1 Is Goal Writing Magic?

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2 Significant Challenges, But NOT Magic

- Writing measurable goals.
- Aligning goals with the state content standards.
- Designing measurable goals to address disability related behavior.
- · Measuring progress.

3 Consider These Words...

- Segregated settings
 - Alternate curriculum
 - Remediation
 - Replacement
 - Lower expectations
 - Frustration
- Integration
 - Grade level standards
 - General curriculum
 - Accommodations
 - · School-wide intervention systems
 - Instructional strategies

4 Begin with FAPE

 A free appropriate public education must be available to all children residing in the State between the ages of 3 and the school year in which the students turns 21, inclusive, including children with disabilities who have been suspended or expelled from school, as provided for in §300.530(d).
 34 C.F.R. §§300.101.

5 FAPE Defined 34 C.F.R. §300.17

- Is provided at public expense.
- Meets Federal and State requirements.
- Includes preschool, elementary or secondary schools.
- Requires an Individual Education Program (IEP) meets the requirements outlined in 34 C.F.R. §§300.320 through 300.324.

6 **FAPE**

7 Educational Benefit Components

8 FAPE and the IEP

- Developing an IEP is a planning process more than completing forms.
- IEPs must be aligned with state standards and general curriculum.
- Services must be connected to state standards and general curriculum.
- Fundamental purpose of IEP is to improve student outcomes.

9 More Than Just Academics?

- There is nothing in the IDEA that would support a conclusion that educational performance is limited to academics. To the contrary, each state must ensure that FAPE is available to any individual child with a disability who needs special education and related services, even though the child has not failed or been retained in a course or grade. (Emphasis added.) 34 C.F.R. §300.17(c)(1).
- FAPE may also include behavior, life skills, vocational skills, social skills, etc.

10 Time to take a step back. . .

Remember Timothy.

11 Zero Reject Principle

- The law explicitly recognizes that education for the severely handicapped is to be broadly defined, to include not only traditional academic skills, but also basic functional life skills, and that educational methodologies in these areas are not static, but are constantly evolving and improving.
- It is the school district's responsibility to avail itself of these new approaches in providing an education program geared to each child's individual needs.

12 Zero Reject Principle

- The only question for the school district to determine, in conjunction with the child's parents, is what constitutes an appropriate individualized education program (IEP) for the handicapped child.
- We emphasize that the phrase "appropriate individualized education program" cannot be interpreted, as the school district has done, to mean "no educational program."
- Timothy W. v. Rochester Sch. Dist., 441 IDELR 393 (1st Cir. 1989).

13 Real Life

- The Timothy W. case reminds us that some students may have significant cognitive and functional skill deficits that require an IEP focused on functional and self-care skill development.
- This focus may be appropriate for some students, but does not obviate the need for specially designed instruction.
- It is NOT possible to have an IEP without the provision of specially designed instruction. If functional skills are the primary need, then provide specially designed instruction by a qualified teacher or provider to address those needs.

14 Not Just Academics

- A school psychologist's fixation on a kindergartner's academic progress highlighted a significant flaw in a district's evaluation procedures.
- Concluding that the child's escalating behavioral problems

impeded his learning, the District Court held that the district erred in finding the child ineligible for IDEA services.

15 Not Just Academics

- The court acknowledged that the child had a very high IQ and performed above grade level academically. However, the court pointed out that IDEA eligibility does not turn on academic ability alone.
- "[The psychologist] and the district had an obligation to look beyond simply [the child's] cognitive potential or academic progress and to address the attentional issues and behaviors that [the teacher] had identified as impeding his progress."
- 38 G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ 38 G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ 38 G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ 38 G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ 38 G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ 38 G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ 38 G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ 38 G.J.D. v. Wissahidkon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ 38 G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ 38 G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ 38 G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ 38 G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ 38 G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ 38 G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ 38 G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ 36 G.J.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ

GJ.D. v. Wissahickon Sch. Dist., 56 IDELR 294 (E.D. Pa. 2011). Not Just Academ (Anderson, Chitwood, & Hayden, 1997).

39 Clearly Defined Action Verb

- Use standards, assessment strands or components of curriculum frameworks (big ideas, concepts, or competencies) as the foundation to describe the action verb in measurable and observable terms.
- Ask this question...What will the student actually DO?
 - Examples: Explain, write, read orally, point to, solve, calculated, separate, specify....

40 Clearly Defined Action Verb

41 Examine the General Education Curriculum

- Considerations:
- What does the curriculum say (concepts and skills)?
- What are the benchmarks or performance expectations for all students?
- How is the instruction provided in general education (setting demands)?

42 Grade 5 Reading: Standards for Literature

 Determine a theme of a story, drama or poem from details in the text, including how characters in a story or drama respond to challenges or how the speaker in a poem reflects upon a topic; summarize the text.

43 Grade 5 Reading: Standards for Literature

 Determine a <u>theme of a story</u>, <u>drama</u> or <u>poem</u> from details in the text, including how characters in a story or drama respond to challenges or how the speaker in a poem reflects upon a topic; summarize the text. Ask: What skills does the student require to master the content of the curriculum and close the gap identified in the area of deficit?

44 Performance Criteria

- Three Parts
 - Criterion Level How well must the student achieve to demonstrate mastery?
 - Number of Times How consistently the needs to perform the skill(s) before it is considered "mastered".
 - Evaluation Schedule How frequently teacher plans to assess the skill.

45 Behavior Isn't Different, But It Is Challenging

IEP Teams must:

- Identify the unique characteristics and needs of the student through comprehensive evaluation and ongoing progress monitoring;
- Identify what the school will do to teach the student skills needed to access the general curriculum;
- · Develop measurable goals and objectives; and
- Provide specially designed instruction and/or related services.

46 Typical Responses to Misbehavior

Define Behavior in Objective, Measurable and Observable Terms

- · Fair Pairs:
 - A replacement or alternate behavior is one that is incompatible with or competes with the inappropriate behavior. The replacement or alternative behavior that is selected should create a "fair pair" with the inappropriate behavior.

• EXAMPLE

 Student calling out to get attention; Student raising hand and waiting to get attention.

48 Is it a Replacement Behavior?

- Dead Man's Test
 - The question posed by this test is: Can a dead man do this? If the answer is yes the target behavior is not a replacement behavior.

EXAMPLES

- Student will not lie A dead man can "not lie". A better behavior would be student "tells the truth".
- Student will not hit A dead man can "not hit". A better behavior would be student "responds by asking the other student to stop hitting".

49 Another Check...

- Stranger Test
 - Could someone who does not know the student read the definition of the behavior and understand it? Could that person recognized the behavior if the student exhibited it?

•EXAMPLE:

 The goal may be to "decrease inappropriate verbal behavior". This doesn't pass because different people might define inappropriate and/or verbal behavior differently.

50 What Makes a Goal Measurable?

Measuring Distance: If you want to know how much progress has been made, you must specify:

- 1. Direction of Movement: increase, decrease, maintain (this may be stated in the target).
- 2.Baseline: For the skill on which the goal will focus, describe the student's current performance in measurable terms (something you are able to observe and count).

51 What Makes a Goal Measurable?

- 3. Target: In the same skill area used in the baseline, what level of performance does the team expect the student to achieve in one year (given appropriate specially designed instruction and/or related services)? The target must be stated in objective, observable.
- 4.Method of Measurement: For the skill focused upon in the baseline and target, the method of measurement describes how progress toward the target will be measured on a regular basis. The team must understand how will data be collected for quarterly reporting and IEP goal updating (if necessary). The method of measurement must be able to measure the skill described in the baseline and target.

52 Review your Goals

53 Specially Designed Instruction

- What the TEACHER teaches.
- Specially Designed Instruction (SDI) refers to the teaching strategies and methods used by teachers to instruct students with disabilities.
- The team must determine specific instructional strategies (NOT methodologies or lesson plans) that teachers must use with a particular child.
- SDI is used to support the student's goals, benchmarks, and objectives on his/her IEP.

Adapted from Tacoma Public Schools.

54 What does it mean?

- Specially designed instruction means organized and planned instruction activities typically provided by an appropriately qualified special education professional that modify, as appropriate the content, methodology, or delivery of instruction.
- What makes instruction truly individualized and specially

designed for a student with a disability and different from what a general education student receives is how the instruction is linked to the student's IEP goals and objectives. Central Ohio Special Education Regional Resource Center

55 A Definition

- Specially Designed Instruction is planned, organized and meaningful in that it is an intentional and systematic process that specifically addresses the student's needs as expressed in the IEP goals and objectives.
 - Central Ohio Special Education Regional Resource Center

56 What It Does NOT Mean..

- Working at a lower level.
- Changing the standard to weaken the curriculum.
- It is not the same as accommodations.

57 Remember

Special Education is about instruction, NOT a place, NOT a program.

58 Special Education & Related Services

59 Measuring Progress

- 34 C.F.R. §300.320(a)(3).
- The IEP must include a description of
 - How the child's progress toward meeting the annual goals will be measured; AND
 - When periodic reports on the progress the child is making toward meeting the annual goals will be provided.

60 Different Ways to Determine Progress

- Traditional Assessments
 - Tests are typically lengthy
 - Tests are administered on an infrequent basis.
 - Teachers don't always receive immediate feedback and feedback may not be instructionally relevant
 - Scores may be based on national or state averages
- Progress Monitoring
 - Conducted frequently and provides easy and quick method for gathering student performance data on important, gradelevel SKILLS/CONTENT
 - Provides performance across time, instruction can be modified or adjusted in real time
 - Comparison of data is at the classroom and school level.

61 Other Methods

- Progress monitoring is a relatively new term. Some other terms you may be more familiar with are Curriculum-Based Measurement and Curriculum-Based Assessment. Whatever method you decide to use, it is most important that you ensure it is a scientifically based practice that is supported by significant research.
 - National Center on Student Progress Monitoring

62 What is a Curriculum-Based Measurement?

- CBM is a scientifically validated form of student progress monitoring that incorporates standard methods for test development and administration for data utilization.
- Key features
 - Brief and easy to administer
 - Variety of tests but assesses the same types of skills
 - Administered throughout the year on regular and frequent intervals
- CBM can be used to compare the effectives of different types of instructional interventions

CBM informs instruction

63 Monitoring Progress is Critical

- It is a component of the FAPE requirement;
- It accelerates learning because students are receiving more appropriate instruction;
- It guides more informed instructional decisions;
- It encourages more efficient communication with families and other professionals about students' progress;
- It leads o higher expectations for students by teachers; and
- Overall, the use of progress monitoring results is more efficient and appropriately targets instructional techniques and goals, which together, move all students to faster attainment of important state standards of achievement.

64 Considerations of Progress Monitoring...

- What will be monitored?
- · How often will it be monitored?
- Who will monitor it?
- How will the data be reported?

65 Documenting Progress

- The expectation is two-fold:
 - Data collection derived from the measurable annual goal's baseline, target, and method of measurement; AND
 - •Narrative description relevant to the progress measured.
- Narratives without data are not sufficient.
- Understand the difference between reporting progress and measuring progress.

66 Lack of Progress

- If a student fails to make progress within a reasonable period of time, the district must convene an IEP meeting to address the student's lack of progress. 34 CFR 300.324 (b)(2)(A).
- A district's continuation of inadequate services will almost certainly be regarded as a denial of FAPE.

See, e.g., Draper v. Atlanta, 47 IDELR 260 (N.D. Ga. 2007)

affirmed 49 IDELR 211 (11th Cir. 2008). See also Jefferson County Bd. of Educ. v. Lolita S., 62 IDELR 2 (N.D. Ala. 2013); District of Columbia Pub. Schs., 49 IDELR 267 (SEA D.C. 2008).

67 Address Lack of Progress

- Remember the 4 Rs:
 - RECONVENE
 - REVIEW
 - RESTRATEGIZE
 - REVISE

68 What Gets Lost in Implementation?

- What are the barriers to writing measurable goals?
- What are the barriers to measuring progress?
- 69 Abracadabra
 - Learn the "magic".
 Case study
- 70 Elements of Educational Benefit

71 Educational Benefit

- Educational benefit is judged according to a student's documented progress toward IEP goals.
- Decades of litigation have refined our knowledge of the FAPE standard, but it has never altered the *Rowley* standard.
- Rowley remains the hallmark FAPE standard today.

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73 Questions?

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