</p>	<p>PARENT/STUDENT DECISIONS*** 46</p> <p>I have received a copy of the "Louisiana Educational Rights of Gifted/Talented Children in Public Schools," and was given an opportunity for an oral explanation. I have received a copy of my (child's) evaluation and documentation of determination of eligibility.</p> <p>After discussing my (child's) special education needs, I approve this proposed IEP/ Placement.</p> <p>***BEGINNING AT LEAST ONE YEAR BEFORE REACHING THE AGE OF MAJORITY, THE STUDENT MUST BE INFORMED THAT HIS OR HER RIGHTS UNDER PART B OF THE ACT WILL TRANSFER TO THE STUDENT ON HIS OR HER REACHING THE AGE OF MAJORITY.</p> <p>_____ 47 _DATE PARENT/GUARDIAN//COMPETENT MAJOR/STUDENT SIGNATURE</p>
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SITE DETERMINATION Site: _____ 48 **NOTE:** The school system may choose to complete this section at this time.

Are following assurances provided Yes NO If no, cite reason(s). _____ 1.

This school is one the student would attend if he or she were not identified as exceptional. 3. The school selected is accessible to the student for all school activities.

2. This school and class are chronologically age appropriate for the student. 4. The classroom is comparable to and integrated with regular classes.

Signature of Officially Designated Representative of School System _____ DATE _____

System 49

StudentName 50

Meeting Date(s) 51 DOB 52

ID# 53 Page 54 of 54

*This page can be used if additional goals and objectives/benchmarks

are needed.

ANNUAL GOAL: 55	DATE ACHIEVED 56
Specific Current Performance: 57	
Method of Measurement: 58	
Differentiated Objectives/Benchmarks - The student will 59	Date Achieved 60
Person(s) responsible for implementing goal: ___ SpEd Teacher ___ RegEd Teacher ___ Student ___ Parents ___ Other _____ 61	
ANNUAL GOAL:	DATE ACHIEVED
Specific Current Performance:	
Method of Measurement:	
Differentiated Objectives/Benchmarks - The student will	Date Achieved
Person(s) responsible for implementing goal: ___ SpEd Teacher ___ RegEd Teacher ___ Student ___ Parents ___ Other _____	
ANNUAL GOAL:	DATE ACHIEVED
Specific Current Performance:	
Method of Measurement:	
Differentiated Objectives/Benchmarks - The student will	Date Achieved
Person(s) responsible for implementing goal: ___ SpEd Teacher ___ RegEd Teacher ___ Student ___ Parents ___ Other _____	