

Legal References

Contents of the IEP

Section 1

Nonacademic services are listed under Other FAPE Requirements at, 300.107. Schools “must take steps, including the provision of supplementary aids and services determined appropriate and necessary by the child’s IEP Team/ARD committee, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities.” These services include “employment of students, including both employment by the public agency and assistance in making outside employment available.”

The basic requirements for the content of the Individualized Education Program (IEP) are at 300.320 and 300.324. It must include measurable annual goals “designed to meet the child’s needs that result from the child’s disability to enable the child to be involved in and make progress in the general education curriculum”. 300.320(a)(2)(i)(A)

Section 2

The membership of the IEP team/ARD committee is listed at 300.321. The IEP must have “a statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided”. 300.320(a)(4)

There must be an “explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class” and in extracurricular and other nonacademic activities. 300.320(a)(5)

The IEP is “a written statement for each child with a disability that is developed, reviewed and revised in a meeting in accordance with 300.320 through 300.324”. 300.320(a)

Section 3

The IEP “must include a statement of the child’s present levels of academic achievement and functional performance, including – how the child’s disability affects the child’s involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or for preschool children, as appropriate, how the disability affects the child’s participation in appropriate activities”. 300.320(a)(1)

Section 4

The IEP must include “a statement of measurable annual goals, including academic and functional goals designed to – meet the child’s needs that result from the child’s disability to enable the child to be involved in and make progress in the general education curriculum; and meet each of the child’s other educational needs that result from the child’s disability”. “For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short- term objectives”. 300.320(a)(2)(i) & (ii)

Section 5

The IEP must include “a description of – how the child’s progress toward meeting the annual goals described in paragraph (2) of this section will be measured; and when periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided”. 300.320(a)(3)(i)(ii)

Section 6

The IEP must include “a statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided the child, or on behalf of the child, and a statement of the program modification or supports for school personnel that will be provided to enable the child – (i) to advance appropriately toward attaining the annual goals; (ii) to be involved in and make progress in the general education curriculum in accordance with paragraph (a)(1) of this section, and to participate in extracurricular and other nonacademic activities; and (iii) to be educated and participate with other children with disabilities and nondisabled children in the activities described in this section”. 300.320(a)(4)

Section 7

The IEP must include “an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described in paragraph (a)(4) of this section”. 300.320(a)(5)

Section 8

The IEP must include “a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district wide assessments consistent with section 612(a)(16) of the Act; and if the IEP Team determines that the child must take an alternate assessment instead of a particular regular State or district wide assessment of student achievement, a statement of why –(A) the child cannot participate in the regular assessment; and (B) the particular alternate assessment selected is appropriate for the child.” 300.320(a)(6)(i) & (ii)

Section 9

The IEP must include “the projected date for the beginning of services and modifications described in paragraph (a)(4) of this section, and the anticipated frequency, location, and duration of those services and modifications.” 300.320(a)(7)

Section 10

The IEP must include “appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills; and

the transition services (including courses of study) needed to assist the child in reaching those goals." 300.320 (b)

Not sure which section -"(g) If the ARD committee determines that a behavior improvement plan or a behavioral intervention plan is appropriate for a student, that plan must be included as part of the student's IEP & provided to each teacher with responsibility for educating the student." TAC 89.1055(g)

"In developing each child's IEP, the IEP Team/ARD committee must consider— (i) The strengths of the child; (ii) The concerns of the parents for enhancing the education of their child; (iii) The results of the initial or most recent evaluation of the child; and (iv) The academic, developmental, and functional needs of the child.

(2) Consideration of special factors. The IEP Team/ARD committee must— (i) In the case of a child whose behavior impedes the child's learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior; (ii) In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP; (iii) In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child; (iv) Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and (v) Consider whether the child needs assistive technology devices and services." 300.324(a)(1)&(2)grade." 300.101(a) & (c)