



Interactive Convention 2015  
Learning Labs

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## **Writing Legally Defensible IEP Goals**

**Kelly Bevis Woodiel, Somerset ISD**



# Writing Legally Defensible Goals

Ramiro Nava

Special Education Director

Kelly Bevis Woodiel

Special Education Coordinator

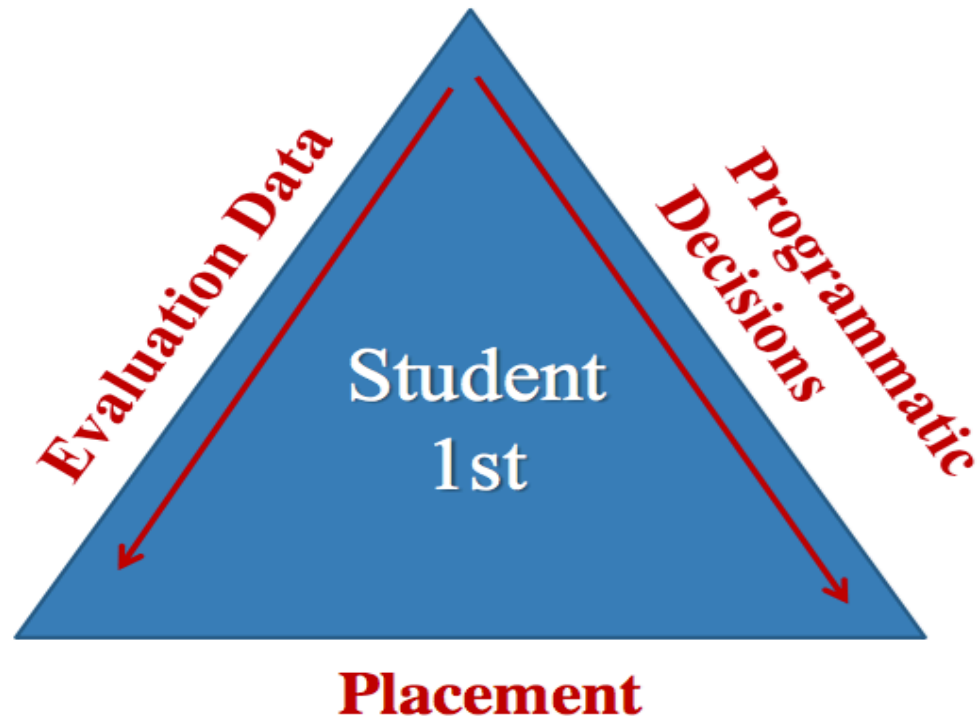
Somerset ISD Somerset, Texas 866.465.8828

Chrislane Puente

Special Education Specialist

# Outcomes

1. Recognize the importance of using multiple measures of data, to include the FIE;
2. Identify examples and non-examples of PLAAFP & annual goal statements;
3. Write an annual goal based upon a well-developed PLAAFP statement that is aligned to a sample student's current needs



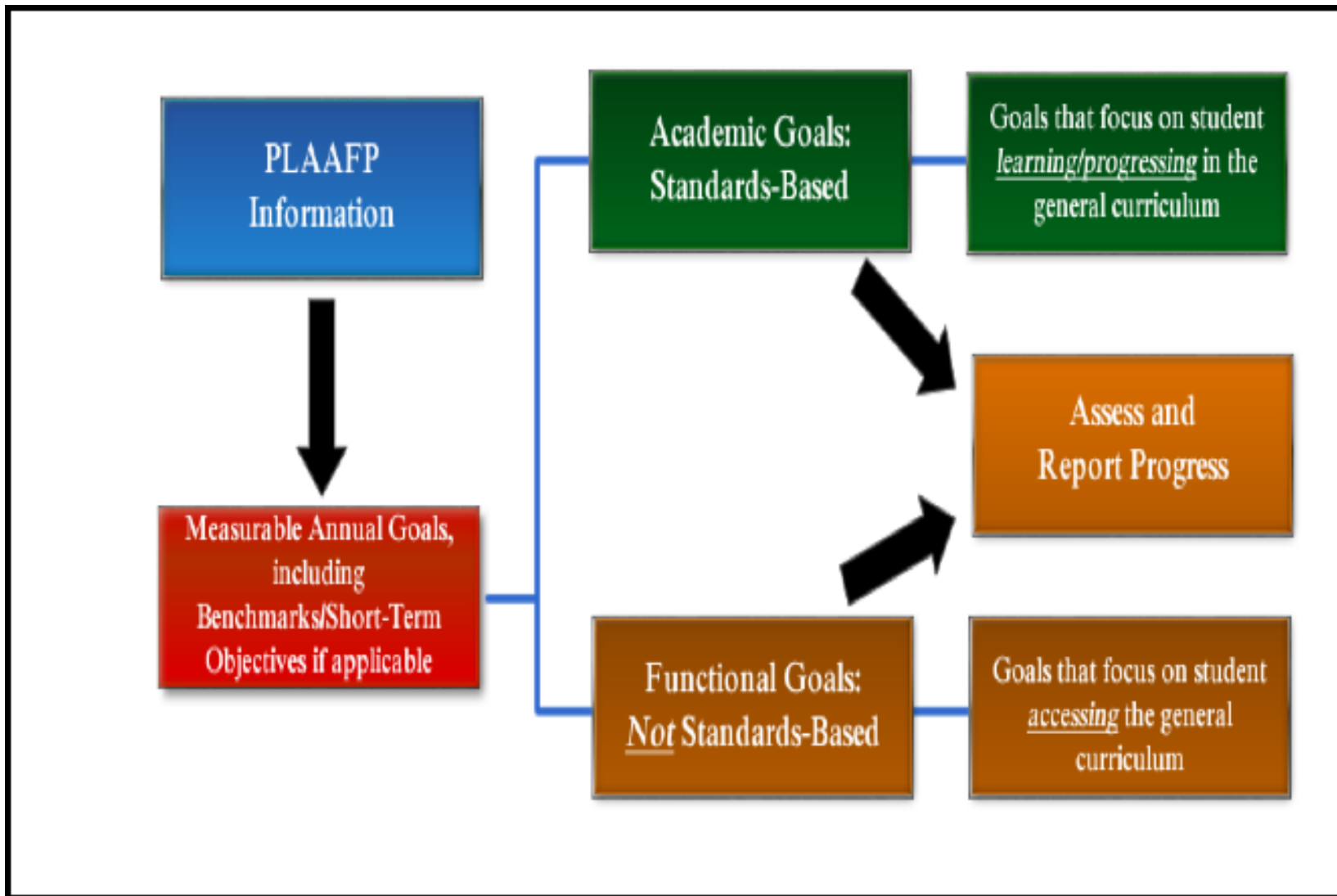
## What the ARD committee must **consider** in developing the IEP...

- Strengths of the child;
- The concerns of the parent;
- The results of the initial evaluation or most recent evaluation of the child; and
- The academic, developmental, and functional needs of the child.

from the Legal Framework for the Child Centered Process Framework.esc18.net; 300.324(a)(1)(i-iv) 1414(d)(3)(A)

**Consider** the results of the initial evaluation or most recent evaluation of the child

**Consider** Current Data resulting from: Observations, Discussions, CBMs, Work Samples, Products, Anecdotal Notes, Logs, etc....



from the TEA and AGC Network's Module

P Present

L Levels

of

A Academic

A Achievement

&

F Functional

P Performance

The 1<sup>st</sup> written statement in the IEP.

Documents the child's ability and current achievement at the time the IEP is written

Addresses what the child can do within the area of concern.

Is written in "parent friendly" language



## When thinking about Present Level Statements, note:

- Annual Goals/Objectives are based on the student's demonstration of a skill or skills in area(s) s/he is struggling.
- It is the "baseline" or starting place for the ARD committee.
- It should also indicate the student's progress over time.
- Behaviors and positive attributes should be listed together.

## Common Mistakes:

- Information is too “diagnostic.”
  - . ● Too much generic information.
  - . ● Statement does not include the area(s) the student is struggling.
  - . ● Grades are listed. \*Grades are relatively worthless in describing academic achievement. Need to look at the skills associated with the academic achievement.

# PLAAFP...

## Examples

Using a task analysis, the student correctly identifies decimals in the tenths place in 2 out of 4 trials; the 100ths and 1000ths place in 1 out of 4 trials.

Using a reading inventory and an informational passage on a topic of interest, the student reads 180 words per minute with 5 errors for every 10 words.

## Non-Examples

Below grade level.

Works well with others in group settings.

Is respectful in class and with peers.

The student struggles with reading and math.

The student cannot say his words correctly.

Enjoys being read to.

# Annual Goals

The IEP must include—

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;

## Annual Goals...

### NOT Legally Defensible

By the end of the 2015 school year, when presented with polynomial expressions, Abraham will rewrite the degree of one and degree two in equivalent forms using the distributive property with 80% accuracy (A.10).

## Annual Goals...

### Legally Defensible

By the end of the 2015 school year, given visuals and algebraic representations, Abraham will determine if two expressions are equivalent in 2 out of 3 trials (A.10).

## Annual Goals...

### **NOT Legally Defensible**

Within 36 instructional weeks, given a writing assignment and 30 minutes, Salina will use and understand parts of speech in the context of reading and writing in verbs; nouns; adjectives; articles; adverbs, and prepositions and prepositional phrases in 3 out of 4 trials (3.22).

## Annual Goals...

### **Legally Defensible**

Within 36 instructional weeks, given a **graphic organizer and sentence stems**, Salina will construct sentences using correct subject-verb agreement with fewer than 2 errors in writing assignments (3.22).

Within 36 instructional weeks, **given direct feedback and a writing checklist with examples**, Salina will correct errors in subject-verb agreement when revising a writing assignment in 2 out of 4 trials (3.22).

# Question 35--Why do the annual goals have to be measurable?

In Escambia  
County Bd. of Educ.  
v. Benton, the court  
said it best:

[W]ithout

meaningful, measurable objectives and goals, Benton's educators and parents were engaged in a futile endeavor to pin the tail on a moving donkey while blindfolded in a dark room....The mushy, ambiguous, unquantifiable goals often listed in Benton's IEPs are at odds with [the] IDEA....Vague and unmeasurable objectives are the handmaiden of stagnation, as a program cannot possibly confer an educational benefit to Benton if his teachers and parents do not know where they are trying to take Benton and how they will know when he has arrived.

**Annual Goal Nonnegotiables**

- Are required for every student who receives special education services (at least one annual goal);

- Must be written in measurable terms (including timeframe, condition(s), behavior, criterion);

- Must be based on a student's needs as detailed in his/her PLAAFP;

- Detail what the

ARD committee determines the student can reasonably achieve within one year.

- When academic in nature, annual goals must be standards based. The goals must be aligned with the enrolled grade-level content standards.

## Student Scenario

### Meet Matthew....





ARD Leadership: Preparing for and Conducting Legally Defensible ARD Committee Meetings. 2014. Walsh, Anderson, Gallegos, Green & Treveno, P.C.

[www.WalshAnderson.com](http://www.WalshAnderson.com)

Individualized Education Program (IEP) Annual

Goal Development: Q and A Document. 2014. TEA

and the AGC Network

[http://www.esc20.net/default.aspx?name=ci\\_se.agc.Home](http://www.esc20.net/default.aspx?name=ci_se.agc.Home)

Legal Framework for the Child Centered Process. ESC 18

<https://framework.esc18.net>

Citations

<p>What are the sources of current data?</p> <p>STAAR, TELPAS, iStation, Benchmarks, Work Samples, Tests, Task Analysis, Observations, Student Conferences/Interviews, Rtl Progress, Measures, etc.</p>	<p>Based on...</p>
<p>What are you currently teaching in your class? How is the student progressing? What supports (accommodations/modifications) aid the student's success?</p> <p>Quantify student actions:</p> <p>Independently, prompting, guided practice, peer-to-peer supports, percentages, counts, trials, etc.</p>	<p>Academically*, (STUDENT) is able to _____ with (PERCENTAGE, COUNT, TRIALS, ETC) using _____.</p> <p>Functionally**, (STUDENT) is able to _____ with (PERCENTAGE, COUNT, TRIALS, ETC) using_____.</p>
<p>If the student is experiencing difficulty, what steps can the student do? What skill would help the student be successful with the current curriculum?</p> <p>+ Critical needs areas are reflected in the annual goals/objectives per ARD committee approval</p>	<p>It is noted that (STUDENT) is experiencing difficulty with _____ as evidenced by_____. In this area, (STUDENT) is able to_____ with (PERCENTAGE, COUNT, TRIALS, ETC),</p> <p>.</p>

\*Academics: Refers to a child's performance in academic areas (e.g., ELA/R, math, science, and history, electives, CTE). \*\*Functional: Refers to non-academic skills; examples include, and are not limited to, social, emotional, communication, and executive skills (organization, time management, self-advocacy/determination), behaviors, orientation of and mobility within a given environment, and assistive and instructional/inclusive technology.

Kelly Bevis Woodiel Somerset ISD 210.875.4539

\_\_\_\_\_  
DATE SENT TO TEACHER: October 10

STUDENT NAME: Matthew Sandoval

CASE MANAGER: Ms. Bevis

SUBJECT/COURSE: Science

ATTENDANCE: 3 Unexcused Absences, 2 Tardies

Discipline: 5 Office Referrals

TEACHER'S NAME: Mr. Wilson ARD DATE: October 31 ELEGIBILITY: Learning Disability ARD TIME: FROM 8:45 a.m. to 9:45 a.m. ARD LOCATION: Conference Room

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**PLEASE COMPLETE & RETURN TO THE CASE MANAGER 10 DAYS PRIOR TO THE ARD MEETING**

**What sources of data did you consider in determining the student's current levels of academic performance?**

Referenced for consideration; previous IEP for FIE recommendations. Current data sources are based on: work samples, hands-on activities, teacher-made and district-administered assessments, written responses to short answer prompts, discussions with student, observations.

**What are you currently teaching in your class? Please provide a brief descriptor.**

Currently, the class is working on describing how the energy is derived from the Sun, used by producers to create their own food, is transferred through a food chain and food web to consumers and decomposers. Student are expected to demonstrate knowledge by responding to multiple choice and short answer questions, completing graphic organizers, and culminate findings by selecting an ecosystem and writing a report describing the flow of energy and matter through food chains/webs.

**How is the student progressing?**

**Academically:**

Matthew works best in science when he has access to a tablet with a touch screen that has voice output and hands-on activities. He is able to apply the content he has learned through discussions, work samples, hands-on activities, teacher-made and district assessments, and written responses. In science, Matthew does well on multiple choice or fill in the blank assessments scoring an average of 88% on these assessments.

Although Matthew does well in written expression with spelling and grammar, he has a difficult time organizing his ideas in writing to communicate clearly. This makes it difficult for Matthew to complete short answer questions and written reports. His overall average on written assignments is a 57%.

**Functionally:**

Functionally, Matthew is an active participant in class discussions. He answers questions verbally and initiates discussions on topics of interest. When frustrated, Matthew has the ability to stay calm and on task if a teacher or peer assists him in organizing his thoughts in 7 out of 10 situations.

When given written assignments to complete independently, Matthew tends to become frustrated before he begins, even with the use of his tablet. He shuts down within two minutes of receiving the assignment and behaviors tend to escalate. Matthew was referred to the office five times this grading period due to verbal outbursts and sweeping his books and papers off his desk and onto the floor.

Difficulties with writing results in Matthew progressing at a slower pace than his peers (it takes, on the average, twice as long as his classmates to complete an assignment; his parent confirmed that Matthew spends two-three hours a night on his homework).

**What skill would help the student be successful with the current curriculum?**

If Matthew knew how to organize his thoughts and plan more effectively before answering short answer questions/prompts or writing reports, he would be overall more successful in his writing assignments. Modeling and supported use of his tablet with voice output system, coupled with a graphic organizer, would definitely support Matthew's acquisition of this skill.

**What supports (accommodations/modifications) aid the student's success in the area of concern?**

- . • € Tablet with voice output
- . • € Manipulatives/hands-on activities
- . • € Graphic Organizers
- . • € Open discussions about the writing prompt prior to brainstorming and writing the final product
- . • € Peer or Teacher support during writing activity
- . • € Model/Think-aloud brainstorming activities and writing expectations
- . • € Prompts

**NOTE: There must be a direct correlation between the annual goal and the present levels of performance.**

So the next question to ask is, “What can the student reasonably be expected to do by the end of the IEP cycle?” The goal must be challenging, yet attainable.

### Annual Goal or Objective Stems:

**Annual Goal or Objective Stems:**

|                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>When?</b><br/>...by what time</p> <ul style="list-style-type: none"> <li>• By the next annual meeting,</li> <li>• Within 36 instructional weeks,</li> <li>• By (Date),</li> <li>• By the end of the year,</li> </ul> | <p><b>Where?</b><br/>...condition or setting</p> <ul style="list-style-type: none"> <li>• When given grade-level text</li> <li>• When provided a graphic organizer</li> <li>• Given a story prompt and 30 minutes to write</li> <li>• Given a tablet with voice output</li> <li>• When prompted</li> <li>• Using a leveled reader</li> <li>• While in a workplace setting</li> <li>• When participating in community-based instruction</li> </ul> | <p><b>What?</b><br/>...skill or action</p> <ul style="list-style-type: none"> <li>• Roel will read (what?)</li> <li>• Abigail will participate in group activities by...</li> <li>• Tia will correct errors in writing assignments by...</li> <li>• Miguel will indicate his wants and needs by...</li> <li>• Stella will answer...</li> <li>• Albert will identify/analyze/hypothesize a(n)...</li> </ul> | <p><b>How?</b><br/>... in what manner or at what level</p> <ul style="list-style-type: none"> <li>• 3 out of 4 trials</li> <li>• 60% accuracy</li> <li>• Earning a 3 or higher on a 5 point rubric</li> <li>• 90 words per minute with fewer than 2 errors for every 10 words</li> <li>• 4 out of 5 questions correctly</li> <li>• Independently</li> <li>• 2 out of 3 minutes</li> </ul> |
| Timeframe                                                                                                                                                                                                                  | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                         | Behavior                                                                                                                                                                                                                                                                                                                                                                                                   | Criteria                                                                                                                                                                                                                                                                                                                                                                                  |

**Your turn:**

Using the student scenario and the Annual Goal or Objective Stems, write an annual goal for Matthew.

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