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Division of Early Intervention & Special Education Services  
Policy and Accountability Branch  
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# *Early Intervention and Special Education Services Alternate Education Framework Audit Tool*



*Accountability to Improve Performance*

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## ***Directions for Completing Record Review***

Each section of the Early Intervention and Special Education Services Alternate Framework Audit Tool document can be used in isolation or combined with other sections of the document depending on the purpose of the review. The MSDE and/or local school system staff conduct record reviews, as part of selective monitoring activities to:

- Evaluate compliance with all areas of Alternate Framework participation requirements;
- Evaluate compliance specific areas identified through State data review, complaints, and due process hearings;
- Verify correction of identified noncompliance; and/or
- Verify sustained compliance after a closed corrective action.

Early Intervention and Special Education Services Alternate Framework Audit Tool: Select as many sections of this document, or individual requirements within sections of this document, as necessary, for the review. The items in each section represent the requirements that need to be verified through written documentation located in student records. To ensure record review results are valid in identifying compliance, all reviewers must know each requirement and the evidence to substantiate the rating. The documentation of evidence may be located in the student's Individualized Education Program (IEP) or other local school system forms used as part of the IEP team process. Be thorough and fair when identifying evidence within the student's educational record. Invest ample time properly training reviewers before the record review to ensure inter-rater reliability.

Engage in a thoughtful process, using appropriate random sampling procedures, to ensure validity when selecting special education records for review. When planning a record review, each local school system or public agency should consult with its MSDE Monitoring and Accountability Specialist for assistance with record sampling guidelines.

Important: If an item is denoted with an asterisk, i.e., "Item1.0\*", refer to the Division of Early Intervention and Special Education Services, IEP Process Performance Indicators. (November 2019)

**Section 1: Eligibility**

<b>Item</b>	<b>Evidence</b>	<b>Requirement</b>	<b>Clarification</b>
<p><b>1.1</b></p>	<p><i>C = A student has a current IEP that was reviewed and updated not less than annually.</i></p> <p><i>OR</i></p> <p><i>C = There is a documented acceptable reason for the delay of the Annual Review IEP meeting.</i></p>	<p>A public agency shall ensure that the IEP team meets periodically, but not less than annually, to review and revise the IEP, as appropriate, to:</p> <ul style="list-style-type: none"> <li>(a) Determine whether the annual goals for the student are being achieved;</li> <li>(b) Address any lack of expected progress in the annual goals or the general curriculum;</li> <li>(c) Review data and information from assessment procedures conducted as part of the reevaluation in Regulation .06 of this chapter, as appropriate;</li> <li>(d) Address any information about the student provided to or by the parent;</li> <li>(e) Address the student’s anticipated needs; and</li> <li>(f) Discuss other matters, as identified on the notice of the IEP team meeting.</li> </ul> <p>34 CFR §300.324(b); COMAR 13A.05.01.08B(1)</p>	<p><i>The IEP team updates the IEP within one year of the previous Annual Review.</i></p> <p><i>Complete the required Appendix A: Participation Criteria and Checklist (Appendix A) document <b>annually</b> and maintain in the student’s record.</i></p>
<p><b>1.2</b></p>	<p><i>C = Appendix A is complete and uploaded to the student’s file.</i></p>	<p>IEP teams are required to use <i>Appendix A: Participation Criteria and Checklist</i> when determining eligibility for students with a “significant cognitive disability” for participation in the alternate assessments and/or alternate instructional standards.</p> <p>This form must be stored in the student’s file.</p> <p><b>Guidance for IEP Teams Working with Students with the Most Significant Cognitive Disabilities: Assessment and Eligibility for the Alternate Framework (Fall 2023)</b></p>	<p><i>Appendix A includes the participation guidelines and a way to indicate the evidence used in making decisions and the considerations that should <b>not</b> be the basis of making decisions.</i></p> <p><i>Alternate instructional standards are aligned with Maryland College and Career Readiness Standards.</i></p>

Item	Evidence	Requirement	Clarification
1.3a	<p><i>C = The IEP team used multiple sources of information to determine that a significant cognitive disability exists.</i></p>	<p>A significant cognitive disability is pervasive and affects learning across all content areas, independent functioning, community living, leisure, and vocational activities.</p> <p>IEP teams must review and discuss multiple sources of information for evidence of a significant cognitive disability, including, for example, psychological assessments, assessments of adaptive skills, classroom observations, and formal and informal assessment data.</p> <p><b>Guidance for IEP Teams Working with Students with the Most Significant Cognitive Disabilities: Assessment and Eligibility for the Alternate Framework (Fall 2023)</b></p>	<p><i>Effective January 1, 2024, IEP teams complete SECTION 2: DOES THE STUDENT HAVE A SIGNIFICANT COGNITIVE DISABILITY? Cognitive Assessments and Adaptive Skills Assessments of the revised Appendix A: Participation Criteria and Checklist.</i></p> <p><i>A significant cognitive disability is not determined by only an IQ score but rather by a holistic understanding of a student, including the student's adaptive functioning.</i></p>

Item	Evidence	Requirement	Clarification
<p><b>1.3b</b></p>	<p><i>C = The student is learning content derived from the Maryland College and Career-Ready Standards in English/language arts, Mathematics, and the Next Generation Science Standards.</i></p>	<p>The student’s disability or multiple disabilities affect how the student learns curriculum derived from the MCCRS and NGSS. The alternate academic achievement standards are aligned with the MCCRS English/language arts and mathematics and are called the Core Content Connectors (CCC). A CCC is a representation of the essential “core” or big idea of the content standard in the MCCRS. Each CCC was identified by examining hypothesized learning progressions developed by the National Center and State Collaborative (NCSC), aligned with the MCCRS to determine the critical content for students with significant cognitive disabilities. For more information on NCSC and the CCCs, visit the NCSC resources website.</p> <p><b>Guidance for IEP Teams Working with Students with the Most Significant Cognitive Disabilities: Assessment and Eligibility for the Alternate Framework (Fall 2023)</b></p>	<p>Effective January 1, 2024, IEP teams complete SECTION 2: DOES THE STUDENT HAVE A SIGNIFICANT COGNITIVE DISABILITY? and SECTION 3: DOES THE STUDENT REQUIRE SIGNIFICANT MODIFICATIONS TO CURRICULUM IN ORDER TO ACCESS KNOWLEDGE AND SKILLS AND DEMONSTRATE PROGRESS IN THE MARYLAND COLLEGE AND CAREER READY STANDARDS? of the revised Appendix A: Participation Criteria and Checklist.</p> <p><i>Curriculum modified in complexity, breadth, and depth of the student’s current enrolled grade-level.</i></p>

Item	Evidence	Requirement	Clarification
<p><b>1.3c</b></p>	<p><i>C = There is evidence to show the student requires extensive, direct, individualized, and repeated instruction and substantial supports to achieve measurable gains in adapted and modified curriculum aligned with grade-level content standards.</i></p>	<p>The student’s needs for extensive, individualized, repeated, and direct instruction is not temporary or transient. His or her need for substantial adaptations and supports in order to access and achieve linked grade and age-appropriate standards requires substantially adapted materials and customized methods of accessing information in alternative ways to acquire, maintain, generalize, demonstrate, and transfer skills across multiple settings.</p> <p>The IEP team must annually consider the following information to determine whether the alternate assessments and/or alternate instructional standards are appropriate for an individual student:</p> <ol style="list-style-type: none"> <li>1) Description of the student’s instruction, including data on progress</li> <li>2) Classroom work samples and data</li> <li>3) Examples of performance on assessment tasks to compare with classroom work</li> <li>4) Results of district-wide assessments</li> <li>5) Results of individualized English/language arts, mathematics, and science assessments</li> <li>6) IEP information including: <ol style="list-style-type: none"> <li>(a) Present levels of academic achievement and functional performance, goals, and short term objectives</li> <li>(b) Considerations for students with individualized and substantial communication needs or modes (from multiple data sources)</li> <li>(c) Consideration for students who may be learning English as a second or other language (e.g., English Learners) that may interfere with an accurate assessment of his or her academic, social, or adaptive skills.</li> </ol> </li> </ol> <p>Guidance for IEP Teams Working with Students with the Most Significant Cognitive Disabilities: Assessment and Eligibility for the Alternate Framework (Fall 2023).</p>	<p><i>Effective January 1, 2024, IEP teams complete SECTION 4: DOES THE STUDENT REQUIRE EXTENSIVE, DIRECT, REPEATED, AND INDIVIDUALIZED INSTRUCTION? of the revised Appendix A: Participation Criteria and Checklist.</i></p> <p><i>The student’s need for extensive, individualized, repeated, and direct instruction is not temporary or transient.</i></p> <p><i>Materials and individual instructional methods are modified substantially for the student to maintain, demonstrate, and transfer skills across academic content.</i></p>

<b>Item</b>	<b>Evidence</b>	<b>Requirement</b>	<b>Clarification</b>
1.4	<p><i>C = The parent/guardian has completed and signed the PARENT/GUARDIAN UNDERSTANDING section of the revised Appendix A: Participation Criteria and Checklist.</i></p> <p><i>OR</i></p> <p><i>C = When a parent/guardian does not attend/participate in the IEP team meeting, there is documentation of due diligence to ensure understanding.</i></p>	<p>The parent/guardian has been informed that if their child is determined eligible to participate in the alternate assessments and/or alternate instructional standards through the IEP team decision-making process:</p> <ol style="list-style-type: none"> <li>1. If their child continues to participate in the Maryland Alternate Assessments and/or the alternate instructional standards, he/she will be progressing toward a Maryland Certificate of Program Completion. His/her continued participation in the alternate assessments and/or alternate instructional standards will not prepare him/her to meet Maryland’s high school diploma requirements.</li> <li>2. The decision for their child to participate in the alternate assessments and/or alternate instructional standards must be made annually.</li> </ol> <p><b>Guidance for IEP Teams Working with Students with the Most Significant Cognitive Disabilities: Assessment and Eligibility for the Alternate Framework (Fall 2023)</b></p>	



Item	Evidence	Requirement	Clarification
1.5	<p><i>C = The IEP team's Statement of Assurance indicates that the decision for the student to participate in the Alternate Framework is not based on the listed considerations.</i></p>	<p>Evidence shows that the decision to participate in the Maryland Alternate Assessments and/or alternate standards <b>is not</b> based on the list below:</p> <ul style="list-style-type: none"> <li>• A disability category or label.</li> <li>• Poor attendance or extended absences.</li> <li>• Native language/social-cultural or economic differences.</li> <li>• Expected poor performance on the general education assessment.</li> <li>• Academic and other services the student receives.</li> <li>• Educational environment or instructional setting.</li> <li>• Percent of time receiving special education services.</li> <li>• English Learner (EL) status.</li> <li>• Low reading and mathematics achievement level.</li> <li>• Anticipated disruptive behavior.</li> <li>• The impact of test scores on accountability system.</li> <li>• Administrator decision.</li> <li>• Anticipated emotional stress.</li> <li>• Need for accommodations, e.g., assistive technology/ACC, to participate in the assessment process.</li> </ul> <p>Any other implications of the decision were thoroughly discussed, including the participation in the Maryland Alternate Assessments will not qualify a student for a regular high school diploma.</p> <p>34 CFR §300.3160(d)</p>	<p><i>Effective January 1, 2024, IEP teams complete SECTION 5: ADDITIONAL CONSIDERATIONS of the revised Appendix A: Participation Criteria and Checklist.</i></p>

**Section 2: Parental Consent**

<b>Item</b>	<b>Evidence</b>	<b>Requirement</b>	<b>Clarification</b>
<p><b>2.1</b></p>	<p><i>C = The IEP Team has proposed participation in Maryland Alternate Assessments and/or instruction in alternate academic achievement standards.</i></p>	<p>The individualized education program (IEP) team proposes to (select all that apply):</p> <ul style="list-style-type: none"> <li>• Instruct my child (who has been determined eligible for participation) using alternate standards that do not provide credits toward a Maryland High School Diploma;</li> <li>• Assess my child (who has been determined eligible for participation) with the alternate education assessments aligned with the States alternate standards;</li> </ul> <p>Guidance for IEP Teams Working with Students with the Most Significant Cognitive Disabilities: Assessment and Eligibility for the Alternate Framework (Fall 2023)</p>	<p><i>The proposal for the student to participate in the Alternate Framework is documented on Appendix A.</i></p>
<p><b>2.2</b></p>	<p><i>C = The parent has provided written consent or written refusal of the proposed actions.</i></p> <p>OR</p> <p><i>C = If the parent does not provide written consent or written refusal within fifteen (15) business days of the IEP team meeting, the IEP team may implement the proposed actions.</i></p>	<p>An individualized education program (IEP) team must obtain the written consent of a parent if it proposes certain actions. The new law took effect on July 1, 2017, and the Maryland Online IEP has been updated to reflect its provisions.</p> <p>Education Article §8-405(f)</p>	<p><i>The IEP team must use Appendix C: Parent Consent Form to obtain written consent or refusal.</i></p> <p><i>The student's assessment participation must be accurately reflected (current dates) on the MOIEP Participation Planning page.</i></p>

Section 3: IEP Development

<b>Item</b>	<b>Evidence</b>	<b>Requirement</b>	<b>Clarification</b>
<p><b>3.1*</b></p>	<p><i>C = The IEP includes statements regarding all relevant student present levels of performance as identified in the “Requirement” to the right and a specific, measurable instructional grade level for each academic area.</i></p> <p><i>NC = Absence of any relevant student present levels of performance and/or specific, measurable instructional grade level for each academic area (e.g., below grade level, grade level ranges are not compliant).</i></p>	<p>The IEP for a student with a disability <b>shall</b> include a statement of the student’s present levels of <b>academic achievement and functional</b> performance, including <b>current</b>:</p> <ul style="list-style-type: none"> <li>• Individualized assessments results (must include the title and date of the assessment and grade level results if appropriate to the assessment);</li> <li>• Classroom-based assessments;</li> <li>• District assessments;</li> <li>• Classroom-based observations;</li> <li>• Student’s academic/functional strengths;</li> <li>• Parent information; and</li> <li>• Student and general education teacher input in relevant areas.</li> </ul> <p>Maryland Statewide Individualized Education Program Process Guide CFR § 300.320(a); COMAR 13A.05.01.09A(1)(a)</p>	<p><i>There must be a PLAAFP for each area of need indicated in the “Areas affected by the disability.”</i></p> <p><i>A particular element in the cell to the left may not be relevant, i.e., no general education teacher input because a general education teacher does not educate the student.</i></p>
<p><b>3.2</b></p>	<p><i>C = The IEP contains a statement about how the student’s disability affects the student’s involvement and progress in the general education curriculum.</i></p>	<p>The IEP for a student with a disability shall include how the student’s disability affects the student’s involvement and progress in the general curriculum (i.e., the same curriculum as for nondisabled students); or, for preschool students, as appropriate, how the disability affects participation in appropriate activities.</p> <p>34 CFR §300.320(a)(1); COMAR 13A.05.01.09A(1)(a)</p>	<p><b>Impact Statement</b></p> <p><i>For students with VI/Blind, consider the results of the Expanded Core Curriculum assessment.</i></p> <p><i>The student’s disability may affect participation in the general curriculum without accessible, specialized-format versions of printed textbooks and printed core materials. (AIM)</i></p>

Item	Evidence	Requirement	Clarification
3.3a	<i>C = The IEP shall contain academic and functional goals, each of which is measurable.</i>	<p>The IEP for a student with a disability must include <b>measurable</b> academic and functional goals.            [measurable = how the student’s progress toward meeting the annual goals will be measured]</p> <p>34 CFR §300.320(a)(2)(i) and (3)(i); COMAR 13A.05.01.09A(1)(b)</p>	<p>Goals are individualized based on the PLAAFP and include the following five (5) components:</p> <ol style="list-style-type: none"> <li>1. Conditions</li> <li>2. Behavior</li> <li>3. Criteria (mastery and retention)</li> <li>4. Method of Measure</li> <li>5. Time Frame</li> </ol>
3.3b	<i>C = The IEP shall contain goals designed to enable the student to be involved and make progress in the general curriculum for the grade level in which the student is enrolled.</i>	<p>Academic and functional goals must:</p> <p>Be designed to meet the student’s needs that result from the student’s disability to enable the student to be involved in and make progress in the general education curriculum, and,</p> <p>34 CFR 300.320 (a)(2)(i)(A); COMAR 13A.05.01.09A(1)(b)</p>	<p><i>Instruction is aligned to the College Career Ready Standards and measured through the Essential Elements of the enrolled grade level.</i></p> <p><i>Some students will also receive instruction in below grade level skills necessary for advancing toward grade-level skills.</i></p>
3.3c	<i>C = The IEP shall contain goals designed to meet the student’s other educational needs.</i>	<p>Academic and functional goals must:</p> <p>Meet each of the student’s other educational needs that result from the student’s disability.</p> <p>34 CFR 300.320 (a)(2)(i)(B); COMAR 13A.05.01.09A(1)(b)</p>	<p><i>Some students will also need instruction in functional skills, which are those nonacademic skills leading to access and self-sufficiency in the school environment.</i></p> <p><i>Specially Designed Instruction within an Integrated Tiered System of Support, pg. 19 (2019)</i></p>

<b>Item</b>	<b>Evidence</b>	<b>Requirement</b>	<b>Clarification</b>
<b>3.4</b>	<i>C = The IEP includes an explanation of any needed instructional and testing accommodations.</i>	The IEP shall include a statement of any individual appropriate accommodations that are necessary to measure the student’s academic achievement and functional performance on Statewide or district-wide assessments.  34 CFR §300.320(a)(6)(i); COMAR 13A.05.01.09A(1)(f)	<i>The accommodations must support the needs of a student with a significant cognitive disability.</i>
<b>3.5</b>	<i>C = The IEP documents supplementary aids and services required by the student; or  C = Documentation of the team’s decision that supplementary aids and services are not required.</i>	The IEP includes a description of the supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student or on behalf of the student;  34 CFR §300.320(a)(4); COMAR 13A.05.01.09A(1)(c)	<i>Supplementary aids and services include resources and tools specific to the student’s needs.</i>
<b>3.6</b>	<i>C = The IEP documents modifications and/or supports for staff required for the student to progress in the general education curriculum.  NA = Modifications and supports for staff are not selected.</i>	The IEP includes a description of the program modifications and/or supports for school personnel.  34 CFR §300.320(a)(4); COMAR13A.05.01.09A(1)(d)	<i>School Personnel/Parental Supports include:</i> <ul style="list-style-type: none"> <li>• <i>Nature of service-staff training,</i></li> <li>• <i>Areas of IEP supported by training/consultation,</i></li> <li>• <i>Topics and participants clarified, and</i></li> <li>• <i>Documentation to support the decision.</i></li> </ul>

**Section 4: Least Restrictive Environment (LRE)**

Item	Evidence	Requirement	Clarification
4.1	<p><i>C = The IEP explains the extent to which, if at all, the student will not be educated with the student's nondisabled peers.</i></p>	<p>The IEP shall include an explanation of the extent, if any, to which the student will not be educated and participate with students without disabilities in the general education class and in extracurricular and other nonacademic activities.</p> <p>CFR §300.320(a)(5); COMAR 13A.05.01.09A(1)(e)</p>	<p><i>On the LRE page, indicate specific times/activities the student will NOT participate with nondisabled peers in academic, non-academic, and extracurricular activities.</i></p> <p><i>This should not be a description of when the student WILL participate with nondisabled peers.</i></p>