

## IEP - 7.4 Development of IEP

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### IEP PR-07 Form

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Ohio's IEP form provides for a "standards based IEP." Annotations for the IEP have been developed and are updated periodically to assist IEP team members with the development of the IEP. Training on the use of the IEP form is provided by the state support teams (SSTs) to districts in their regions.

Two versions of the IEP form are included in this document under [Ohio Required Forms](#), posted on the [www.edresourcesohio.org](http://www.edresourcesohio.org) Web site, and posted on the ODE Web site at <http://education.ohio.gov>, keyword search: *special education forms*.

- IEP PR-07 Form (dynamic PDF file) - revised May 10, 2010

This form is a dynamic PDF file that will change format as the data is entered. Input fields expand to accommodate content. Some sections may be duplicated as needed. Some sections may be omitted based on user responses. Fields such as names and dates are linked to reduce duplication of entry. The resulting file with data may be saved for future use.

Although the data is stored in an electronic form this is not by itself an "electronic IEP." Data is stored only within the individual files. Users must be careful to establish a file naming system, an organized storage system and a method of addressing the security of the data files.

- IEP PR-07 Form (static PDF file) - revised May 6, 2009

This form may be printed and filled in.

- *Annotations for the IEP PR-07 Form*

The IEP PR-07 form is no longer used for the Services Plan. A Services Plan form is available along with annotations for its use. It is included in this document under [Ohio Required Forms](#), posted on the [www.edresourcesohio.org](http://www.edresourcesohio.org) Web site, and posted on the ODE Web site at <http://education.ohio.gov>, keyword search: *special education forms*.

## State Performance Plan (SPP):

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**(See Overview in the Introduction for more information on the SPP.)**

### SPP 5:

Least restrictive environment - school- age:

Percent of children with IEPs aged 6 through 21:

- A. Removed from regular class less than 21% of the day;
- B. Removed from regular class greater than 60% of the day; or
- C. Served in public or private separate schools, residential placements, or homebound or hospital placements.  
(20.U.S.C. 1416 (a) (3) (A))

### SPP 3B:

Participation and performance of children with disabilities on statewide assessments:

- B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards. (20.U.S.C. 1416(a) (3) (A))

### SPP 13:

Secondary transition:

Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the child to meet the post- secondary goals. (20.U.S.C. 1416 (a) (3) (B))

**SPP 8:**

Parent involvement:

Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities. (20.U.S.C. 1416(a) (3)A))

**Intent:**

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To describe the sequence and content in the development of a child's individualized education program (IEP). The IEP should address the unique needs of the child to enable him or her to make meaningful progress toward accessing and progressing in the general education curriculum.

**Timelines:**

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- A meeting to develop an IEP for a child must be conducted within 30 days of a determination that the child needs special education and related services.
- The initial IEP must be developed within whichever of the following time periods is the shortest:
  1. Within thirty calendar days of the determination that the child needs special education and related services;
  2. Within 90 calendar days of receiving parental consent for an evaluation; or
  3. Within 120 calendar days of receiving parent or school district request for an evaluation.
- As soon as possible following development of the IEP, special education and related services must be made available to the child in accordance with the child's IEP.
- An IEP must be in effect at the beginning of each school year for each child with a disability within a district's jurisdiction.
- For children age 14 and older (or younger, if appropriate), the IEP shall include a statement of the transition service needs of the child.
- The IEP must include appropriate measurable postsecondary goals and transition services at age 16, or younger if determined appropriate by the IEP team, and those must be updated annually. (See IEP - 7.6 Postsecondary Transition Services.)

**REQUIREMENT**

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**3301-51-07**

***(H) Definition of individualized education program***

***(1) General***

As used in this rule, the term "Individualized Education Program" or "IEP" means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with paragraphs (H) to (L) of this rule and that must include:

(a) A statement that discusses the child's future

The IEP team shall ensure that the family and child's preferences and interests are an essential part of the planning process. The IEP team will document planning information on the IEP;

(b) A statement of the child's present levels of academic and functional performance, including:

(i) 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

(ii) For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities;

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(October, 2011)

(c) A statement of measurable annual goals, including academic and functional goals and benchmarks or short-term objectives designed to:

- (i) 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
- (ii) Meet each of the child's other educational needs that result from the child's disability;

(d) A description of:

- (i) How the child's progress toward meeting the annual goals described in paragraph (H) (1) (c) of this rule will be measured; and
- (ii) 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;

(e) 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 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 (H) (1) (b) of this rule, 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 rule;

(f) 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 (H) (1) (e) of this rule;

(g) A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on state and districtwide assessments consistent with Section 612(a) (16) of the IDEA;

(h) If the IEP team determines that the child must take an alternate assessment instead of a particular regular state or districtwide assessment of student achievement, a statement of why:

- (i) The child cannot participate in the regular assessment; and
- (ii) The particular alternate assessment selected is appropriate for the child; and

(i) The projected date for the beginning of the services and modifications described in paragraph (H) (1) (e) of this rule and the anticipated frequency, location, and duration of those services and modifications.

### **(2) Transition services**

(a) For each child with a disability, beginning at age fourteen (or younger, if determined appropriate by the IEP team), the IEP shall include a statement, updated annually, of the transition service needs of the child under the applicable components of the child's IEP that focuses on the child's courses of study (such as participation in advanced-placement courses or a vocational education program.)

(b) Beginning not later than the first IEP to be in effect when the child turns sixteen, or younger if determined appropriate by the IEP team, and updated annually, thereafter, the IEP must include:

- (i) Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
- (ii) The transition services (including courses of study) needed to assist the child in reaching those goals.

**(3) Transfer of rights at age of majority**

Beginning not later than one year before the child reaches eighteen years of age, which is the age of majority under Ohio law, the IEP must include a statement that the child has been informed of the child's rights under Part B of the IDEA that will transfer to the child on reaching the age of majority, as specified in rule 3301-51-05 of the Administrative Code.

**3301-51-07**

**(L) Development, review, and revision of IEP**

**(1) Development of IEP**

**(a) General**

In developing each child's IEP, the IEP team 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;
- (iv) The results of the child's performance on any state or district- wide assessment programs, as appropriate; and
- (v) The academic, developmental, and functional needs of the child.

**(b) Consideration of special factors**

The IEP team 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;
  - (a) 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; and
  - (b) Ensure that the requirements for IEPs for children with visual impairments are implemented as provided in section 3323.011 of the Revised Code;
- (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.

**(c) Requirements with respect to regular education teacher**

A regular education teacher of a child with a disability, as a member of the IEP team, must, to the extent appropriate, participate in the development of the IEP of the child, including the determination of:

- (i) Appropriate positive behavioral interventions and supports and other strategies for the child; and
- (ii) Supplementary aids and services, program modifications, and support for school personnel consistent with paragraph(H) (1) (e) of this rule.

**(d) Agreement**

- (i) In making changes to a child's IEP after the annual IEP team meeting for a school year, the parent of a child with a disability and the school district may agree not to convene an IEP team meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the child's current IEP.

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(ii) If the IEP team amends or modifies the child's current IEP, as described in paragraph (L) (1) (d) (i) of this rule, the annual review date for the amended or modified IEP does not change. The annual review date will change upon a complete review and revision of the child's IEP as outlined in paragraph (L) (2) of this rule.

(iii) If changes are made to the child's IEP in accordance with paragraph (L) (1) (d) (i) of this rule, the school district must ensure that the child's IEP team is informed of those changes.

### **(e) Consolidation of IEP team meetings**

To the extent possible, the school district must encourage the consolidation of reevaluation meetings for the child and other IEP team meetings for the child.

### **(f) Amendments**

Changes to the IEP may be made either by the entire IEP team at an IEP team meeting, or as provided in paragraph (L) (1) (d) of this rule, by amending the IEP rather than by redrafting the entire IEP. When an IEP is amended the school district shall send a copy of the amended IEP to the parent within thirty days of the date the IEP was amended.

## **(2) Review and revision of IEPs**

### **(a) General**

Each school district must ensure that, subject to paragraphs (L) (2) (b) and (L) (2) (c) of this rule, the IEP team:

- (i) Reviews the child's IEP periodically, but not less than annually, to determine whether the annual goals for the child are being achieved; and
- (ii) Revises the IEP, as appropriate, to address:
  - (a) Any lack of expected progress toward the annual goals described in paragraph (H) (1) (c) of this rule, and in the general education curriculum, if appropriate;
  - (b) The results of any reevaluation conducted under rule 3301-51-06 of the Administrative Code;
  - (c) Information about the child provided to, or by, the parents; as described under paragraph (F) (1) (b) or rule 3301-51-06 of the Administrative Code;
  - (d) The child's anticipated needs; or
  - (e) Other matters.

### **(b) Consideration of special factors**

In conducting a review of the child's IEP, the IEP team must consider the special factors described in paragraph (L) (1) (b) of this rule.

### **(c) Requirement with respect to regular education teacher**

A regular education teacher of the child, as a member of the IEP team, must, consistent with paragraph (L) (1) (c) of this rule, participate in the review and revision of the IEP of the child.

## **(3) Failure to meet transition objectives**

### **(a) Participating agency failure**

If a participating agency, other than the school district, fails to provide the transition services described in the IEP in accordance with paragraph (H) (2) of this rule, the school district must reconvene the IEP team to identify alternative strategies to meet the transition objectives for the child set out in the IEP.

### **(b) Construction**

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Nothing in this rule relieves any participating agency, including a state vocational rehabilitation agency, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to children with disabilities who meet the eligibility criteria of that agency.

### 3301-51-02

#### ***(H) Nonacademic services***

(1) Each school district must take steps, including the provision of supplementary aids and services determined appropriate and necessary by the child's IEP team, 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.

(2) Nonacademic and extracurricular services and activities shall include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the school district, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the school district and assistance in making outside employment available..

### 3301-51-02

#### ***(J) Program options***

Each school district must take steps to ensure that children with disabilities served by the school district have available to them the variety of educational programs and services available to nondisabled children in the area served by the school district, including art, music, industrial arts, consumer and homemaking education and vocational education.

### 3301-51-09

#### ***(B) LRE requirements***

(2) Each school district must ensure that:

- (a) To the maximum extent appropriate, children with disabilities, including children in public or nonpublic institutions or other care facilities, are educated with children who are nondisabled; and
- (b) Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the with the use of supplementary aids and services cannot be achieved satisfactorily.

## GUIDANCE

### Developing the IEP

See Annotations for the IEP PR-07 Form.

### Amending the IEP

**An IEP meeting must be held at least every 12 months. If changes are to be made to the IEP after the annual meeting, the parents and the school district may agree to either convene an IEP team meeting or not to convene an IEP team meeting. This agreement between the parents and the district does not have to be in writing, although it is strongly recommended that the agreement be documented in writing in the event that questions arise at a future time.**

**Once agreed that the IEP team will not convene, the parents and a member or members of the school district staff discuss the proposed amendments to the IEP either in a face- to- face meeting or via a phone call or e- mail. These changes are documented in the Amendment Section of the IEP or a written document may be attached to the child's IEP to amend or modify the IEP.**

**The district must provide the parents a copy of the revised IEP within 30 days of the date the IEP was amended. Amending the IEP does NOT change the date that the annual IEP team meeting is required to be held. If the parents disagree with the amendment, the district must provide Prior Written Notice (PR-01) to the parents.**

After the child's IEP has been amended, the district must inform the members of the child's IEP team of the amendment. Each teacher and/ or related service provider who is not part of the IEP team must be informed of his or her specific responsibilities related to implementing the child's amended IEP including the specific accommodations and supports that must be provided for the child. It is strongly recommended that team members and service providers be informed of the IEP amendment in writing to document that all parties were informed of the changes.

**LEGAL CITATIONS:**

**Federal Statutes:**

20 U.S.C. 1414(d) (1) (A) and (d) (6)

**Code of Federal Regulations:**

CFR §300.320

**Ohio Revised Code: (Policies)**

ORC 3323.19

**Operating Standards: (Procedures)**

3301-51-02

3301-51-07

3301-51-09

**FORMS** (\* = required)

- Prior Written Notice to Parents PR-01\*
- IEP PR-07\*
- Whose IDEA Is This?\*