

Maryland State Department of Education
Division of Early Intervention & Special Education Services
Policy and Accountability Branch
Monitoring and Accountability Section
200 West Baltimore Street
Baltimore, Maryland 21201-2595

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Early Intervention and Special Education Services Desk Audit Tool



Accountability to Improve Performance

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PART I – Part C: Birth through Three

Accountability to Improve Performance

Directions for Completing Record Review

Each section of the *Early Intervention and Special Education Desk 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 focused monitoring activities, to:

- Evaluate compliance with **all** areas of Part C and Part B requirements;
- Evaluate compliance with **specific** areas identified through State data review, complaints, and due process hearings;
- Verify **correction** of identified noncompliance; and/or,
- Verify **sustained compliance** after a corrective action has been closed.

Items shaded in blue are related to child results.

For Part C Requirements: Begin the record review with the most recent annual Individualized Family Service Plan (IFSP), or if one has not been completed, start with the initial IFSP. Select as many sections or individual requirements within sections, as necessary, depending on the purpose of the review. The specific numbered items in each section represent the requirements that are to be verified by written documentation located in early intervention records. Any requirements related to Prior Written Notice (PWN) must meet the standards of prior written notice to be compliant. To ensure record review results are valid in the identification of compliance, all reviewers must know each requirement and the evidence to substantiate the rating. The documentation of evidence may be located in the child's IFSP or other local lead agency forms used as part of the IFSP process. Be thorough and fair when identifying evidence within the early intervention record. Invest ample time to properly train reviewers prior to the record review to ensure inter-rater reliability.

Engage in a thoughtful process, using random sampling procedures to ensure validity, when selecting early intervention records for review. When planning to conduct a record review, each local Infants and Toddlers Program (LITP) should consult with its MSDE-designated monitoring specialist for assistance with record sampling guidelines.

IMPORTANT: If an Item is denoted with an asterisk, i.e. "Item 1.0*," refer to the compliance and best practice standards located within the *Maryland Infants and Toddlers Program Individualized Family Service Plan (IFSP) Process and Document Guide* distributed at the November 2019 Professional Learning Institute to learn how to implement a best practice related to this Item.

SECTION 1: Eligibility (Skip to Section 2 if not initial IFSP)

Item	Evidence	Requirement	Clarification
1.1*	<p><i>Compliance (C) = Initial evaluation, assessment, and signed IFSP were completed within 45 calendar days of the referral of the child.</i></p> <p><i>C = Evidence of parent delay (Prior Written Notice (PWN), log note, Early Intervention Record (EIR)).</i></p>	<p>If the parent consents to conduct a screening of a child, the initial evaluation, the initial assessments of the child and family, and the initial IFSP meeting must be completed within 45 calendar days from the date the lead agency or early intervention services (EIS) provider receives the referral of the child.</p> <p>The 45-day timeline does not apply for any period when:</p> <ul style="list-style-type: none"> • The child or parent is unavailable to complete the screening (if applicable), • The initial evaluation, the initial assessments of the child and family, or the initial IFSP meeting due to exceptional family circumstances that are documented, repeated attempts by the lead agency or EIS provider to obtain parental consent AND • Documentation of the exceptional circumstances exists in child’s file. <p>34 CFR §303.310(a) & (b); COMAR 13A.13.01.04B(6) and .07A; State Performance Plan (SPP) Part C Indicator 7.</p>	<p><i>Day 1 shall be the referral date. Refer to referral/intake form to confirm date of referral.</i></p> <p><i>Additional exceptional circumstances include weather, other emergency-related agency closure, or surrogacy issues beyond the LITP’s control. [OSEP guidance]</i></p>
1.2a	<p><i>C = Parental consent was obtained before the administration of the screening.</i></p> <p><i>NA = The screening was not conducted.</i></p>	<p><u>The lead agency must obtain parental consent BEFORE:</u></p> <p>Administering screening procedures that are used to determine whether a child is suspected of having a disability.</p> <p>34 CFR §303.420(a)(1); COMAR 13A.13.01.04B(2)(c)</p>	<p><i>Screening is optional under Part C.</i></p> <p><i>Screening is a formal process outlined within the LITP policies and procedures.</i></p>
1.2b	<p><i>C = Parental consent was obtained before the administration of the evaluation(s) and assessment(s).</i></p>	<p><u>The lead agency must obtain parental consent BEFORE:</u></p> <p>Conducting any evaluation(s) and assessment(s) of a child;</p> <p>34 CFR §§303.321(a) & 420(a)(2); COMAR 13A.13.01.04B(3)(c)</p>	<p><i>The evaluations(s) and assessment(s) may, but are not required to, occur on the same day.</i></p>
1.2c	<p><i>C = Parental consent was obtained before, or on the same day as, the initiation of Early Intervention Services (EIS).</i></p>	<p><u>The lead agency must obtain parental consent BEFORE:</u></p> <p>Early intervention services are provided to the child.</p> <p>34 CFR §303.420(a)(3); COMAR 13A.13.01.12A(3)</p>	<p><i>Refer to the Part VIIA – Authorization(s) page of the IFSP.</i></p>

Item	Evidence	Requirement	Clarification
1.3*	<i>C = Documentation that at least two different procedures were used to determine the child's eligibility or the child's high probability condition.</i>	In conducting an evaluation, no single procedure may be used as the sole criterion for determining a child's eligibility under this part, OR The child qualifies due to High Probability. 34 CFR §303.321(b); COMAR 13A.13.01.05A(2)	<i>Refer to the Part IB – Present Levels of Development and Part IIA – Assessment: Natural Routines/Activities and Environments pages of the IFSP.</i> <i>A medical report indicating a diagnosis or condition is an acceptable evaluation for children eligible due to high probability.</i>
1.4a	<i>C = Health status is included in the written reports.</i>	<i>The written reports of evaluations and assessments shall include:</i> A statement of the child's current health status based on a review of pertinent records and medical history; COMAR 13A.13.01.05C(1)(a)	<i>Written evaluation and assessment report(s) are separate from the child's IFSP and must include a statement of the child's current health status.</i>
1.4b	<i>C = Level of functioning in each developmental area including dates of assessments.</i>	<i>The written reports of evaluations and assessments shall include:</i> A statement which describes the child's levels of functioning in each developmental area and the dates of the evaluation and assessment procedures; COMAR 13A.13.01.05C(1)(b)	
1.4c	<i>C = Criteria are included in the written reports.</i>	<i>The written reports of evaluations and assessments shall include:</i> A statement of criteria, including tests, evaluation materials, and informed clinical opinion; and COMAR 13A.13.01.05C(1)(c)	<i>"Criteria" means quantitative and/or qualitative measures used to determine eligibility.</i>
1.4d	<i>C = Appropriate signatures and titles are included in the written reports.</i>	<i>The written reports of evaluations and assessments shall include:</i> The signatures and titles of the qualified personnel who conducted the evaluation and assessment. COMAR 13A.13.01.05C(1)(d)	<i>Wet signatures or electronic signatures are acceptable. Using a scrip font to type the evaluator's name onto the report is not an acceptable signature.</i>

SECTION 2: Individualized Family Service Plan (IFSP)

Item	Evidence	Requirement	Clarification
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<p>2.1*</p>	<p><i>C = Documentation that the IFSP meeting included all appropriate personnel. (parent, child's service coordinator, and one other professional).</i></p>	<p>A local lead agency shall ensure the initial IFSP team meeting and the annual IFSP team meeting to evaluate the IFSP of an infant or toddler with a disability shall be multidisciplinary and include the following participants:</p> <ul style="list-style-type: none"> (a) The parents of the child; (b) The service coordinator who: <ul style="list-style-type: none"> (i) Has worked with the family since the initial referral of the child; or (ii) Was designated by the public agency to be responsible for implementation of the IFSP; (c) Individuals directly involved in conducting the evaluations and assessments in accordance with Regulation .05 of this chapter; (d) Individuals who will provide services to the child or the family, as determined appropriate; (e) Other family members, as requested by the parent, if feasible to do so; and (f) An advocate or individual outside the family, if the parent requests that the individual participate. <p>(2) At a minimum, the IFSP team shall include:</p> <ul style="list-style-type: none"> (a) The parent; and (b) Two or more individuals from separate professions. <p>(3) One of the individuals listed in §A(2)(b) of this regulation shall be the child's service coordinator.</p> <p>34 CFR §303.343(a); COMAR 13A.13.01.06A(1)</p>	<p><i>Parent and Child's service coordinator must attend every meeting.</i></p> <p><i>If the other professional is unable to attend an IFSP meeting, arrangements must be made for the person's involvement through other means, including in one of the following ways:</i></p> <ul style="list-style-type: none"> • <i>Participating in a telephone conference call;</i> • <i>Having a knowledgeable authorized representative attend the meeting; and/or</i> • <i>Making pertinent records available at the meeting.</i>
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Item	Evidence	Requirement	Clarification
2.2*	<p><i>C = Documentation that the date of the review was within 6 months of previous review (initial IFSP, periodic review, annual review, etc.).</i></p> <p><i>NA = The initial IFSP was implemented less than 6 months from the date of the Desk Audit or documentation exists to support the existence of an acceptable reason(s) for the delay.</i></p>	<p>A periodic review of an IFSP for a child and the child’s family shall be conducted every six months, or more frequently if conditions warrant, or if the family request such a review to determine:</p> <ul style="list-style-type: none"> (a) The degree to which progress towards achievement is being made; and (b) Whether modification or revision of the outcomes is necessary. <p>34 CFR §303.342(b)(1); COMAR 13A.13.01.07D(3)</p>	
2.3*	<p><i>C = Documentation of the review of outcomes and progress.</i></p> <p><i>NA = It is the initial IFSP and in service less than 6 months.</i></p>	<p>The periodic review of the IFSP includes:</p> <ul style="list-style-type: none"> • The degree to which progress toward achieving the results or outcomes identified in the IFSP is being made; and • Whether modification or revision of the results, outcomes, or early intervention services identified in the IFSP is necessary. <p>34 CFR §303.342(b); COMAR 13A.13.01.07D(3)</p>	<p><i>Documentation as indicated on Part III – Child and Family Outcomes page of the IFSP.</i></p>
2.4*	<p><i>C = The date of the annual review meeting is within one year of the previous annual IFSP review meeting or the initial IFSP development.</i></p> <p><i>NA = The initial IFSP was implemented less than one year from the date of the Desk Audit or documentation exists to support the existence of an acceptable reason(s) for the delay.</i></p>	<p>A meeting must be conducted on at least an annual basis to evaluate and revise, as appropriate, the IFSP for a child and the child's family.</p> <p>34 CFR §303.342(c); COMAR 13A.13.01.07E(1)</p>	

Item	Evidence	Requirement	Clarification
2.5*	<p><i>C = The annual IFSP includes results of evaluations and assessments.</i></p> <p><i>NA = It is the initial IFSP, or the child who is the subject of the IFSP, is less than one year old.</i></p>	<p>At the annual IFSP meeting, the results of any current assessments and/or evaluations, and other information available from the assessments of the child and family, must be used in determining the early intervention services that are needed and those that will be provided.</p> <p>34 CFR §303.342(c); COMAR 13A.13.01.07E(2)</p>	<p><i>Refer to the Part IIC – Assessment: Natural Routines/Activities and Environments and Part IIC – Assessment Summary: Present Levels of Functional Development page of the IFSP.</i></p> <p><i>Data must be updated at least annually.</i></p>
2.6*	<p><i>C = Documentation of informed parental consent on the IFSP.</i></p> <p>NA = Initial IFSP</p>	<p>The contents of the IFSP must be fully explained to the parents and informed written consent must be obtained prior to the provision of early intervention services described in the IFSP.</p> <p>34 CFR §303.342(e); COMAR 13A.13.01.07B(3)(d)</p>	<p><i>Signed parental consent is needed for all changes to the IFSP.</i></p>
2.7*	<p><i>C = The IFSP includes the child's present levels of development.</i></p>	<p>For the infant or toddler with a disability, the IFSP must include a statement of present levels of physical development (including vision, hearing, and health status), cognitive development, communication development, social or emotional development, and adaptive development based on the information from that child's evaluation and assessments.</p> <p>34 CFR §303.344(a); COMAR 13A.13.01.08A(1)</p>	<p><i>Refer to the Part IB – Evaluation for Eligibility Strengths/needs in all developmental areas [Cognitive, Communication (Expressive and Receptive), Social/Emotional, Adaptive/Self-Help, Fine Motor, and Gross Motor] must be functionally addressed within the IFSP.</i></p>
2.8*	<p><i>C = The IFSP includes and reflects the family's concerns, priorities, and/or resources.</i></p> <p><i>NA = The family declined family-directed assessment or the family did not concur.</i></p>	<p>With the concurrence of the family, the IFSP must include a statement of the family's resources, priorities, and concerns related to enhancing the development of the child as identified through the assessment of the family.</p> <p>34 CFR §303.344(b); COMAR 13A.13.01.08A(2)</p>	<p><i>Refer to the Part IIB – Resources, Priorities, and Concerns page of the IFSP.</i></p>

Item	Evidence	Requirement	Clarification
2.9*	<i>C = The IFSP includes measurable outcomes.</i>	The IFSP must include a statement of the measurable results or measurable outcomes considered to be developmentally appropriate and expected to be achieved for the child (including pre-literacy language and numeracy skills, for a child on the Extended IFSP Option) and family, and the criteria, procedures, and timelines. 34 CFR §303.344(c); COMAR 13A.13.01.08A(3)	<i>Outcomes are functional, measurable, and in the context of everyday activities and routines. Measurable includes the “By When” component.</i>
2.10a*	<i>C = The IFSP includes length, duration, frequency, intensity, and method of delivering each early intervention service.</i>	<i>The IFSP must include a statement of the specific early intervention services, based on peer-reviewed research (to the extent practicable), that are necessary to meet the unique needs of the child and the family to achieve the results or outcomes, including:</i> The length, duration, frequency, intensity, and method of delivering the early intervention services; 34 CFR §303.344(d)(1)(i);34 CFR 303.344(f)(2); COMAR 13A.13.01.08C(2)(a)	<i>Refer to the Part IV – Summary of Early Intervention Services page of IFSP.</i>
2.10b*	<i>C = The IFSP documents either that services are provided in the natural environment or provides a justification statement as to why the service is not provided in the natural environment.</i>	<i>The IFSP must include a statement of the specific early intervention services, based on peer-reviewed research (to the extent practicable), that are necessary to meet the unique needs of the child and the family to achieve the results or outcomes, including:</i> A statement that each early intervention service is provided on a year-round basis in the natural environment for that child to the maximum extent appropriate, or a justification as to why an early intervention service will not be provided in the natural environment; and 34 CFR §303.344(d)(1)(ii)(A); COMAR 13A.13.01.08C(2)(b)&(c); SPP Part C Indicator 2	<i>Refer to the Part IV – Summary of Early Intervention Services page of the IFSP.</i> <i>Justification must include a statement for recommending “other” settings based on the needs of child.</i>
2.10c*	<i>C = IFSP contains a projected initiation date for each early intervention service within 30 days of parent consent unless there is a family-related reason for delay or the delay is a result of the IFSP team decision.</i>	<i>The IFSP must include a statement of the specific early intervention services, based on peer-reviewed research (to the extent practicable), that are necessary to meet the unique needs of the child and the family to achieve the results or outcomes, including:</i> The IFSP must comply with the projected date for the initiation of each early intervention service, which must be as soon as possible after the parent consents to the service. 34 CFR §303.344(f)(1); COMAR 13A.13.01.08A(4); SPP Part C Indicator 1	<i>Day 1 is the day after the parent signature.</i> <i>Refer to the Part IV – Summary of Early Intervention Services page of the IFSP.</i>

Item	Evidence	Requirement	Clarification
2.11	C = The IFSP contains the name of the service coordinator assigned to the child and family.	<p>The IFSP must include the name of the service coordinator from the profession most relevant to the child's or family's needs (or who is otherwise qualified to carry out all applicable responsibilities under this part), who will be responsible for implementing the early intervention services identified in a child's IFSP, including transition services, and coordination with other agencies and persons.</p> <p>34 CFR §303.344(g)(1); COMAR 13A.13.01.08A(6)</p>	Refer to the IFSP cover page Service Coordinator Information section.
2.12	C = The Prior Written Notice was provided to the family.	<p>A local lead agency shall provide a parent with prior written notice a reasonable time before the local lead agency or an EIS provider proposes, or refuses, to initiate or change the identification, evaluation, or placement of their infant or toddler, or the provision of early intervention services to the infant or toddler with a disability and that infant's or toddler's family. The notice shall be written in language understandable to the general public, provided in the native language of the parent or other mode of communication used by the parent, and be in sufficient detail to inform the parent of:</p> <ul style="list-style-type: none"> • The action that is being proposed or refused; • The reasons for taking the action; and • The procedural safeguards, including a description of mediation, how to file a State complaint, and how to file a due process complaint. <p>34 CFR §303.421; COMAR 13A.13.01.11</p>	<i>The State has created a model form. This form is not required as long as all required components of PWN are met.</i>

SECTION 3: Extended IFSP Option (Skip to Section 4: “Part C to B Transition” II if parent did not choose Extended Option)

Item	Evidence	Requirement	Clarification
3.1a	<i>C = “Families Have a Choice” was completed (or there is documentation of attempts to obtain a parent signature) prior to age 3.</i>	<p><i>The lead agency ensures that parents of children with disabilities who are eligible for services under Part B and who previously received early intervention services under this part will be provided an annual notice that contains:</i></p> <p>A description of the rights of the parent to elect to receive early intervention services under the Extended Option or under Part B; and</p> <p>34 CFR §§300.503 and 303.211(a)(2)(ii) & (b)(1)(i); COMAR 13A.13.01.09(C)(1)(a) and COMAR 13A.05.01.12</p>	<i>Refer to the Part IV – Families Have A Choice page of the IFSP.</i>
3.1b	<i>C = Annual notice was provided to the parent and there was documentation of procedural safeguards being provided (or offered) annually.</i>	<p><i>The lead agency ensures that parents of children with disabilities who are eligible for services under Part B and who previously received early intervention services under this part will be provided an annual notice that contains:</i></p> <p>An explanation of the differences between services provided under the Extended Option and services provided under Part B, including:</p> <ul style="list-style-type: none"> • The types of services and the locations at which the services are provided; and • The procedural safeguards that apply. <p>34 CFR §303.211(B)(1)(ii); 13A.13.01.09B(8)(b)</p>	<i>Refer to the PWN or contact notes.</i>
3.2*	<i>C = Documentation, via the “Families Have a Choice” form indicates that the parent signed consent on or before the child’s third birthday.</i>	<p>The lead agency must obtain informed consent from the parent of any child with a disability for the continuation of early intervention services before the child reaches three years of age.</p> <p>34 CFR §300.503, 34 CFR §303.211(b)(5); COMAR 13A.13.01.09B(11)</p>	<i>Refer to the Part VI – Families Have A Choice page of the IFSP.</i>
3.3*	<p><i>C = The IFSP includes at least two outcomes that, together, cover all three educational components: pre-literacy, language, and numeracy.</i></p> <p><i>NA = The child is under age 3.</i></p>	<p>For children who are at least three years of age, the IFSP must include an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills.</p> <p>34 CFR §300.503; 34 CFR §303.344(d)(4); COMAR 13A.13.01.09C(1)(b)</p>	<i>Refer to the Part III – Child and Family Outcomes page of the IFSP.</i>

PART II – Part C to Part B Transition

Accountability to Improve Performance

Directions for Completing Record Review

Each section of the *Early Intervention and Special Education Services Desk Audit Tool* document can be used in isolation or combined with other sections depending on the review's purpose. The MSDE and/or local education agency (LEA) staff conduct record reviews, as part of selective monitoring activities, to:

- Evaluate compliance with the transition-specific areas of Part C and Part B requirements;
- Evaluate compliance with **specific** areas identified through State data review, complaints, and due process hearings;
- Verify **correction** of identified noncompliance; and/or,
- Verify **sustained compliance** after a corrective action has been closed.

Items shaded in blue are related to child/student results.

For Part C to B Transition: Select as many sections of this document, or individual requirements within sections of this document, as necessary for the review. The specific numbered items in each section represent the requirements to be verified by written documentation in early intervention records. Any requirements related to Prior Written Notice (PWN) must meet the standards of prior written notice to be compliant. To ensure record review results are valid in the identification of compliance, all reviewers must know each requirement and the evidence to substantiate the rating. The documentation of evidence may be located in the child's Individualized Family Service Plan (IFSP) or other LEA forms used as part of the transition process or the child's Individualized Education Program (IEP) or Student Record. Be thorough and fair when identifying evidence within the early intervention record. Invest ample time to properly train reviewers prior to the record review to ensure inter-rater reliability.

Engage in a thoughtful process, using random sampling procedures to ensure validity when selecting special education records for review. When planning to conduct a record review, each local Infants and Toddlers Program (LITP) should consult with its MSDE-designated monitoring specialist for assistance with record sampling guidelines.

IMPORTANT: If an Item is denoted with an asterisk, i.e., "Item 1.0*," refers to the compliance and best practice standards located within the *Maryland Infants and Toddlers Program Individualized Family Service Plan (IFSP) Process and Document Guide* or the *IEP Performance Indicators* distributed at the November 2019 Professional Learning Institute to learn how to implement a best practice related to this Item.

SECTION 4: IFSP Birth to 3 - Transition Planning At Age 3 (NA if the child is less than 27 months of age and this completes the IFSP/EI Record Review)

Item	Evidence	Requirement	Clarification
<p>4.1*</p>	<p><i>Compliance (C) = The IFSP transition planning meeting was held 90 or more days before the child’s third birthday. There must be documentation that there was agreement among the parties if the meeting is held more than nine months before the child’s third birthday.</i></p> <p><i>NA = There is a <u>documented</u> family-related reason for the delay or early completion.</i></p> <p><i>NA = Documentation that the parent declined to participate in a Transition Planning Meeting.</i></p> <p><i>NA = The child was referred after 33 months of age.</i></p>	<p>If a toddler with a disability may be eligible for preschool services under Part B of the Act, the lead agency, with the approval of the family of the toddler, convenes a conference (transition planning meeting) among the lead agency, the family, and the LEA [if not the lead agency] not fewer than 90 days [at the discretion of all parties not more than 9 months] before the toddler’s third birthday to discuss any services the toddler may receive under Part B.</p> <p>34 CFR §§303.209(c)(1), 303.342(d)&(e), and 303.343(a); COMAR 13A.13.01.09B(2)(b); SPP Part C Indicator 8C</p>	<p><i>Refer to Part V – My Child’s Transition Planning “Transition At Age 3” page of the IFSP.</i></p>
<p>4.2</p>	<p><i>C = The date of IFSP meeting indicates parent participation in the required Transition Planning Meeting.</i></p> <p><i>NA = Documentation that the parent declined to participate in the meeting.</i></p>	<p>Each family of a toddler with a disability who is served under this part is included in the development of the transition plan.</p> <p>34 CFR §303.209(d)(1)(ii); COMAR 13A.13.01.09B(3)(a)</p>	<p><i>Parent participation via phone is acceptable as documentation.</i></p>

Item	Evidence	Requirement	Clarification
4.3*	<p><i>C = The transition plan was developed 90 or more days before the child's third birthday. There must be documentation that there was agreement among the parties if the plan is established more than nine months before the child's third birthday.</i></p> <p><i>NA = Documentation that the parent declined to participate in a Transition Planning Meeting.</i></p> <p><i>NA = The child was referred after 33 months of age.</i></p>	<p>The lead agency establishes a transition plan in the IFSP not fewer than (less than) 90 days [at the discretion of all parties not more than 9 months] before the toddler's third birthday.</p> <p>34 CFR §303.209(d)(2); COMAR 13A.13.01.09B(2)(b)</p>	<p><i>Refer to the Part VB – My Child's Transition Planning, Transition Planning Notes/Future Steps page of the IFSP.</i></p>
4.4*	<p><i>C = The transition plan includes steps and services to exit.</i></p>	<p><i>The transition plan in the IFSP must include:</i></p> <p>Steps for the toddler with a disability and his/her family to exit from the Part C program;</p> <p>and</p> <p>The identification of any transition services that the IFSP team identifies as needed by the toddler and his or her family.</p> <p>34 CFR §§303.209(d)(3)(i); 34 CFR §303.344(h); COMAR 13A.13.01.09B(7)(a); SPP Part C Indicator 8A</p>	<p><i>Refer to the Part VB – My Child's Transition Planning page of the IFSP.</i></p>

SECTION 5: IFSP 3 to 4 - Transition Planning: Extended IFSP Option to Part B After Age 3 (NA if child exits Extended IFSP prior to ending date of eligibility (Start of the school year following the fourth birthday))

Item	Evidence	Requirement	Clarification
<p>5.1a*</p>	<p><i>C = The transition conference was convened not fewer than 90 days before the child will no longer be eligible to receive Early Intervention services. There must be documentation that there was agreement among the parties if the meeting was held more than nine months before the child was no longer eligible to receive, or no longer did receive, Early Intervention services.</i></p> <p><i>NA = The child exits more than 90 days prior to the ending date of the Extended IFSP Option for eligibility.</i></p>	<p><i>For toddlers with disabilities ages three and older, receiving services under the Extended IFSP Option, the lead agency must ensure a smooth transition from IFSP services to preschool (at the beginning of the school year after the child’s fourth birthday) by:</i></p> <p>Convening a transition conference, with the approval of the parents, including the lead agency, the parents, the LEA, not fewer than 90 days [or at the discretion of all parties not more than 9 months] before the child will no longer be eligible to receive early intervention services, to discuss any services the child may receive under Part B; and</p> <p>34 CFR §§303.211(b)(6)(ii)(B),303.342(d)&(e), and 303.343(a); COMAR 13A.13.01.09E(3)</p>	<p><i>Refer to the Part VA – My Child’s Transition Planning page of the IFSP.</i></p> <p><i>Children are eligible to receive services through the Maryland Extended IFSP Option until the start of the school year following the child’s fourth birthday.</i></p>

Item	Evidence	Requirement	Clarification
5.1b*	<p><i>C = The transition plan was established not fewer than 90 days before the child will no longer be eligible to receive Early Intervention services. There must be documentation that there was agreement among the parties if the transition plan was established more than nine months before the child was no longer eligible to receive, or no longer did receive, Early Intervention services.</i></p> <p><i>NA = The child exits more than 90 days prior to the ending date of the Extended IFSP Option for eligibility.</i></p>	<p><i>For toddlers with disabilities ages three and older, receiving services under the Extended IFSP Option, the lead agency must ensure a smooth transition from IFSP services to preschool (at the beginning of the school year after the child's fourth birthday) by:</i></p> <p>Establishing a transition plan in the IFSP not fewer than 90 days (or at the discretion of all parties not more than 9 months) before the child will no longer be eligible to receive, or no longer receives, early intervention services.</p> <p>34 CFR §303.211(b)(6)(ii)(C); COMAR 13A.13.01.09E(3)</p>	<p><i>Refer to the Part VA and Part VB Transition After Age 3 pages of the IFSP.</i></p>

This denotes the end of the IFSP/EI Record Review and the start of the review for the IEP process.

SECTION 6: Transition to Part B from ITP by the Child's Third Birthday (NA if the child is not transitioning from Part C to Part B)

Item	Evidence	Requirement	Clarification
6.1*	<p><i>C = The date of the IEP team meeting to determine eligibility is before the child's third birthday.</i></p> <p><i>C = Documentation exists of parental request for delay if the IEP team meeting occurred after the child's third birthday.</i></p>	<p>Each LEA shall convene an IEP team meeting to determine if a child in transition from an LITP has a disability or developmental delay that requires the provision of special education and/or related services.</p> <p>COMAR 13A.05.01.06B; 13A.13.01.09B(10); SPP Part B Indicator 12</p>	<p><i>The child must qualify for services under Part B to receive services under an Extended IFSP.</i></p>
6.2	<p><i>C = Invitation to Part C coordinator or other representatives is evident.</i></p> <p><i>NA = Written documentation by the parent requesting the Part C representative not be invited.</i></p>	<p>For a child who was previously served under Part C, the child's service coordinator or other Part C representative must attend the initial IEP team meeting to participate in the review of existing data and assist with the smooth transition of services, unless the family requests in writing that the Part C service coordinator not participate in the IEP team eligibility meeting.</p> <p>34 CFR §300.321(f); COMAR 13A.13.01.09B(10)(b)</p>	<p><i>Refer to the IEP team sign-in sheet, the PWN, or the IEP.</i></p>
6.3	<p><i>C = Parent consent is on file and dated.</i></p> <p><i>NA = Assessment(s) were not recommended for a child transitioning from Part C to Part B.</i></p>	<p>A school shall obtain written parent consent before conducting initial assessment procedures.</p> <p>34 CFR §§300.300(a) and 300.503; COMAR 13A.05.01.13A</p>	<p><i>The assessment team may review existing assessment information (provided by Part C or other entities) and conclude that additional assessments are not needed to determine eligibility for Part B.</i></p> <p><i>Refer to the Notice and Consent for Assessment form on the Maryland Online IEP (MOIEP).</i></p>
6.4	<p><i>C = The IEP team completed the initial evaluation within 60 days of receiving parental consent for the evaluation.</i></p>	<p>To make an eligibility determination, the IEP team shall complete an initial evaluation of a child within 60 calendar days of parental consent for assessments.</p> <p>34 CFR §300.301(c)(1)(i); COMAR 13A.05.01.06A(1)(a); SPP Part B Indicator 11</p>	<p><i>Refer to the Evaluation Report and Determination of Initial Eligibility form on the MOIEP.</i></p>

Item	Evidence	Requirement	Clarification
6.5	<p><i>C = Documentation exists, via the PWN or via the IEP, that the Parents' Guide to Habilitative Services was provided to parents.</i></p>	<p>A local school system shall provide to the parents or guardians of a child with a disability verbal and written information about access to habilitative services including a copy of the Maryland Insurance Administration's Parents' Guide to Habilitative Services at the transition meeting for a child moving from the Maryland Infants and Toddlers Program to a local school system.</p> <p>Maryland Education Code § 8-418</p>	
6.6	<p><i>C = Documentation exists to indicate that a variety of assessment tools were used to determine eligibility.</i></p> <p><i>NC = Documentation indicates that an LEA used one single procedure as the sole criterion for determining eligibility.</i></p>	<p>The LEA must use a variety of assessment tools and strategies to gather sufficient relevant functional, cognitive, developmental [behavioral, physical], and academic information, including information provided by the parent about the child.</p> <p>The LEA shall not use any single procedure as the sole criterion for determining whether a child is a child with a disability.</p> <p>34 CFR §§300.304(b)(1) and (c)(4); COMAR 13A.05.01.05B(2) and (3)</p>	<p><i>The assessment team may review existing assessment information (provided by Part C or other entities) and conclude that additional assessments are not needed to determine eligibility for Part B.</i></p>
6.7*	<p><i>C = The IEP is in effect by the child's third birthday.</i></p> <p><i>NA = The family did not choose IEP at Transition At Age Three.</i></p>	<p>For children exiting Part C at age three, who are determined to be eligible for Part B services, an IEP is in effect on the child's third birthday.</p> <p>34 CFR §300.124(b); COMAR 13A.05.01.08A(2)(a)(iii); SPP Part B Indicator 12</p>	<p><i>The date of the IEP and date of initiation of services may be the same or different.</i></p>

SECTION 7: IEP 3 through 4 - Transition to Part B from the Extended IFSP Option

Item	Evidence	Requirement	Clarification
7.1	C = Documentation exists that an IEP team meeting was held, with all required staff and/or with required excusal documentation, within 45 days of the written notification from Part C that the parent is choosing to move from Extended IFSP to IEP services.	<p><i>Transition after age 3: If the child's age ranges from 3 years through 4 years, and the parent chooses to terminate IFSP/consider IEP services OR the child will no longer be eligible for Extended IFSP Option:</i></p> <p>Staff responsible for implementing Part B must convene an IEP team meeting, with all required participants, within 45 days to develop an IEP and determine the child's education placement.</p> <p>COMAR 13A.13.01.09D(5)</p>	<p>At the request of the family, invite the toddler's service coordinator or other representatives of the local lead agency to attend the IEP team meeting.</p> <p>Refer to the following on the Eligibility page of the MOIEP:</p> <ul style="list-style-type: none"> • The date the LEA was notified of parent decision to request services through an IEP; and • The date of initial IEP development.
7.2	C = The child's IEP was developed.	<p><i>Transition after age 3: If the child's age ranges from 3 years through 4 years, and the parent chooses to terminate IFSP/consider IEP services OR the child will no longer be eligible for Extended IFSP Option:</i></p> <p>Staff responsible for implementing Part B must convene an IEP team meeting to develop the IEP, taking into consideration the IFSP, in accordance with 34 CFR §§ 300.323(b), 300.324, and COMAR 13A.05.01.07 through 10.</p> <p>COMAR 13A.13.01.09D(5)</p>	
7.3	C = The IEP reflects that a location for services was determined.	<p><i>Transition after age 3: If the child's age ranges from 3 years through 4 years, and the parent chooses to terminate IFSP/consider IEP services OR the child will no longer be eligible for Extended IFSP Option:</i></p> <p>Staff responsible for implementing Part B must convene an IEP team meeting to determine the location for services the child will receive.</p> <p>COMAR 13A.13.01.09D(5)</p>	Refer to Section V – Services and Section VI – Placement Data on the MOIEP.
7.4	C = Documentation exists of parental consent to initiate IEP services.	<p><i>Transition after age 3: If the child's age ranges from 3 years through 4 years, and the parent chooses to terminate IFSP/consider IEP services OR the child will no longer be eligible for Extended IFSP Option:</i></p> <p>The IEP team must obtain parent consent to initiate IEP services.</p> <p>34 CFR §§303.420 and 303.422; COMAR 13A.13.01.10A(2)(b)</p>	Reference the date of parent consent on IEP.

PART III – Part B Requirements

Accountability to Improve Performance

Directions for Completing Record Review

Each section of the *Early Intervention and Special Education Services Desk Audit Tool* document can be used in isolation or combined with other sections depending on the review's purpose. The MSDE and/or local education agency (LEA) staff conduct record reviews, as part of selective monitoring activities, to:

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

Items shaded in blue are related to student results.

III. Part B Requirements: Select as many sections of this document, or individual requirements within sections of this document, as necessary for the review. The specific numbered items in each section represent the requirements to be verified by written documentation in student records. Any requirements related to Prior Written Notice (PWN) must meet the standards of prior written notice to be compliant. To ensure record review results are valid in the identification of 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 LEA forms used as part of the IEP process. Be thorough and fair when identifying evidence within the student's educational record. Invest ample time to properly train reviewers prior to 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 to conduct a record review, each local school system or public agency should consult with its MSDE-designated monitoring specialist for assistance with record sampling guidelines.

IMPORTANT: If an Item is denoted with an asterisk, i.e., "Item 1.0*," refer to the compliance and best practice standards located within the *IEP Performance Indicators or Secondary Transition Process Performance Indicators* distributed at the November 2019 Professional Learning Institute to learn how to implement a best practice related to this Item.

SECTION 8: Child Find (Skip to Section 9 if this is not an initial evaluation)

Item	Evidence	Requirement	Clarification
8.1	<p><i>Compliance (C) = Written documentation exists of the student's referral to special education.</i></p> <p><i>NA = The child transitioned from Part C to Part B.</i></p>	<p>A student with a suspected disability who may need special education shall be referred, in writing, by a child's parent or a representative of a public agency, to the public agency.</p> <p>34 CFR §300.301(b); COMAR 13A.05.01.04A(1) & (2)</p>	
8.2	<p><i>C = Documentation exists via the PWN or IEP that the parent received a copy of the Procedural Safeguards.</i></p>	<p>A copy of the Procedural Safeguards document must be given to the parent only one time a school year, except that a copy must also be given to parents upon initial referral or request for evaluation.</p> <p>34 CFR § 300.504(a)(1); COMAR 13A.05.01.11A</p>	<p><i>The other reasons for providing parents a copy of the procedural safeguards as stated in this citation are:</i></p> <ul style="list-style-type: none"> • <i>A State's receipt of an individual's first State complaint;</i> • <i>Upon a parent's first request for due process in a school year;</i> • <i>In accordance with discipline procedures; and</i> • <i>Upon request by the parent.</i>
8.3	<p><i>C = Documentation exists that the parent consented to assessment procedures for initial evaluation.</i></p> <p><i>NC = No parent signature.</i></p>	<p>Written parental consent must be obtained prior to conducting assessment procedures for initial evaluation.</p> <p>34 CFR §300.300(a)(2); COMAR 13A.05.01.04A(3) & 13A(1) & (5)</p>	
8.4	<p><i>C = Documentation exists that there is written notice to parent.</i></p>	<p>The LEA shall provide to the child's parent written notice of:</p> <ul style="list-style-type: none"> • Any assessment procedure the public agency proposes or refuses to conduct; • The determination that no additional data are needed; or • The decision that the child is not suspected of having a disability or a developmental delay. <p>34 CFR §300.503; COMAR 13A.05.01.04B</p>	<p><i>Refer to the Notice and Consent for Assessment form on the MOIEP or the PWN.</i></p>

Item	Evidence	Requirement	Clarification
8.5	<p><i>C = The eligibility form must reflect that a variety of assessment tools (at least two measures) were used to determine Part B eligibility.</i></p>	<p>The LEA shall:</p> <ul style="list-style-type: none"> • Use a variety of assessment tools and strategies to gather sufficient relevant functional, cognitive, developmental, behavioral, academic and physical information, social or cultural background, and information provided by the parent; • Not use any single measure or assessment as the sole criterion for determining if a child is a child with a disability and an appropriate educational program for the child; and • Use technically sound instruments that may assess the relative contributions of cognitive and behavioral factors, in addition to physical or developmental factors. <p>34 CFR §300.304(b); COMAR 13A.05.01.05B(2) and (3)</p>	<p><i>The LEA may review existing assessments and documents such that additional assessments may not be needed.</i></p> <p><i>Blind/Visually Impaired:</i></p> <ul style="list-style-type: none"> • <i>Review the Expanded Core Curriculum assessment.</i> • <i>Review the Learning Media Assessment.</i> • <i>Review the Orientation and Mobility Assessment.</i> <p><i>Note if not completed.</i></p>
8.6	<p><i>C = Documentation exists that the eligibility determination was made within 90 days of the receipt of the written referral or documentation exists to support the existence of an acceptable reason(s) for the delay.</i></p> <p><i>NA = The child transitioned from Part C to Part B.</i></p> <p><i>NA = The parent of the child repeatedly fails or refuses to produce the child for the assessment.</i></p> <p><i>NA = The child enrolls in a different LEA after receiving parent permission and before completion of the evaluation. The parent and the subsequent LEA agree to a time for the completion of the evaluation.</i></p>	<p>An IEP team shall complete an initial evaluation to determine whether a child is a child with a disability and to determine the educational needs of the child within 90 (calendar) days of receiving a written referral.</p> <p>34 CFR §300.301(d); COMAR 13A.05.01.06A& .04A</p>	<p><i>Identify the date of receipt of the written referral to assess and compare to the date of eligibility determination.</i></p>

Item	Evidence	Requirement	Clarification
8.7	<p><i>C = Documentation exists that an evaluation was conducted within 60 days of receiving parental consent for the evaluation or documentation exists to support the existence of an acceptable reason(s) for the delay.</i></p>	<p>An IEP team must conduct an initial evaluation to determine whether a child is a child with a disability within 60 (calendar) days of receiving parental consent for evaluation.</p> <p>34 CFR §300.301(c)(1)(i); COMAR 13A.05.01.06A(1)(a); SPP Part B Indicator 11</p>	<p><i>Compare the date of signed parental consent for evaluation with the date of the IEP team meeting determining eligibility for the student.</i></p>
8.8	<p><i>C = Documentation exists that the IEP team considered data and student progress in determining whether the student has a specific learning disability.</i></p> <p><i>NA = The team does not suspect that the student has a specific learning disability.</i></p>	<p>To ensure that underachievement in a child suspected of having specific learning disability is not due to lack of appropriate instruction in reading or math, the IEP team shall consider, as part of the evaluation, both:</p> <ul style="list-style-type: none"> • Data that demonstrate that prior to, or as part of, the referral process, the child was provided appropriate instruction in general education settings delivered by qualified personnel, and • Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of child progress during instruction, provided to the child’s parents. <p>34 CFR §300.309(b); COMAR 13A.05.01.06D(3) & (4)</p>	<p><i>Refer to the Specific Learning Disability Team Report form on the MOIEP.</i></p>

Item	Evidence	Requirement	Clarification
8.9	<p><i>C = Documentation exists that the IEP team determined the student has a specific learning disability based on the areas described in COMAR [(i) to (viii) in the cell to the right], and not due to the factors listed in COMAR [(a) to (f) in the cell to the right].</i></p> <p><i>NA = The team does not suspect that the student has a specific learning disability.</i></p>	<p>The IEP team shall determine that a student has a specific learning disability if the student does not achieve adequately for the student’s age or meet State-approved grade level standards when provided with learning experiences appropriate for the student’s age and ability levels in one or more to the following areas:</p> <ul style="list-style-type: none"> (i) Oral expression; (ii) Listening comprehension; (iii) Basic reading skills; (iv) Reading fluency skills; (v) Reading comprehension; (vi) Written expression; (vii) Mathematics calculation; or (viii) Mathematics problem solving. <p>AND</p> <p>The student’s lack of achievement is NOT primarily the result of:</p> <ul style="list-style-type: none"> (a) A visual, hearing, or motor impairment; (b) Intellectual disability; (c) Emotional disability; (d) Cultural factors; (e) Environmental, cultural, or economic disadvantage; or (f) Limited English proficiency. <p>COMAR 13A.05.01.06D(2)</p>	<p><i>Refer to the Specific Learning Disability Team Report form on the MOIEP.</i></p>
8.10	<p><i>C = Documentation exists that parents received BOTH the evaluation report and documentation of the determination of eligibility.</i></p>	<p>The IEP team prepares an evaluation report to document its decision in writing; the report includes:</p> <ul style="list-style-type: none"> (i) Information provided by the parent; (ii) Results of assessment procedures used as the basis for determination; (iii) A statement as to whether the assessment procedures were valid for the purposes intended and valid for the child; and (iv) Whether the child is a child with a disability. <p>34 CFR §§300.306(a)(2) & 300.503; COMAR 13A.05.01.06C(2)</p>	<p><i>The evaluation report may be any written documentation of the IEP team’s decision that includes the requirements (PWN, Evaluation Report and Determination of Initial Eligibility on the MOIEP).</i></p> <p><i>Blind/VI: Consider the results of the Expanded Core Curriculum assessment, Learning Media Assessment, and Orientation and Mobility Assessment.</i></p>

Item	Evidence	Requirement	Clarification
8.11	<p><i>C = Documentation exists that: 1) The IEP team met to develop the IEP within 30 calendar days of date of student's eligibility; and 2) The date of initiation of services is proximate to the date of eligibility and IEP-development.</i></p> <p><i>NA = The child transitioned from Part C to Part B.</i></p>	<p>The IEP team meets to develop an IEP within 30 (calendar) days of the date the student is determined eligible and in need of special education and related services. As soon as possible, following the development of the IEP, special education and related services are made available to the student in accordance with the student's IEP.</p> <p>34 CFR §300.323(c); COMAR 13A.05.01.08A(1)</p>	<p><i>Though there is no definitive timeframe for "as soon as possible," consider the services outlined in the IEP and whether the gap in time between IEP development and the first date of service delivery is reasonable.</i></p>
8.12	<p><i>C = Documentation exists that there is a signed parental consent for initial service.</i></p>	<p>An IEP team shall obtain written parental consent before the initial provision of special education and related services to the student.</p> <p>34 CFR §300.300(b)(1); COMAR 13A.05.01.13B(1)</p>	<p><i>If consent was delayed, review the file for attempts to obtain parental consent.</i></p>

SECTION 9: Reevaluation (Skip to Section 10 if this is an initial evaluation or if a reevaluation was not due and/or not completed on the most current IEP)

Item	Evidence	Requirement	Clarification
9.1	<p><i>C = Documentation exists that a reevaluation was conducted to determine continued eligibility within three years of the previous eligibility determination.</i></p>	<p>A public agency shall ensure that a reevaluation is conducted at least once every three years.</p> <p>34 CFR §300.303(b)(2); COMAR 13A.05.01.06E(2)(b)</p>	<p><i>Identify and compare the dates of previous eligibility determination(s) to the current eligibility determination.</i></p>
9.2	<p><i>C = Documentation exists indicating the need for additional data, and the results of the subsequent data from the assessment(s) that was gathered is discussed.</i></p> <p><i>OR</i></p> <p><i>C = Documentation exists that no additional data were needed.</i></p>	<p>The IEP team reviews existing assessment data and input from the child’s parents, and identifies what additional data, if any, is needed to determine:</p> <ul style="list-style-type: none"> • Whether the child continues to be a child with a disability; • The educational needs of the child; • The present levels of academic achievement and related developmental needs of the child; • Whether additions or modifications to special education and related services are needed to enable the child to meet the measurable annual goals in the child’s IEP and to participate in the general curriculum; and • Whether the child continues to need special education and related services. <p>34 CFR §300.305; COMAR 13A.05.01.06E(3) & (4)</p>	<p><i>Blind/VI: Consider the results of the Expanded Core Curriculum assessment, Learning Media Assessment, and Orientation and Mobility Assessment.</i></p>
9.3	<p><i>C = Documentation exists of written parental consent to conduct the reevaluation.</i></p> <p><i>OR</i></p> <p><i>C = Documentation exists to illustrate that reasonable measures were taken to obtain parental consent.</i></p> <p><i>NA = No assessments were recommended.</i></p>	<p>An IEP team shall obtain written parental consent prior to conducting assessment procedures as part of a reevaluation of the child.</p> <p>34 CFR §300.300(c); COMAR 13A.05.01.13A(1)</p>	<p><i>Parental consent is not required if the LEA has documentation to demonstrate that reasonable measures were taken to obtain consent, and the parent failed to respond.</i></p>

Item	Evidence	Requirement	Clarification
9.4	<p><i>C = Reevaluation is completed within 90 (calendar) days of the IEP team meeting at which the IEP team determines that additional data is needed.</i></p> <p><i>NA = Documentation exists that the parent and the LEA agreed that no additional data were needed.</i></p>	<p>If the IEP team determines the need for additional data, the LEA shall conduct assessment procedures within 90 (calendar) days of the IEP team meeting. The results of the assessment procedures shall be used by the IEP team in reviewing and/or revising the child's IEP.</p> <p>COMAR 13A.05.01.06E(5) & (6)</p>	<p><i>Compare the date of when the reevaluation process began with the date the IEP team reviewed the results and determined whether the child continued to be eligible for special education and/or related services.</i></p> <p><i>*Note that the reevaluation must be completed within three years of the previous eligibility determination.</i></p>
9.5	<p><i>C = Documentation exists of parent notification that contains written notice of the team's decision that no additional data are needed.</i></p> <p><i>NA = Documentation exists that the parent and the LEA agreed that additional data were needed.</i></p>	<p>The IEP team shall notify the parents if the IEP team determines that no additional data are needed to determine:</p> <ul style="list-style-type: none"> • Whether and why the student with a disability continues to be a student with a disability; and • The student's educational needs. <p>The notification shall include:</p> <ol style="list-style-type: none"> (a) The decision of the IEP team; (b) The basis of the determination; and (c) The rights of the parents to request a public agency to conduct assessment procedures to determine: <ul style="list-style-type: none"> ○ Whether the student continues to be a student with a disability; and ○ The student's educational needs. <p>34 CFR §300.305(d); COMAR 13A.05.01.06E(7) & (8)</p>	<p><i>Refer to the PWN or the Continued Evaluation Eligibility Data page of the MOIEP.</i></p>

SECTION 10: IEP Team Process (Locate and use the most current IEP)

Item	Evidence	Requirement	Clarification
10.1	<p><i>C = Documentation exists to evidence that each required participant attended the IEP team meeting.</i></p> <p><i>OR</i></p> <p><i>C = Documentation exists to evidence nonattendance, only as appropriate as required under federal regulations, i.e. parent signatures of consent to allow such absence; and documentation exists to explain the nonattendance of required participants.</i></p>	<p>The IEP team shall include:</p> <ul style="list-style-type: none"> • The parents of the student; • Not less than one general education teacher of the student, if the student is or may be participating in the general education environment. (If a student does not have a general education teacher, or is younger than school age, the general education teacher is an individual qualified to teach a student of the student age); • Not less than one special education teacher of the student; or where appropriate, not less than one special education service provider; • A representative of the public agency who is: <ul style="list-style-type: none"> ○ Qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities, ○ Knowledgeable about the general curriculum, and ○ Knowledgeable about the availability of resources of the public agency; • An individual who can interpret the instructional implications of evaluation results; • At the discretion of the parents or the agency, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate; and • The student, whenever appropriate. <p>34 CFR §300.321(a); COMAR 13A.05.01.07A and C</p>	<p>Absent members: <i>If the parent, ultimately, is unwilling to attend, the IEP team shall keep a record of multiple attempts (a minimum of three) and various methods of contact (e.g., email, phone, certified letter, home visits, etc.) to arrange a mutually agreed upon time and place.</i></p> <p><i>Documentation regarding the excusal of an IEP team member must be included in the file.</i></p>
10.2	<p><i>C = Documentation exists, via the PWN or via the IEP, that the Parents' Guide to Habilitative Services was provided to parents.</i></p>	<p>A local school system shall provide to the parents or guardians of a child with a disability verbal and written information about access to habilitative services, including a copy of the Maryland Insurance Administration's Parents' Guide to Habilitative Services, at the following times:</p> <p>(1) The transition meeting for a child moving from the Maryland Infants and Toddlers Program to a local school system;</p> <p>(2) A child's initial individualized education program meeting;</p>	

		<p>(3) At least one time each year at a child's individualized education program meeting; and</p> <p>(4) On the approval or denial of a parent's or guardian's request for a related service to enable a child with a disability to benefit from special education.</p> <p>Maryland Education Code § 8-418; Refer to the Maryland Online IEP User & Process Guide</p>	
<p>10.3</p>	<p><i>C = Documentation exists of parent notification that contains all required prior written notice elements (PWN).</i></p>	<p>Written notice must be given to the parents of a student with a disability a reasonable time before the public agency:</p> <ul style="list-style-type: none"> a) Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child; or b) Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child. <p>The notice required under paragraph (a) of this section must include:</p> <ul style="list-style-type: none"> 1) A description of the action proposed or refused by the agency; 2) An explanation of why the agency proposes or refuses to take the action; 3) A description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action; 4) A statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained; 5) Sources for parents to contact to obtain assistance in understanding the provisions of this part; 6) A description of other options that the IEP Team considered and the reasons why those options were rejected; and 7) A description of other factors that are relevant to the agency's proposal or refusal. <p>34 CFR § 300.503</p>	

Item	Evidence	Requirement	Clarification
10.4	<p><i>C = Documentation exists to evidence that the IEP was implemented as soon as possible after the meeting at which the IEP was developed.</i></p> <p><i>OR</i></p> <p><i>C = Documentation exists to evidence acceptable circumstances for delay.</i></p>	<p>An LEA shall implement an IEP as soon as possible after the meeting where the IEP is developed or revised except when the meeting occurs during the summer or a vacation period or when there are circumstances that require a short delay.</p> <p>34 CFR §300.323(c)(2); COMAR 13A.05.01.09D(3) & (4)</p>	

SECTION 11: Participation in State-Wide Assessments

Item	Evidence	Requirement	Clarification
11.1a*	<p><i>C = Documentation exists that the student cannot participate in the general education assessments.</i></p> <p><i>NA = The student participates in the general education Statewide assessment or is not in a tested grade.</i></p>	<p><i>If the IEP Team determines that the student must take an alternate assessment instead of a particular general State or district-wide assessment of student achievement, the IEP for a student with a disability shall include a statement of why:</i></p> <p>The student cannot participate in the general education assessment; and</p> <p>34 CFR §300.320(a)(6)(ii)(A); COMAR 13A.05.01.09A(1)(g); SPP Part B Indicator 3</p>	
11.1b*	<p><i>C = Documentation exists to evidence that the alternate assessment is appropriate for the student.</i></p> <p><i>NA = The student participates in the general education Statewide assessment or is not in a tested grade.</i></p>	<p><i>If the IEP Team determines that the student must take an alternate assessment instead of a particular general State or district-wide assessment of student achievement, the IEP for a student with a disability shall include a statement of why:</i></p> <p>The particular alternate assessment selected is appropriate for the student; and</p> <p>34 CFR §300.320(a)(6)(ii)(B); COMAR 13A.95.01.09A(1)(g)</p>	

Item	Evidence	Requirement	Clarification
11.1c	<p><i>C = Documentation exists to evidence the results of the student's assessment performance.</i></p> <p><i>NA = The student is not in a tested grade.</i></p>	<p><i>If the IEP Team determines that the student must take an alternate assessment instead of a particular general State or district-wide assessment of student achievement, the IEP for a student with a disability shall include a statement of why:</i></p> <p>The IEP for a student with a disability shall include the results of the student's performance on Statewide, district-wide or alternative assessment programs, as appropriate.</p> <p>COMAR 13A.05.01.08A(3)(f); SPP Part B Indicator 3</p>	<p><i>Consider the grade level of the student: Kindergarten assessment, MCAP grades 3-8, and 10.</i></p>
11.2*	<p><i>C = The IEP includes an explanation of any needed instructional and testing accommodations AND describes whether each instructional and assessment accommodation can be implemented as written during emergency conditions resulting in the physical closure of school for 10 or more days.</i></p> <p><i>NA = The student is not in a tested grade.</i></p>	<p>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.</p> <p>34 CFR §300.320(a)(6)(i); COMAR 13A.05.01.09A(1)(f)</p>	

SECTION 12: Development of the IEP (*Locate and use the most current IEP*)

Item	Evidence	Requirement	Clarification
<p>12.1</p>	<p><i>C = The date of the annual review is within one year of the date of the previous IEP, or documentation exists to support the existence of an acceptable reason(s) for the delay.</i></p> <p><i>NA = It is the initial year of the IEP.</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"> (a) Determine whether the annual goals for the student are being achieved; (b) Address any lack of expected progress in the annual goals or in the general curriculum; (c) Review data and information from assessment procedures conducted as part of the reevaluation in Regulation .06 of this chapter, as appropriate; (d) Address any information about the student provided to or by the parent; (e) Address the student’s anticipated needs; and (f) Discuss other matters, as identified on the notice of the IEP team meeting. <p>34 CFR §300.324(b); COMAR 13A.05.01.08B(1)</p>	
<p>12.2*</p>	<p><i>C = The IEP includes statements regarding all relevant student present levels of academic and functional performance (PLAAFP) and includes a specific and measurable instructional grade level for each academic area.</i></p> <p><i>NC = Absence of any relevant student present levels and/or specific, measurable instructional grade level for each academic area (e.g. below grade level is not acceptable).</i></p>	<p>The IEP for a student with a disability shall include a statement of the student’s present levels of academic achievement and functional performance, including current:</p> <ul style="list-style-type: none"> • Individualized assessment results (must include the title and date of the assessment and grade level results if appropriate to the assessment), • Classroom-based assessments, • District assessments, • Classroom based observations, • Student’s academic/functional strengths, • Parent information, and • Student and general education teacher input in relevant areas. <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” section on the IEP.</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 the student is not educated by a general education teacher.</i></p>
<p>12.3*</p>	<p><i>C = The IEP contains a statement as to 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><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
12.4*	<p><i>C = The IEP shall contain academic and functional goals, each of which is measurable.</i></p>	<p>The IEP for a student with a disability must include measurable 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><i>Goals are individualized based on the PLAAFP and include the following five (5) components:</i></p> <ol style="list-style-type: none"> 1. <i>Conditions</i> 2. <i>Behavior</i> 3. <i>Criteria (mastery and retention)</i> 4. <i>Method of Measure</i> 5. <i>Time Frame</i>
12.5a*	<p><i>C = The IEP shall contain goals that are designed to enable the student to be involved and make progress in the general curriculum AND describes whether each goal can be implemented as written during emergency conditions resulting in the physical closure of school for 10 or more days.</i></p> <p><i>NA = If there are no identified academic (ELA or Math) areas of need.</i></p>	<p><i>Academic and functional goals must:</i></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>For each identified area of academic need, at least one goal is aligned to one or more priority standards in the student’s enrolled grade. Remaining academic goals target those skills from earlier in the learning progression that the student has not yet mastered, but are essential for the student to advance toward achieving grade level standards.</i></p> <p><i>For example, when a student’s PLAAFP indicates:</i></p> <ul style="list-style-type: none"> • <i>Reading comprehension, reading fluency, phonics, and written language expression, only one grade level standards aligned goal is required for ELA.</i> • <i>Math calculation, math problem solving, and math fluency, only one grade level standards aligned goal is required for math.</i> <p><i>For a preschool student, as appropriate, goals are designed to allow them to participate in appropriate activities.</i></p>

Item	Evidence	Requirement	Clarification
12.5b*	<p><i>C = The IEP shall contain goals that are to designed to meet the student's other educational needs AND describes whether each goal can be implemented as written during emergency conditions resulting in the physical closure of school for 10 or more days.</i></p> <p><i>NA = The student does not demonstrate other needs that impact involvement and progress in the general education curriculum (e.g. functional skills, behavior, etc.).</i></p>	<p><i>Academic and functional goals must:</i></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>Functional IEP goals are aligned to age and grade appropriate non-academic skills impacted by the student's disability (e.g. behavior, social/emotional, and independent living).</i></p>
12.6a*	<p><i>C = A schedule of how the parent will be regularly informed is evident and measurable.</i></p>	<p><i>An IEP shall include how a parent is to be regularly informed of how:</i></p> <p>The student's progress toward the annual goals will be measured; and</p> <p>34 CFR § 300.320(a)(3)(ii); COMAR13A.05.01.09B(1)(a)</p>	
12.6b*	<p><i>C = Extent of progress is evident.</i></p> <p><i>NA = If the IEP or specific goals are newly introduced.</i></p>	<p><i>An IEP shall include how a parent is to be regularly informed of how:</i></p> <p>The extent to which the progress is sufficient to enable the student to achieve the goals within a year.</p> <p>COMAR13A.05.01.09B(1)(b)</p>	

Item	Evidence	Requirement	Clarification
12.7	<p><i>C = The IEP documents special education and related services required by the student to make progress in the general education curriculum AND describes whether each service/ESY service can be implemented as written during emergency conditions resulting in the physical closure of school for 10 or more days.</i></p>	<p>The IEP includes a statement of the special education and related service(s) to be provided to the student or on behalf of the student for the student:</p> <ul style="list-style-type: none"> • To advance appropriately toward attaining annual goals, and • To be involved in and make progress in the general education curriculum. <p>34 CFR §300.320(a)(4)(i) and (ii); COMAR 13A.05.01.09A(1)(c) and (d)</p>	
12.8*	<p><i>C = The IEP documents the special education and related services the student receives.</i></p>	<p>The IEP of a student with a disability must include the projected dates for initiation of services, the anticipated frequency, location, and duration of those services and modifications.</p> <p>34 CFR §300.320(a)(7); COMAR 13A.05.01.09A(1)(h)</p>	
12.9*	<p><i>C = The IEP documents supplementary aids and services required by the student AND describes whether each supplementary aid, service, program modification, and support can be implemented as written during emergency conditions resulting in the physical closure of school for 10 or more days.</i></p> <p>OR</p> <p><i>C = Documentation of the team's decision that supplementary aids and services are not required.</i></p>	<p>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.</p> <p>34 CFR §300.320(a)(4); COMAR 13A.05.01.09A(1)(c)</p>	

Item	Evidence	Requirement	Clarification
12.10*	<p><i>C = The IEP documents modifications and/or supports for staff required for the student to progress in the general education curriculum.</i></p> <p><i>NA = Modifications and supports for staff are not selected.</i></p>	<p>The IEP includes a description of the program modifications and/or supports for school personnel.</p> <p>34 CFR §300.320(a)(4); COMAR13A.05.01.09A(1)(d)</p>	<p><i>School Personnel/Parental Supports include:</i></p> <ul style="list-style-type: none"> • <i>Nature of service-staff training,</i> • <i>Areas of IEP supported by training/consultation,</i> • <i>Topics and participants clarified, and</i> • <i>Documentation to support the decision.</i>
12.11*	<p><i>C = Documentation exists to evidence that the parent provided input or had the opportunity to participate.</i></p>	<p>In developing the IEP, the IEP team shall consider and document the parent’s concerns for enhancing the education of the student.</p> <p>34 CFR §300.324(a)(1)(ii); COMAR 13A.05.01.08A(3)(b)</p>	<p><i>If the parent could/did not attend the meeting, staff should obtain oral or written input from the parent.</i></p> <p><i>If the parent is nonresponsive, the Area Discussion section of MOIEP should document all attempts to obtain parent input.</i></p> <p>NA is not permitted for this item.</p>
12.12*	<p><i>C = The IEP includes documentation of the student’s strengths.</i></p>	<p>In developing the IEP, the IEP team shall consider and document the student’s strengths.</p> <p>34 CFR §300.324(a)(1)(i); COMAR 13A.05.01.08A(3)(a)</p>	<p><i>The student’s strengths include the student’s interest areas, significant personal attributes, and personal accomplishments.</i></p>
12.13a*	<p><i>C = The IEP includes documentation of the student’s communication needs.</i></p>	<p><i>In developing the IEP, the IEP team shall consider and document special considerations and accommodations, including:</i></p> <p>The communication needs of the student;</p> <p>34 CFR §300.324(a)(2)(iv); COMAR 13A.05.01.08A(3)(d)</p>	

Item	Evidence	Requirement	Clarification
12.13b*	C = Documentation exists to evidence the IEP team's consideration regarding the student's need for assistive technology.	<p>In developing the IEP, the IEP team shall consider and document special considerations and accommodations, including:</p> <p>Whether the student requires assistive technology devices and services;</p> <p>34 CFR §300.324(a)(2)(v); COMAR 13A.05.01.08A(3)(e)</p>	
12.13c*	<p>C = Documentation exists as evidence of the IEP team's consideration of the appropriateness of Braille.</p> <p>NA = The student is not blind or visually impaired.</p>	<p>In developing the IEP, the IEP team shall consider and document special considerations and accommodations, including:</p> <p>If a student is blind or visually impaired, the IEP team shall provide for instruction in Braille and the use of Braille, including textbooks in Braille, unless the IEP team determines after an evaluation, that instruction in Braille is not appropriate for the student.</p> <p>34 CFR §300.324(a)(2)(iii); COMAR 13A.05.01.08A(6)</p>	<p>There must be a Learning Media Assessment (LMA), an evaluation of the student's reading/writing skills, needs, future needs due to eye diagnosis, and of appropriate reading/writing media before determining future needs for instruction in Braille or the use of Braille.</p> <p>For students who are visually impaired or blind: The LMA should include a statement of the student's medical diagnosis and prognosis, the child's functional vision, reading and writing skills with the current media, and ability to access distance/near materials. The LMA should also take into account the future needs of the student based on their eye diagnosis (IDEA states that they must receive braille if they have a degenerative condition). The LMA should identify the most appropriate primary and secondary learning media. Documentation of team decision should be based upon the evaluation and consideration of future needs/demands and should consider instruction of Braille.</p>

Item	Evidence	Requirement	Clarification
12.14	<p><i>C = Documentation exists to evidence that the IEP team provided information to the parent about the MSB.</i></p> <p><i>NA = The student is not blind or visually impaired.</i></p>	<p>The IEP team shall notify the parents or guardians of each blind or visually impaired student, including students with multiple disabilities, of the availability of the educational programs offered by the Maryland School for the Blind (MSB).</p> <p>Education Article, §8-307.1, Annotated Code of Maryland</p>	<p><i>Refer to Special Considerations and Accommodations on the MOIEP.</i></p>
12.15*	<p><i>C = Documentation exists that the IEP team considered the student's language and communication needs.</i></p> <p><i>NA = The student is not deaf or hard of hearing.</i></p>	<p>The IEP team must consider, in the case of the student who is deaf or hard of hearing, the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode.</p> <p>34 CFR §300.324(a)(2)(iv); COMAR 13A.05.01.08A(7)</p>	<p><i>Refer to the Special Considerations and Accommodations page on the MOIEP.</i></p>
12.16	<p><i>C = Documentation exists that the IEP team provided information to the parent about the MSD.</i></p> <p><i>NA = The student is not deaf or hard of hearing.</i></p>	<p>The IEP team shall notify the parents or guardians of each student with a hearing impairment of the availability of the educational programs offered by the Maryland School for the Deaf (MSD).</p> <p>Education Article, §8-305, Annotated Code of Maryland</p>	<p><i>Refer to the Special Considerations and Accommodations page on the MOIEP.</i></p>
12.17	<p><i>C = The IEP includes a statement of what the student needs in order to receive a FAPE.</i></p> <p><i>NA = The student is not deaf or hard of hearing.</i></p>	<p>If the IEP team determines that a student with a deaf or hard of hearing disability needs a particular device or service, including intervention, accommodations, or other program modifications, to receive a FAPE, the IEP shall include a statement to that effect.</p> <p>COMAR 13A.05.01.08A(8)</p>	<p><i>Refer to the Special Considerations and Accommodations page on the MOIEP.</i></p>

Item	Evidence	Requirement	Clarification
12.18*	<p><i>C = Documentation exists that the IEP team considered the behavioral needs of the student.</i></p> <p><i>NA = The student does not present with behaviors that interfere with the education of the student or other students.</i></p>	<p>If the student's behavior impedes the student's learning or the learning of others, the IEP team shall consider strategies, including positive behavioral interventions, strategies, and supports to address that behavior, as appropriate.</p> <p>34 CFR §300.324(a)(2)(i); COMAR 13A.05.01.08A(4)</p>	<p><i>Refer to Special Considerations and Accommodations on the MOIEP.</i></p> <p><i>Documentation of the behavioral needs of the student will be listed in Areas Affected by Disability and PLAAFP. The Special Considerations: Behavioral Intervention section must be completed.</i></p> <p>Consideration of a Functional Behavioral Assessment/ Behavior Intervention Plan is required for all students with Social Emotional/Behavioral areas of need.</p>
12.19*	<p><i>C = Documentation exists that the IEP team considered the student's language needs.</i></p> <p><i>NA = The student is not limited English proficiency (LEP).</i></p>	<p>If the student is limited English proficient, the IEP team shall consider the language needs of the student as these needs relate to the student's IEP.</p> <p>34 CFR §300.324(a)(2)(ii); COMAR 13A.05.01.08A(5)</p>	<p><i>Refer to Special Considerations and Accommodations on MOIEP.</i></p>

SECTION 13: LRE Determination (*Locate and use the most current IEP*)

Item	Evidence	Requirement	Clarification
13.1a	<p><i>C = The date of the LRE determination is within one year of the date of the previous IEP team's LRE determination.</i></p> <p><i>NA = It is the initial year of the IEP.</i></p>	<p><i>The student's placement is:</i></p> <p>Determined at least annually by the IEP team;</p> <p>34 CFR §300.116(b)(1); COMAR 13A.05.01.10C(1)(a)(i)&(iii)</p>	
13.1b	<p><i>C = The IEP explains the needs of the student, and therefore the student's programming, which dictates the student's placement as agreed upon by the IEP team members.</i></p>	<p><i>The student's placement is:</i></p> <p>Based on the student's IEP; and</p> <p>34 CFR §300.116(b)(2); COMAR 13A.05.01.10C(1)(a)(iv)</p>	<p><i>The IEP team must document consideration of all placement options on the Least Restrictive Environment (LRE) Decision Making & Placement Summary page on the MOIEP (regular classes, special classes, special schools, a combination of placements).</i></p>
13.1c	<p><i>C = The student's placement is the student's neighborhood school.</i></p> <p><i>C = The IEP explains why the student is not being educated in the student's neighborhood school.</i></p>	<p><i>The student's placement is:</i></p> <p>As close to the student's home as possible.</p> <p>34 CFR §300.116(b)(3); COMAR 13A.05.01.10C(1)(a)(v)</p>	

Item	Evidence	Requirement	Clarification
13.2	<p><i>C = The IEP contains a description of the basis for the LRE determination and reasons for rejecting less restrictive environments are included and must meet the PWN requirements.</i></p> <p>A PWN is required and may be met within the IEP document or other documentation as generated by the IEP team.</p> <p><i>NA = The student receives all special education and related services in the general education setting.</i></p>	<p>If the student is removed from the general education setting, the IEP team shall document the basis for the LRE determination, including reasons for rejecting lesser restrictive environments.</p> <p>34 CFR §§300.114(a)(2)(ii) & 300.503(a); COMAR 13A.05.01.10A(2)</p>	<p><i>Information must be included regardless of the LRE if the student is removed from the general education setting.</i></p> <p><i>A student with a disability shall not be removed from education in an age-appropriate general education classroom solely because of needed modifications in the general curriculum.</i></p> <p><i>If a student with a disability has behavioral problems that are so disruptive in a regular classroom that the education of other students is significantly impaired, <u>and</u> documentation exists to show the full range of supplementary aids and services that have been provided, as well as documentation that if the student's IEP could not be implemented satisfactorily in the general education setting, the IEP team may determine that the general education setting would not be considered for the LRE because the student's unique educational needs could not be met.</i></p>
13.3	<p><i>C = The IEP contains documentation of the IEP team's consideration of any potential harmful effects.</i></p>	<p>In selecting the LRE, consideration is given to any potential harmful effect on the student or on the quality of services that the student needs.</p> <p>34 CFR §300.116(d); COMAR 13A.05.01.10C(1)(c)</p>	

Item	Evidence	Requirement	Clarification
13.4	<p><i>C = Documentation exists that the IEP team considered the specialized transportation needs of the student.</i></p> <p><i>NA = The student is in the home school and does not need specialized transportation.</i></p>	<p>If the IEP team determines a student with a disability cannot be educated in the school or typical early student setting the student would attend if not disabled, the IEP team shall document the specialized transportation needs of the student. This should include the consideration of the effect transportation may have upon the student in relationship to the:</p> <ul style="list-style-type: none"> • Student’s age and disability; • Specialized equipment needs of the student; • Personnel needed to assist the student during transportation; • Amount of time involved in transporting the student; and • Distance the student will be transported. <p>34 CFR §300.116(d); COMAR 13A.05.01.10C(1)(e)</p>	
13.5*	<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><i>C = The IEP Team has indicated 100% inclusion for all general education class and in extracurricular and other nonacademic activities.</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>34 CFR §300.320(a)(5); COMAR 13A.05.01.09A(1)(e); SPP Part B Indicator 5</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>
13.6	<p><i>C = The LRE data are consistent throughout the IEP (Services and LRE data match).</i></p>	<p>Identify if “total time outside of general education” is consistent with LRE determination and services page data on IEP. (Timely and Accurate Data)</p> <p>Refer to the Maryland Online IEP User & Process Guide</p>	<p><i>Special education placement refers to SSIS coding for LRE (refer to SSIS coding page attached to this document).</i></p>

SECTION 14: Extended School Year (*Locate and use the most current IEP*)

Item	Evidence	Requirement	Clarification
14.1	<p><i>C = The IEP determines ESY within one year of the previous IEP team's ESY discussion.</i></p> <p><i>NA = The IEP is in its initial year.</i></p>	<p>At least annually, the IEP team shall determine whether the student requires the provision of extended school year services.</p> <p>34 CFR 300.106; Education Article §8-405(b), Annotated Code of Maryland; COMAR 13A.05.01.08B(2)(a)</p>	
14.2a	<p><i>C = Documentation exists to reflect the consideration of critical life skills and annual goals.</i></p>	<p><i>The IEP team shall consider:</i></p> <p>Whether the IEP includes annual goals related to critical life skills;</p> <p>COMAR 13A.05.01.08B(2)(b)(i)</p>	
14.2b	<p><i>C = Documentation exists to reflect the consideration of critical life skills and substantial regression.</i></p>	<p><i>The IEP team shall consider:</i></p> <p>Whether there is a likelihood of substantial regression of critical life skills caused by the normal school break in the general school year and a failure to recover those lost skills in a reasonable time;</p> <p>COMAR 13A.05.01.08B(2)(b)(ii)</p>	
14.2c	<p><i>C = Documentation exists to reflect the consideration of critical life skills and degree of progress.</i></p>	<p><i>The IEP team shall consider:</i></p> <p>The student's degree of progress toward mastery of IEP goals related to critical life skills;</p> <p>COMAR 13A.05.01.08B(2)(b)(iii)</p>	
14.2d	<p><i>C = Documentation exists to reflect the consideration of critical life skills and breakthrough opportunities.</i></p>	<p><i>The IEP team shall consider:</i></p> <p>The presence of emerging skills or breakthrough opportunities;</p> <p>COMAR 13A.05.01.08B(2)(b)(iv)</p>	

Item	Evidence	Requirement	Clarification
14.2e	<i>C = Documentation exists to reflect the consideration of critical life skills and interfering behaviors.</i>	<p>The IEP team shall consider:</p> <p>Interfering behaviors;</p> <p>COMAR 13A.05.01.08B(2)(b)(v)</p>	
14.2f	<i>C = Documentation exists to reflect the consideration of critical life skills and the nature and severity of the disability.</i>	<p>The IEP team shall consider:</p> <p>The nature and severity of the disability; and</p> <p>COMAR 13A.05.01.08B(2)(b)(vi)</p>	
14.2g	<i>C = Documentation exists to reflect the consideration of critical life skills and special circumstances.</i>	<p>The IEP team shall consider:</p> <p>Special circumstances.</p> <p>COMAR 13A.05.01.08B(2)(b)(vii)</p>	
14.3	<i>C = Documentation exists to evidence that the IEP team determined whether the educational program would be significantly jeopardized without ESY.</i>	<p>The IEP team must determine whether the benefits the student gains from his/her educational program during the regular school year will be significantly jeopardized if the student is not provided with an educational program during a normal break in the regular school year.</p> <p>COMAR 13A.05.01.08B(2)(c); 4th Circuit ESY Standard</p>	
14.4	<p><i>C = The student is to receive ESY and services are indicated.</i></p> <p><i>NA = The IEP team determined that the student is not eligible to receive ESY.</i></p>	<p>If the student requires extended school year services, the IEP shall include the specific special education and related services to be provided beyond the regular school year.</p> <p>COMAR 13A.05.01.09A(2)</p>	

SECTION 15: Secondary Transition (*Locate and use the most current IEP*)

Item	Evidence	Requirement	Clarification
15.1*	<i>C = The Written Notice of the IEP Meeting indicates that a purpose of the meeting is to address transition services.</i>	The written notice of the IEP meeting shall indicate that a purpose of the meeting will be the consideration of postsecondary goals and transition services for the student. 34 CFR §300.322(b)(2)(i)(A); COMAR 13A.05.01.07D(5)(a)	<i>COMAR requires transition services at age 14, or younger if appropriate.</i>
15.2a*	<i>C = There is a meeting notification addressed to the parent/guardian.</i>	<i>When a purpose of the IEP meeting is to consider postsecondary goals and the transition services needed to assist the student in reaching those goals, the IEP team shall ensure that the IEP team invites:</i> The parent; 34 CFR §300.321(a)(1); COMAR 13A.05.01.07A(1)(a); SPP Part B Indicator 13	
15.2b*	<i>C = The student is listed on the meeting notification and/or is listed in the documentation as having attended the IEP team meeting.</i>	<i>When a purpose of the IEP meeting is to consider postsecondary goals and the transition services needed to assist the student in reaching those goals, the IEP team shall ensure that the IEP team invites:</i> The student; and 34 CFR §§300.321(a)(7) & (b)(1); COMAR 13A.05.01.07A(3)(a) & D(5)(b); SPP Part B Indicator 13	Refer to Written Notice of IEP and/or PWN. Refer to NTACTION #7 <i>If the student does not attend the IEP Team meeting, the LEA must take other steps to ensure that the student's preferences and interests are considered.</i>
15.2c*	<i>C = Documentation exists to evidence that a representative of any other agency is listed on the meeting notification, as appropriate.</i> <i>NA = It is too early to determine if the student will need outside agency involvement or no agency is likely to provide or pay for transition services.</i> <i>NA = The student is already a client with an agency and there is no need for that agency representative to attend the IEP meeting.</i>	<i>When a purpose of the IEP meeting is to consider postsecondary goals and the transition services needed to assist the student in reaching those goals, the IEP team shall ensure that the IEP team invites:</i> A representative of any other agency that is likely to be responsible for providing or paying for transition services - with the consent of the student's Parent, or the student who has reached the age of majority in accordance with Education Article §8-412.1, Annotated Code of Maryland. 34 CFR §300.321(b)(3); COMAR 13A.05.01.07A(3)(b); SPP Part B Indicator 13	<i>A representative of any other agency can only be invited with signed parental consent.</i> REFER TO NTACTION #8 <i>Documentation for the determination should be the basis for the decision field on the IEP or in the PWN.</i>

Item	Evidence	Requirement	Clarification
15.3a*	<p><i>C = Postsecondary goals for training or education, employment, and independent living, where appropriate, occur after high school and are based on age appropriate assessments AND describes whether each secondary transition activity can be implemented as written during emergency conditions resulting in the physical closure of school for 10 or more days.</i></p>	<p><i>Beginning not later than the first IEP to be in effect when the student turns 14 years old, and younger if determined appropriate by the IEP team, the IEP shall:</i></p> <p>Include appropriate measurable postsecondary goals related to training or education, employment, and, where appropriate, independent living;</p> <p>34 CFR §300.320(b)(1); COMAR 13A.05.01.09A(3)(a)(ii); SPP Part B Indicator 13</p>	<p>REFER TO NTACT:C #1</p>
15.3b*	<p><i>C = The IEP documents at least two age appropriate transition assessments that were administered, as well as the results.</i></p>	<p><i>Beginning not later than the first IEP to be in effect when the student turns 14 years old, and younger if determined appropriate by the IEP team, the IEP shall:</i></p> <p>Be based on age appropriate transition assessments;</p> <p>34 CFR §300.320(b)(1); COMAR 13A.05.01.09A(3)(a)(ii); SPP Part B Indicator 13</p>	<p>REFER TO NTACT:C #3</p> <p><i>Transition assessments may include: employment interest inventory, vocational evaluation, educational and/or adaptive behavior assessment, and interview with student, parent, and/or school staff.</i></p> <p><i>The PLAAFP section of the MOIEP captures secondary transition assessment information.</i></p>

Item	Evidence	Requirement	Clarification
15.3c*	<p><i>C = For students graduating with the MD High School Diploma, a Career Cluster aligned with post-secondary goals must be indicated, and Transition Activities are listed.</i></p> <p><i>C = For students exiting with the MD Certificate of Program Completion, a Career Cluster and/or Functional and Skill Development Activities must be indicated, and Transition Activities are listed.</i></p>	<p><i>Beginning not later than the first IEP to be in effect when the student turns 14 years old, and younger if determined appropriate by the IEP team, the IEP shall:</i></p> <p>Include a statement of [coordinated] transition services needed to assist the student in reaching those goals;</p> <p>34 CFR §300.320(b)(2); COMAR 13A.05.01.09A(3)(a)(iii); SPP Part B Indicator 13</p>	<p>REFER TO NTACTION #4 <i>The Course of Study is considered a transition service.</i></p>
15.3d*	<p><i>C = The MD Secondary Transition Planning Guide for Individuals with Disabilities was provided to student/parent every year.</i></p>	<p><i>Beginning not later than the first IEP to be in effect when the student turns 14 years old, and younger if determined appropriate by the IEP team, the IEP shall:</i></p> <p>Include, if appropriate, a statement of an LEA's and another participating agency's responsibilities or linkages, or both, before the student leaves the secondary school setting;</p> <p>COMAR 13A.05.01.09A(3)(a)(iii)</p>	<p><i>COMAR requirement met by distributing The Maryland Secondary Transition Planning Guide for Individuals with Disabilities to document the agency linkage.</i></p>
15.3e*	<p><i>C = For students graduating with the MD High School Diploma, a Career Cluster aligned with post-secondary goals must be indicated.</i></p> <p><i>C = For students exiting with the MD Certificate of Program Completion, a Career Cluster and/or Functional and Skill Development Activities must be indicated.</i></p>	<p><i>Beginning not later than the first IEP to be in effect when the student turns 14 years old, and younger if determined appropriate by the IEP team, the IEP shall:</i></p> <p>Include course of study that will reasonably enable the student to meet those goals; and</p> <p>34 CFR §300.320(b)(2); COMAR 13A.05.01.09A(3)(a)(i); SPP Part B Indicator 13</p>	<p>REFER TO NTACTION #5 <i>Course of study is a multi-year description of coursework from the current year to the anticipated exit year.</i></p>

Item	Evidence	Requirement	Clarification
15.3f*	C = Secondary transition assessments, goals, and services were updated annually.	<p>Beginning not later than the first IEP to be in effect when the student turns 14 years old, and younger if determined appropriate by the IEP team, the IEP shall:</p> <p>Be updated annually.</p> <p>34 CFR §300.320(b); COMAR 13A.05.01.09A(3)(a); SPP Part B Indicator 13</p>	Student interview and transition assessments date must be within the current school year that the IEP was developed.
15.3g*	C = The IEP includes measurable annual goals that support postsecondary goals.	<p>Beginning not later than the first IEP to be in effect when the student turns 14 years old, and younger if determined appropriate by the IEP team, the IEP shall:</p> <p>Include (<i>measurable</i>) annual IEP goals that will reasonably enable the student to meet the postsecondary goals.</p> <p>COMAR 13A.05.01.09A(1)(b)(i); SPP Part B Indicator 13</p>	REFER TO NTACTION #6
15.4*	<p>C = Statement informing the student of his/her rights when reaching age of majority is documented in the IEP.</p> <p>NA = It is earlier than one year before the student reaches age of majority.</p>	<p>Beginning not later than one year before the student reaches the age of majority, the IEP shall include a statement that the student has been informed of the student's rights under Part B of the Act, if any, that will transfer to the student on reaching the age of majority in accordance with Education Article §8-412.1, Annotated Code of Maryland.</p> <p>34 CFR §300.320(c); COMAR 13A.05.01.09A(4)</p>	If the current IEP will be in effect at the time the student turns 17 years of age, a statement informing the student of his/her rights when reaching age of majority must be documented in the IEP.

Resources

Demographic Codes

Gender	1 = Male 2 = Female
Race / Ethnicity	1 = American Indian or Alaskan Native 2 = Asian 3 = Black or African American 4 = Native Hawaiian or Pacific Islander 5 = White Yes or No for Hispanic or Latina
Disability Code	01 = Intellectual Disability 02 = Hearing Impairment 03 = Deaf 04 = Speech or Language Impairment 05 = Visual Impairment 06 = Emotional Disability 07 = Orthopedic Impairment 08 = Other Health Impairment 09 = Specific Learning Disability 10 = Multiple Disabilities 12 = Deaf-Blindness 13 = Traumatic Brain Injury 14 = Autism 15 = Developmental Delay

Services

<p>Special Education Services</p> <ul style="list-style-type: none"> • Classroom Instruction • Physical Education • Speech/Language Pathology • Travel Training • Career and Technology Education Program with Support Services • Special Career and Technology Education Program for Disabled • Vocational Evaluation • Special Education Program with Pre-Vocational Objectives
<p>Related Services</p> <ul style="list-style-type: none"> • Audiological Services • Psychological Services • Occupational Therapy • Physical Therapy • Recreation • Early Identification and Assessment • Counseling Services (provided by qualified social workers, psychologists, guidance, etc.) • Medical Services (Diagnostic and Evaluation) • School Health and School Nurse Services • Social Work Services • Parent Counseling and Training • Other Therapies (i.e., art, drama, dance, etc.) • Rehabilitation Counseling Services • Orientation and Mobility Training Services • Interpreting Services • Speech/Language Pathology (as a related service) • Assistive Technology Services • Nursing Services

SSIS LRE Codes for Children Aged 3-5

E	Hospital Placement – services in a medical facility on an in-patient basis.
F	Public Separate Day School – all services delivered in this setting.
G	Private Separate Day School – all services delivered in this setting.
H	Public Residential Facility – all services delivered in this setting.
I	Private Residential Facility – all services delivered in this setting.
J	Home – all services delivered in this setting.
S	Separate Class – all services delivered in this setting.
T	Service Provider Location
W	Attends a regular 10+ hours/week EC program – receives the majority of services in this setting.
X	Attends a regular 10+ hours/week EC program – receives services in some other location.
Y	Attends a regular EC program <10 hours/week – receives services in this setting.
Z	Attends a regular EC program <10 hours/week – receives the majority of services in some other location.

SSIS LRE Codes for Children Aged 6-21

A	In regular school, inside the general education setting >80% of the school day.
B	In regular school, inside the general education setting between 40-79% of the school day.
C	In regular school, inside the general education setting <40% of the school day.
D	Homebound Placement – services delivered at home.
E	Hospital Placement – services in a medical facility on an in-patient basis.
F	Public Separate Day School – receives services >50% of the school day in a facility that does not house programs for students without disabilities.
G	Private Separate Day School – receives services >50% of the school day in a facility that does not house programs for students without disabilities.
H	Public Residential Facility – receives services >50% of the school day.
I	Private Residential Facility – receives services >50% of the school day.
U	Correctional Facilities – included detention and correctional facilities.
V	Parentally Placed in Private Schools.

Eligibility

1	Eligible child with a disability served in a public school or placed in a nonpublic school by the public agency to receive FAPE.
2	Eligible parentally placed private school child with a disability receiving special education and/or related services through a service plan from the public agency.
3	Eligible parentally placed private school child with a disability NOT receiving service from the public agency.
4	Eligible public school child with a disability not receiving services due to parent refusal to initiate special education and related services.
5	Child is found not eligible for Part B services.
6	Child is eligible for Part B but received services through an extended IFSP.

Exit Reason

A	Returned to general education.
B	Graduated with a Maryland High School Diploma.
C	Received a Maryland High School Certificate of Program Completion.
D	Reached 21 years of age.
E	Deceased.
F	Moved, known to be continuing.
H	Dropped out.
I	Special Cases – Other reasons with superintendent’s approval.
J	Parent Revokes Consent – For use when a parent revokes consent.

Service Public Agency Codes

01 = Allegany	11 = Garrett	21 = Washington
02 = Anne Arundel	12 = Harford	22 = Wicomico
03 = Baltimore County	13 = Howard	23 = Worcester
04 = Calvert	14 = Kent	27 = MSDE/JCEP
05 = Caroline	15 = Montgomery	28 = DJS
06 = Carroll	16 = Prince George’s	29 = Adult Correctional Facilities
07 = Cecil	17 = Queen Anne’s	30 = Baltimore City
08 = Charles	18 = St. Mary’s	32 = SEED School
09 = Dorchester	19 = Somerset	33 = MD School for Blind
10 = Frederick	20 = Talbot	34 = MD School for Deaf

Acronyms

BIP	Behavior Intervention Plan
COMAR	Code of Maryland Regulations
CFR	Code of Federal Regulations
EIS	Early Intervention Services
ESY	Extended School Year
FAPE	Free and Appropriate Public Education
FBA	Functional Behavioral Assessment
HSA	High School Assessment
IAES	Interim Alternative Education Setting
IEP	Individualized Education Program
IFSP	Individualized Family Service Plan
ITP	Infants and Toddlers Program
LEA	Local Education Agency
LEP	Limited English Proficiency
LITP	Local Infants and Toddler Program
LRE	Least Restrictive Environment
MOIEP	Maryland Online Individualized Education Program
MSA	Maryland State Assessment
MSB	Maryland School for the Blind
MSD	Maryland School for the Deaf
NTACT	National Technical Assistance Center on Transition
RTI	Response to Intervention
PWN	Prior Written Notice
SLD	Specific Learning Disability
SPP	State Performance Plan
VI	Visual Impairment