Minnesota Department of Education

Individualized Education Program (IEP) Rubric

IEP Elements	IDEA Regulations	Minnesota Statutes and Rules
Present Levels of Academic Achievement and Functional Performance	In developing each child's IEP, the IEP team must consider i) The strengths of the child; ii) The concerns of the parents for enhancing the education of their child, iii) The results of the initial or most recent evaluation of the child; and, iv) The academic, developmental and functional needs of the child. 34 C.F.R. § 300.324(a)(1)	In developing each pupil's IEP, the IEP team shall consider the strengths of the pupil & the concerns of the parents for enhancing the education of the pupil, the results of the initial evaluation or most recent evaluation of the pupil, and, as appropriate, the results of the pupil's performance on any general state or districtwide assessment program. Minn. R. 3525.2810, subp. 2(A)
	Special Factors: **Deaf/Hearing Impaired**—The IEP team must consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode.	**Special Factors:** **Deaf/Hearing Impaired**—The IEP team shall consider the pupil's language and communication needs, opportunities for direct communications with peers and professional personnel in the pupil's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the pupil's language and communication mode.
	Limited English Proficient—The IEP team must consider the language needs of the child as those needs relate to the child's IEP.	**Limited English Proficient—**The IEP team must consider the language needs of the pupil as such needs relate to the pupil's IEP.
	Assistive Technology—The IEP team must consider whether the child needs assistive technology devices and services.	**Assistive Technology—**The IEP team shall consider whether the pupil needs assistive technology devices and services.
	Behavior—The IEP team must in the case of a child whose behavior impedes the child's learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior.	**Behavior—**The IEP team shall in the case of a pupil whose behavior impedes his or her learning or that of others, consider, when appropriate, strategies, including positive behavioral interventions and supports to address that behavior.

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Present Levels of Academic Achievement and Functional Performance	**Blind/Visually Impaired—**The IEP team must provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child. 34 C.F.R. § 300.324(a)(2)	**Blind/Visually Impaired—**The IEP team shall provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the pupil's reading and writing skills, needs, and appropriate reading and writing media, including an evaluation of the pupil's future needs for instruction in Braille or the use of Braille, that instruction in Braille or the use of Braille is not appropriate for the pupil. Minn. R. 3525.2810, subp.2(B) The student's IEP must specify 1) the results obtained from the assessment; 2) how Braille will be implemented through integration with other classroom activities; 3) the date on which Braille instruction will begin; 4) the length of the period of instruction and the frequency and duration of each instructional session; 5) the level of competency in Braille reading and writing to be achieved by the end of the period and objective assessment measures to be used; 6) and if a decision has been made that Braille instruction or use is not required for the student i) as statement that the decision was reached after a review of pertinent literature describing the educational benefits of Braille instruction and use; ii) and a specification of the evidence used to determine that the student's ability to read and write effectively without Braille is not impaired. Minn. Stat. § 125A.06(e) **Additional Considerations:** The IEP team must consider positive behavioral interventions, strategies, and supports that address behavior for children with attention deficit disorder or attention deficit hyperactivity disorder. Minn. Stat. § 125A.08(a)(1)

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Present Levels of Academic Achievement and Functional Performance	A statement of the child's present levels of academic achievement & functional performance, including i) How the child's disability affects the child's involvement & progress in the general curriculum (i.e. the same curriculum as for non-disabled children); or ii) For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities. 34 C.F.R. § 300.320(a)(1)	The IEP must include any documentation required by Minn. Stat. 125A.0942 (restrictive procedures statute). Minn. R. 3525.2810, subp. 1(A)(11) The district must review use of restrictive procedures at a child's IEP meeting when the child's annual IEP provides for using restrictive procedures in an emergency At the IEP meeting, the team must review any known medical or psychological limitations, including any medical information the parent provides voluntarily, that contraindicate the use of a restrictive procedure, consider whether to prohibit that restrictive procedure, and document any prohibition in the IEP or BIP. An IEP team may plan for using restrictive procedures and may include these procedures in a child's IEP or BIP; however, the restrictive procedures may be used only in response to behavior that constitutes an emergency. The IEP or BIP shall indicate how the parent wants to be notified when a restrictive procedure is used. Minn. Stat. § 125A.0942, Subd. 2 Whenever an evaluation by an IEP team or a section 504 team indicates that the child's disability affects the child's social skills development or the child is vulnerable to prohibited conduct [bullying] because of the child's disability, the child's IEP or section 504 plan may address the skills and proficiencies the child needs to engage in and respond to such conduct; Minn. Stat. § 121A.031 § 1, Subd. 6(a)(3), Effective: 2014-15 school year A statement of the pupil's present levels of educational performance, including how the pupil's disability affects the pupil's involvement and progress in the general curriculum, or for preschool pupils, as appropriate, how the disability affects the pupil's participation in appropriate activities Minn. R. 3525.2810, subp. 1(A)(1)

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Measurable Annual Goals	A statement of measurable annual goals, including academic and functional goals designed to— Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and Meet each of the child's other educational needs that result from the child's disability. 34 C.F.R. 300.320(a)(2)(i)(A)(B)	A statement of measurable annual goals, **including benchmarks or short-term objectives**, related to meeting the pupil's needs that result from the pupil's disability to enable the pupil to be involved in and progress in the general curriculum, and meeting each of the pupil's other educational needs that result from the pupil's disability. Minn. R. 3525.2810, subp. 1(A)(2)
Benchmarks or Short-term Objectives	**For children with disabilities who take alternate assessments aligned to alternate achievement standards** (in addition to the annual goals), a description of benchmarks or short-term objectives. 34 C.F.R. 300.320(a)(2)(ii)	Benchmarks or short-term objectives must be included for all children with disabilities. Minn. R. 3525.2810, subp. 1(A)(2)
How Goals' Progress Will Be Measured	A description of how the child's progress toward meeting the annual goals will be measured; and A statement of when periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided. 34 C.F.R. § 300.320(a)(3)(ii)	A statement of how the pupil's parents will be regularly informed by such means as periodic report cards, at least as often as parents are informed of their nondisabled student's progress, of the pupil's progress toward the annual goals, and the extent to which progress is sufficient to enable the pupil to achieve the goals by the end of the year. Minn. R. 3525.2810, subp. 1(A)(9)
Special Education Services & Related Services, Supplementary Aids & Services, Program Modifications or Supports	A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided for the child: i) To advance appropriately toward attaining the annual goals; ii) To be involved in and make progress in the general education curriculum and to participate in extracurricular and other nonacademic activities; and	A statement of the special education & related services & supplementary aids and services to be provided to the pupil, or on behalf of the pupil, and a statement of the program modifications or supports for school personnel that will be provided for the pupil to advance appropriately toward attaining the annual goals, to be involved and progress in the general curriculum and to participate in extracurricular and other nonacademic activities, and to be educated and participate with other pupils and students in the activities described in this paragraph. Minn. R. 3525.2810, subp. 1(A)(3) If, in considering the special factors (pupil strengths, parent

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	iii) To be educated and participate with other children with disabilities and nondisabled children in extracurricular and other nonacademic activities. 34 C.F.R. § 300.320(a)(4)(iii)	concerns for enhancing the education of the pupil, initial evaluation or most recent evaluation results, and, as appropriate, the pupil's results on performance on any general state or districtwide assessment program & the PLAAFP special factors), the IEP team determines the pupil needs a particular device or service, including an intervention, accommodation, or other program modification, in order for the pupil to receive FAPE, the IEP team must include a statement to that effect in the pupil's IEP. Minn. R. 3525.2810, subp. 2(C) The IEP includes a statement of the pupil's need for and the specific responsibilities of a paraprofessional. Minn. R. 3525.2810, subp. 1(A)(10) The multidisability team teaching model statute provides: Consultation and indirect services as defined in part 3525.0210, subp. 27 must be provided to the general or special education teacher providing instruction if not licensed in the disability. The frequency and amount of time for specific consultation and indirect services shall be determined by the IEP team. Minn. R. 3525.2350, subp. 3 Pupils may receive instruction and related services from any or all of the [multidisciplinary] team members with appropriate skills. The special education provided by each team member shall be included in the IEP. Minn. R. 3525.2350, subp. 4 For drugs or medicine used by children with a disability, administration may be as provided in the IEP. Minn. Stat. § 121A.22, Subd. 5
Projected Date, Frequency, Location & Duration of Services	Projected date for the beginning of the services and modifications and the anticipated frequency, location and duration of special education and related services and supplementary aids and services and modifications and supports. 34 C.F.R. § 300.320(a)(7)	Projected date for the beginning of the services and modifications, and the anticipated frequency, location, and duration of those services and modifications. Minn. R. 3525.2810, subp. 1(A)(6)

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Least Restrictive Environment (LRE)	An explanation to the extent, if any, to which the child will not participate with nondisabled children in the regular class and in extracurricular and other nonacademic activities. 34 C.F.R. § 300.320(a)(5)	An explanation of the extent, if any, to which the pupil will not participate with students in the regular class and in extracurricular and other nonacademic activities. Minn. R. 3525.2810, subp. 1(A)(4)
Assessment Accommodations	A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and districtwide assessment of student achievement. 34 C.F.R. § 300.320(a)(6)(i)	A statement of any individual modifications in the administration of state or districtwide assessments of student achievement that are needed in order for the pupil to participate in such assessment. Minn. R. 3525.2810, subp. 1(A)(5)
Alternate Assessment	If the IEP Team determines that the child must take an alternative assessment instead of a particular State or district-wide assessment of student achievement, a statement of why the child cannot participate in the regular assessment; and the particular assessment selected is appropriate for the child. 34 C.F.R. § 300.320(a)(6)(ii)	If the IEP team determines that the pupil will not participate in a particular state or districtwide assessment of student achievement or part of such an assessment, a statement of why that assessment is not appropriate for the pupil; and how the pupil will be assessed. Minn. R. 3525.2810, subp. 1(A)(5)
Extended School Year Services (ESY)	ESY services must be provided if a child's IEP team determines, on an individual basis, in accordance with 300.320 through 300.324, that the services are necessary for the provision of FAPE to the child. 34 C.F.R. 300.106(a)(2)	School districts are required to provide ESY services to a pupil if the IEP team determines the services are necessary during a break in instruction in order to provide a free appropriate public education. Minn. R. 3525.0755, subp. 1 At least annually, the IEP team must determine a pupil is in need of ESY services if the pupil meets the conditions of item A, B, or C. A. there will be significant regression of a skill or acquired knowledge from the pupil's level of performance on an annual goal that requires more than the length of the break in instruction to recoup unless the IEP team determines a shorter time for recoupment is more appropriate; B. services are necessary for the pupil to attain and maintain self-sufficiency because of the critical nature of the skill addressed by an annual goal, the pupil's age and level of development, and the timeliness for teaching the skill; or

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		C. the IEP team otherwise determines, given the pupil's unique needs, that ESY services are necessary to ensure the pupil receives a free appropriate public education. Minn. R. 3525.0755, subp. 3 The IEP team must decide the basis for determining whether a pupil is eligible for ESY services using information including: A. Prior observation of the pupil's regression and recoupment over the summer; B. observation of the pupil's tendency to regress over extended breaks in instruction during the school year; and C. experience with other pupils with similar instructional needs. Minn. R. 3525.0755, subp. 4
Transition Goals and Services	Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment and where appropriate, independent living skills; and The transition services (including courses of study) needed to assist the child in reaching those goals. 34 C.F.R. § 300.320(b)	During grade 9, the program must address the student's needs for transition from secondary services to postsecondary education and training, employment, community participation, recreation, and leisure and home living. The program must include a statement of the needed transition services, including a statement of the interagency responsibilities or linkages or both before secondary services are concluded. Minn. Stat. § 125A.08(1) Current and secondary transition needs, goals, and instructional and related services to meet the pupil's secondary transition needs must be considered by the team with annual needs, goals, objectives, and services documented on the pupil's IEP. Minn. R. 3525.2900, subp. 4
Transfer of Rights	Beginning not later than 1 year before the child reaches the age of majority under State law, the IEP must include a statement that the child has been informed of the child's rights under Part B of the Act, if any, that will, consistent with 34 C.F.R. § 300.520 transfer to the child on reaching the age of majority. 34 C.F.R. § 300.320(c)	When a pupil reaches the age of 18, unless a guardian or conservator has been appointed for the pupil by a court of competent jurisdiction, the following shall occur and be documented in the pupil's IEP: (a) the district shall provide any notice required under this chapter to the pupil and the pupil's parents; and (b) all other rights accorded to the parents under this chapter and

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		Part B of IDEA 1997, transfer to the pupil, even if the pupil is incarcerated in an adult or juvenile state or local correctional institution. Minn. R. 3525.2810, subp. 1(8)