



Arizona Technical Assistance System

AZ-TAS

PROCESS FOR DEVELOPING INDIVIDUALIZED EDUCATION PROGRAMS

Exceptional Student Services
Updated November 2025

Updated to reflect changes in Arizona State Board of Education Rules November 2024
Reorganized major components of the IEP and associated statutes

Table of Contents

Arizona Technical Assistance System	1
Purpose.....	3
The Individualized Education Program (IEP) (34 C.F.R. §300.320).....	3
Federal and State IEP Requirements (34 C.F.R. §§300.320 and 300.160; A.R.S. §§15-761,15-763, and 15-767; A.A.C. R7-2-401 G.).....	4
Required Components of the IEP Further Explained	8
Review of the IEP (34 C.F.R. §300.324; A.R.S.§15-761; A.A.C. R7-2-401 G. 7.)	23
IEP Meetings (34 C.F.R. §§300.321,300.322, and 300.325; A.R.S.§15-761)	24
IEP Team Member Excusal (34 C.F.R. §300.321(e)(1),(2)).....	25
Consensus	25
Parent Participation (34 C.F.R.§300.322; A.A.C. R7-2-401 G.6.)	26
Conducting an IEP Team Meeting without the Parent (34 C.F.R.§300.322(d)).....	26
Alternative Means of Meeting Participation (34 C.F.R.§300.328; A.R.S. §15-761).....	27
When an IEP Meeting Is Not Required (34 C.F.R.§300.324; A.R.S. §15-761; A.A.C. R7-2-401 G. 6.).....	27
Transfer Students (34 C.F.R. §§300.306 and 300.323; A.R.S. §15-828(G); A.A.C. R7-2-401 J. 4.).....	27

Purpose

The purpose of this guide is to provide administrators, teachers, students, parents, and other individualized education program (IEP) team members with practical information about the development and implementation of an IEP that meets the requirements of the Individuals with Disabilities Education Act (IDEA - 34 C.F.R), the Arizona Revised Statutes (A.R.S.), and the Arizona State Board of Education rules (found in the Arizona Administrative Code or A.A.C.). All public education agencies (PEAs) must meet the requirements of the IDEA, A.R.S., **and** A.A.C. This may require PEAs to have policies and procedures that go above and beyond the federal IDEA requirements to meet Arizona Revised Statutes and/or Arizona State Board of Education rules.

The Individualized Education Program (IEP) (34 C.F.R. §300.320)

The IDEA defines an IEP as a written statement for each student with a disability that is developed, reviewed, and revised in accordance with the specific requirements set forth in the IDEA and its implementing regulations. Arizona Revised Statutes and A.A.C. do not further expand on the definition of an IEP. Consider these requirements and time constraints when developing and implementing IEPs (34 C.F.R. §300.323):

- Each publicly enrolled student determined eligible to receive special education and related services under the IDEA, when parental consent to place in special education has been given, must have an IEP.
- The IEP must be developed within thirty days of a determination that a child is eligible for special education and related services.
- An IEP must be in effect for each child with a disability at the beginning of each school year.
- Initial provision of special education and related services must be made available to the child as soon as possible following the development of the IEP.
- A meeting of the IEP team shall be conducted to review and revise each student's IEP at least annually, or more frequently if the student's progress substantially deviates from

what was anticipated. (A.A.C. R7-2-402 G. 6.)

- After the annual review, the PEA and parent may agree not to convene an IEP team meeting for the purposes of making changes and instead may develop a written document to amend or modify the student’s current IEP. (A.A.C. R7-2-402 G. 6.)
- A parent or PEA may request in writing a review of the IEP and shall identify the basis for requesting review. Such a review shall take place within 45 school days of the receipt of the request at a mutually agreed upon date and time. (A.A.C. R7-2-402 G. 7.)

Federal and State IEP Requirements (34 C.F.R. §§300.320 and 300.160; A.R.S. §§15-761,15-763, and 15-767; A.A.C. R7-2-401 G.)

Federal Requirement	State Statute	Arizona Administrative Code
1. A statement of the child’s present levels of academic achievement and functional performance	A statement of the child’s present levels of academic achievement and functional performance All children with disabilities shall receive special education programming commensurate with their abilities and needs.	Incorporation of the Arizona Academic Standards into the development of the IEP, addressing grade-level expectations and grade-level content instruction
2. A statement of measurable annual goals	A statement of measurable annual goals Each child shall be ensured access to the general curriculum and an opportunity to meet the state's academic standards.	Incorporation of the Arizona Academic Standards into the development of the IEP, addressing grade-level expectations and grade-level content instruction to include benchmarks/short-term objectives for students accessing the alternative assessment.
3. A description of progress reporting	A description of progress reporting to include how	

Federal Requirement	State Statute	Arizona Administrative Code
	progress will be reported and when/how often	
<p>4. A statement of the special education, related services, and supplemental aids and services to be provided to the child or on behalf of the child</p>	<p>A statement of the special education, related services, and supplemental aids and services to be provided to the child or on behalf of the child.</p> <p>If appropriate to meet the needs of a pupil and to ensure access to the general education curriculum, specially designed instruction that is in accordance with a pupil's IEP may be delivered in a variety of education settings by a general education teacher or other certificated personnel provided that special education personnel certificated pursuant to section 15-203 are involved in the planning, progress monitoring and when appropriate involved in the delivery of the specially designed instruction.</p>	<p>IEP team may include specially designed instruction in the IEP that may be delivered in a variety of educational settings by a general education teacher or other certificated personnel provided that certificated special education personnel are involved in the planning, progress monitoring, and when appropriate, the delivery of the specially designed instruction</p>
<p>5. A statement of the program</p>	<p>A statement of the program modifications or supports for</p>	

Federal Requirement	State Statute	Arizona Administrative Code
modifications or supports for school personnel	school personnel	
6. An explanation of the extent, if any, to which the child will not participate with children without disabilities in general education classes and activities	An explanation of the extent, if any, to which the child will not participate with children without disabilities in general education classes and activities	A continuum of services and supports for students with disabilities shall be available through each public education agency.
7. A statement of any individual accommodations necessary to measure academic achievement and functional performance	<p>A statement of any individual accommodations</p> <p>Pupils who receive special education shall not be required to achieve passing scores on the statewide assessment or the test that is identical to the civics portion of the naturalization test</p> <p>The pupil's IEP shall include any necessary testing accommodations.</p>	Each student with a disability who has an IEP shall participate in the state and PEA assessment system. Students with disabilities can test with or without accommodations or modifications as indicated in the student's IEP. Students who are determined to have a significant cognitive disability based on the established eligibility criteria will be assessed with the state's alternate assessment as determined by the IEP team.
8. Beginning not later than the first IEP to be in effect when	Beginning not later than the first IEP to be in effect when the child turns 16, or younger if	Beginning not later than the first IEP to be in effect when the child completes 9th grade or reaches

Federal Requirement	State Statute	Arizona Administrative Code
<p>the child turns 16, or younger if determined appropriate by the IEP team measurable postsecondary goals</p>	<p>determined appropriate by the IEP team measurable postsecondary goals</p>	<p>age 16, whichever is first, or younger if determined appropriate by the IEP Team, and updated annually, thereafter, the IEP must include appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills</p>
<p>9. Transition services, including courses of study needed to assist the child in reaching the postsecondary goals</p>	<p>Transition services (including courses of study) needed to assist the child in reaching the postsecondary goals</p>	<p>The transition services (including courses of study) needed to assist the child in reaching those goals. The estimated date of graduation for the student, including the course of study that specifically aligns to the student's individual transition plan. A school shall inform parents in writing at least one year before the anticipated high school graduation date of the child with a disability. <i>(This requirement is in addition to and not in lieu of federal requirements at C.F.R. 300.503 to provide prior written notice typically sent immediately prior to implementing a change in placement.)</i></p>

Federal Requirement	State Statute	Arizona Administrative Code
<p>10. Beginning no later than one year before the child reaches the age of majority: a statement that the child has been informed of his or her rights, if any, that will transfer to the child on reaching the age of majority.</p>	<p>Beginning no later than one year before the child reaches the age of majority: a statement that the child has been informed of his or her rights, if any, that will transfer to the child on reaching the age of majority.</p>	<p>Beginning not later than one 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 transfer to the child on reaching the age of majority.</p>

Required Components of the IEP Further Explained

Present Levels of Academic Achievement and Functional Performance (PLAAPF) (34 C.F.R. §300.320; A.R.S. 15-761; A.A.C. R7-2-401.G. 3)

The present levels should include a description of the student’s academic, developmental, and functional needs as they relate to performance in the general curriculum, including how the child’s disability impacts their involvement and progress in the general curriculum. There should be evidence that this information is based on the team’s consideration of the following:

- Strengths of the child;
- Concerns of the parent(s) for enhancing the education of their child; and
- Results of the initial or most recent evaluation of the child.

The description should be more extensive than test scores or grade-level equivalents. All areas pertinent to the students' needs must be addressed in the present levels, and the information presented should include skill-based data.

Guidance: The present levels of the IEP should give the reader a good picture of the student's strengths and weaknesses and should accurately reflect how the student is performing at that specific point in time. All areas necessary to give a good picture should be included. **Remember the IEP is meant to address the students' needs to be involved and progress in the general curriculum; it is not specific to a single area of eligibility. Teams should also be mindful of state board rules that require the incorporation of the Arizona Academic Standards, grade-level expectations, and grade-level content.**

Measurable Annual Goals (34 C.F.R.§300.320; A.R.S. 15-761)

While the PLAAFP should describe where the student is *now*, the goals should address where the team wants the student to be by the end of the IEP year with respect to specific skill areas. Annual goals must be meaningful and measurable, and there must be a direct relationship between the needs identified in the PLAAFP and the annual goals. Goals must be developed to meet the child's needs that result from the disability and address skills needed for the student to make progress in the general curriculum. Goals need to include a specific skill, level of mastery, baseline, and measurement method to be measurable.

Guidance: The annual goals should address critical skills that are necessary to allow the student to be involved in and make progress in the general education curriculum, as determined by the IEP team. Be sure goals are attainable and reasonable for the student and her/his rate of progress. Also, be sure goals are specific enough that anyone who may need to implement and measure the goal could do so in a consistent manner. A [tool](#) that IEP teams can use to aid in developing annual measurable goals, is provided by Program Support and Monitoring.

Benchmarks or Short-Term Objectives (34 C.F.R.§300.320; A.R.S. 15-761)

A benchmark or short-term objective is required for all annual goals for students who qualify for the alternative assessment. Benchmarks are intermediate steps that break down the annual goal, similar to a task analysis of a skill.

Progress Reporting (34 C.F.R.§300.320; A.R.S. 15-761)

The IEP team must include a description of when periodic reports on the progress of the goals (such as quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided to the parents, and how progress towards those goals will be measured. When creating the report, provide the parents with the actual data from the progress monitoring instruments. It is important that each goal has data that shows the rate of progress so that anyone reviewing that progress can determine if the student is on target to meet the annual goal based on that rate of progress.

Guidance: Progress reporting needs to occur at least as often as it is provided for nondisabled peers. Typically, this is once per nine-week period, but it can be more often. Be sure to set a manageable timeline but that is in line with progress reporting for nondisabled peers.

Statement of Special Education Services, Related Services, and Supplementary Aids and Services (34 C.F.R. §§300.18, 300.320, 300.34, and 300.42; A.R.S. 15-761 and 15-763; A.A.C. R7-2-401 G. 4.)

Special Education Services (34 C.F.R.§300.18, A.R.S. §15-761 30 and 32)

Specially designed instruction (SDI) means adapting, as appropriate to the needs of an eligible child, the content, methodology, or delivery of instruction to address the unique needs of the child that result from his or her disability and to ensure the child's access to the general curriculum so that he or she can meet the educational standards that apply to all children. Special education is meant to assist a child in advancing appropriately towards attaining their goals and to be involved in and make progress in the general curriculum to the maximum extent practicable.

Related Services (34 C.F.R.§300.34; A.R.S. §15-761 27.)

Related services are transportation, developmental, corrective, and other supportive services required to assist a child with a disability to benefit from special education services.

Related services could include, but are not limited to:

- Physical therapy
- Interpreting services
- Audiology services
- Orientation and mobility services
- Medical services (but only those services that are for diagnostic and evaluation purposes)
- Counseling
- Nursing
- Occupational therapy
- Speech therapy
- Specialized transportation

Supplementary Aids and Services (34 C.F.R. §300.42)

Supplementary aids, services, and other supports are provided in general education classes, other education-related classes, extracurricular activities, and nonacademic settings and enable children with disabilities to be educated in the general education setting to the maximum extent possible. A few examples include:

- Instructional aids
- Modified assignments

The services section of the IEP should include a detailed description of all special education services, related services, and supplementary aids and services to be provided directly to the student or for the benefit of the student. This should be a clear description of the SDI and needs to include the following:

- Frequency (how often a particular service will be provided, such as twice per week)
- Duration (how long each session will last, typically stated in minutes)

- Type of service
- Location of the service
- Provider of the service

Guidance: Special education services, related services, and supplementary aids to be provided should be specific and understandable to any reader. Be sure that descriptions are specific enough for any teacher, provider, and parent to understand what services are meant to be provided to the student. Services should be provided in any area needed to meet the unique needs of the student, while allowing the student access to and the ability to progress in the general education curriculum. Related services are services needed to assist the student in benefiting from his or her special education services. Supplementary aids and services enable the student to participate with nondisabled peers. *Services should not be limited to only areas of specific eligibility of the student.*

The IEP, in its totality, is reflective of the students' needs not the students' category of eligibility. Services in conjunction with goals and program modifications and accommodation should address ALL areas of need presented in the present levels. If the service provider is a general education certificated teacher, please refer to this ADE/ESS Program Support and Monitoring (PSM) [Monitoring Alert](#) to ensure proper documentation of the IEP team's decision regarding why the general education teacher is best suited to provide those services. A [tool](#) to assist IEP teams in developing SDI is provided by ADE/ESS PSM.

Program Modifications and Supports for School Personnel (34 C.F.R. §§300.320, 300.324, 300.34; A.R.S. §15-761; A.A.C. R-7-2-401 B.1)

Program modifications refer to changes in the environment or curriculum that allow the student with the disability to be educated with nondisabled peers. **Modifications** are changes in what a student is expected to learn and demonstrate. Examples of modifications include but are not limited to:

- a modified grading scale
- reduced content for mastery
- modified curriculum.

Modifications are different from accommodations. **Accommodations** allow a student to access and demonstrate learning but do *not* substantially change the instructional level, the content, or the performance criteria.

Supports for school personnel are services the IEP team believes teachers or other school-based staff working with the student need to effectively assist the student and/or successfully implement the student's IEP. Examples of supports for school personnel include but are not limited to: additional training specific to the student, needs of the student, or the disability. Other examples include consultation on appropriate testing accommodations/modifications, additional training or consultation related to behavior supports, aide support or training, or training on the use of assistive technology.

Guidance: Program modifications and supports for school personnel need to be individualized and meet the unique needs of the student as outlined in the student's present levels. They need to be descriptive enough so that any reader can understand how to implement them. Be sure that in conjunction with the IEP goals and services, all the students' needs outlined have been addressed.

Explanation of the Extent to Which the Student Will Not Participate with Nondisabled Students (34 C.F.R. §§300.320,300.114–300.116; A.R.S. 15-763)

The IDEA requires schools to ensure that children with disabilities receive a free appropriate public education (FAPE) in the least restrictive environment, which means that, "to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature and severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily." For this reason, schools "must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services," including instruction in regular classrooms, special classrooms, special schools, in the home, and in hospitals or institutions, and must, in selecting the appropriate placement, take into

consideration any potential harmful effects on the child or on the quality of service he or she will receive. If the student will not be educated with nondisabled peers for any part of the regular school day, a detailed explanation with specific reasons why the child will not participate with non-disabled peers must be included in the IEP. This statement should also explain why the student is not participating in extracurricular and nonacademic activities.

Guidance: If a student will not participate with nondisabled peers in the general education environment for any part of the school day, a detailed explanation needs to be included as to *why* this is necessary. It may be helpful for teams to discuss and document why the students' services can't be provided in the general education classroom, specific to the unique needs of the student. If the student will participate in the general education classroom for the entire school day, it is sufficient to note that in the IEP. A [tool](#) to assist IEP teams in discussing the least restrictive environment (LRE) is made available by ADE/ESS PSM.

Statement of Individual Appropriate Accommodations Needed for State- and PEA-Wide Assessments (34 C.F.R. §300.320; A.R.S. §15-761; A.A.C. R7-2-401 G.5.)

All students must be included in State- and PEA-wide assessments. This is inclusive of Move on When Reading (MOWR) statewide testing and screening requirements. The IEP team determines how the student will participate in each State- and/or PEA-wide assessment. First, the IEP team must determine if the student can take the assessments without any accommodations. If not, the team must determine if the assessment can be taken with accommodations. If the IEP team determines accommodations are necessary, only standard accommodations that do not invalidate the test results may be selected. In addition, these accommodations may only be implemented if the IEP indicates their use in daily classroom activities, as well as on assessments. Nonstandard accommodations may not be used on State- and PEA-wide assessments even if the IEP authorizes them in daily classroom activities. The IEP team must document any appropriate accommodations that are necessary to measure the academic achievement and functional performance of the student on Statewide and PEA-wide assessments. The documentation should clearly explain what

accommodations are available to the student and for which specific tests. Accommodations may not change the test content, but do consider alternative means of accessing the test and demonstrating performance. For additional information regarding testing accommodations, refer to the [ADE District Test Coordinators website](#).

Students with significant cognitive disabilities may take the MSAA (Multi-State Alternate Assessment) or Alt-ELPA (Alternative English Language Proficiency Assessment) in lieu of the State tests (AASA, AzELLA, AZSci), if criteria are met as documented on the [Alternate Assessment Eligibility Determination form](#). Students who are eligible to participate in these alternate assessments are still required to have access to the grade-level state standards.

Postsecondary Transition Components (34 C.F.R.§300.320; A.R.S. 15-761; A.A.C. R7-2-401 G)

Transition services must begin not later than the first IEP to be in effect when the child completes the 9th grade or reaches age 16, whichever is first, or younger if determined appropriate by the IEP team and updated annually thereafter. The child must be invited to the IEP meeting in which transition services are likely to be discussed. Transition services must include appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills. They must also include a coordinated set of activities, courses of study, and measurable annual goals that are needed to assist the child in reaching those goals. As outlined in the State Board Rules, the anticipated date of graduation must also be included as part of the student's transition services, to include a course of study that specifically aligns to the student's individual transition plan. A [planning grid](#) to aide teams in completing transition planning is available from ADE/ESS PSM.

Measurable Postsecondary Goals

A student's postsecondary goals must be based on age-appropriate transition assessments, considering his or her strengths, preferences, and interests. The postsecondary goals must be measurable for all students regardless of the impact of their disability and must address both training/education and employment. For some students, it may also be appropriate to include a goal related to independent living skills.

Measurable postsecondary goals are not annual goals and are not intended to be completed during the duration of the IEP. As the name indicates, they are the student's vision for life after high school and occur after the student exits high school.

Guidance: Measurable postsecondary goals need to occur after high school. Measurable postsecondary goals are required in the areas of employment/training and education. An independent living goal is required if the IEP team determines it to be appropriate.

Updated Annually

Postsecondary goals need to be updated annually. If there are measurable postsecondary goals included in the student's IEP when the student completes the 9th grade, or age 16, whichever is first, then the postsecondary goals are evidenced as updated annually, as this is expected to occur in conjunction with the development of the student's IEP. Additionally, if the student is older and the IEP was updated annually, then this criterion has been met. Best practice would indicate that the postsecondary goals become more specific each year they are updated, as the students' strengths, preferences and interests become more solidified.

Age-Appropriate Transition Assessments

The purpose of transition assessments is to gather information that identifies the student's interests, preferences, and especially the strengths. This information establishes what the measurable postsecondary goals will be "based upon." The age-appropriate transition assessments will enable the writer of the IEP to have the information necessary to develop and write practical and achievable measurable postsecondary goals. The assessment information gathered may be formal or informal. Assessment examples include interest inventories, situational assessments, achievement tests, intellectual functioning assessments, Arizona Career Information System (AzCIS), Armed Services Vocational Assessment Battery (ASVAB), Education and Career Action Plans (ECAPs), and student, parent, and staff interviews.

Guidance: Transition assessments need to clearly identify the student's strengths, preferences, and interests, which inform, support, and align to the measurable

postsecondary goals. Transition assessments also need to be age-appropriate, not cognitively appropriate. Transition assessment data should drive the entire transition plan. Note: All students in Arizona are required to complete an Education and Career Action Plan (ECAP). Much, if not all, of the data derived from this plan can be directly linked or correlated to the student's transition plan.

Transition Services and Activities (34 C.F.R.§300.320; A.R.S. 15-761; A.A.C. R7-2-401 G)

Transition services and activities are actions that the school system or other agencies could provide, as well as the parents and students themselves. The IEP team is responsible for developing the coordinated set of activities that will enable the child to achieve his/her stated measurable postsecondary goal(s).

These activities may address any of the following areas:

- **Instruction:** the use of formal techniques to impart knowledge typically provided in an educational setting
- **Related Services:** the services required to assist a student with a disability to benefit from special education transition services]
- **Community Experiences:** those services that are provided in community settings by schools and other agencies (e.g., community-based work experiences, job-site training programs, transportation, community counseling, independent living skill-building, recreational experiences)
- **Employment:** services consisting of training, education, or other experiences that lead to a job or career; can include career exploration, job shadowing, vocational internships, part-time employment with supervision by school personnel, and on-the-job training.
- **Adult Living:** those services that lead to a student's ability to perform important adult functions; include occasional activities such as registering to vote, preparing tax forms, renting a home, accessing medical services, and accessing SSI assistance
- **Daily Living Skills:** the skills for the activities that adults do daily, such as preparing meals, budgeting, maintaining a home, paying bills, grooming, etc.

Guidance: For transition services and activities to be compliant, there needs to be at least one activity related to each of the postsecondary goals. One activity could address more than one measurable postsecondary goal. It is important to be thoughtful about these activities as they can serve as transition assessment data in the following year(s). A student is able to demonstrate a preference in an area if he or she completes activities related to that area. This can be part of transition assessment data the team can consider as they review the transition plan. IEP teams should consider available Pre-ETs, as these could provide services and activities to assist the student in developing skills associated with their measurable post-secondary goals.

Courses of Study

The IEP team is responsible for developing transition services including courses of study that will enable the achievement of the measurable postsecondary goals documented in the IEP. It is important to identify specific courses (including electives) that the student requires to reasonably enable the student to meet his or her measurable postsecondary goals.

Guidance: To be compliant, the student's course of study needs to include multiple courses related to the measurable postsecondary goals and should cover the life of the IEP. These courses could all be in one school year or they could be spread out over multiple school years. Best practice would be to include multiple years of course work so that the student and family can picture how the student's high school education will reasonably enable the student to attain the measurable postsecondary goals. If the link between the course and the measurable postsecondary goals is not clearly evident, a clarification can be added to show the alignment. Additionally, the courses need to be specific and should not include "elective," as this is not specific, and it is not individualized for the student.

Transition course of study is not the same as courses to meet graduation requirements. It may be possible that a student's transition course of study may include courses that meet graduation requirements, but the plan should not be identical to a graduation course outline.

Annual IEP Goals Related to Postsecondary Goals

Annual IEP goals need to relate to and support the student's measurable postsecondary goals. There needs to be evidence that each postsecondary goal is supported. One annual goal could support all postsecondary goals.

Guidance: Generally speaking, annual IEP goals will always support the student's measurable postsecondary goals. It is best practice to directly link the annual goal to the measurable postsecondary goals. If there is only one annual IEP goal, and it is not relevant to the measurable postsecondary goals, and/or generally not appropriate for the student, it could be considered noncompliant.

Evidence Student Was Invited to the IEP Meeting

Documentation needs to be evident the student was invited to any IEP meeting where transition services would have been discussed. Documentation can include, but is not limited to:

- student invitation to the meeting
- student signature as a meeting participant

Outside Agency Meeting Attendance

After obtaining the written consent of the parents (or the student who has reached the age of majority), the PEA must invite a representative of any outside agency that is likely to be responsible for providing or paying for transition services. Services and activities may be the responsibility of the student, the family, the school, the Division of Developmental Disabilities, Vocational Rehabilitation, the Division of Behavioral Health, or other community resources. When "committing" (as opposed to "exploring") outside agency services, only do so if a representative from that agency is in attendance at the IEP and actually agrees to commit services. If a participating outside agency fails to provide the transition services identified as the agency's responsibility in the IEP, the PEA must reconvene the IEP team to identify alternative strategies to provide the transition services in the IEP.

Anticipated date of graduation

Arizona state board rules require that transition services include a student's anticipated date of graduation, which includes the course of study that specifically aligns to the student's individual transition plan.

Written notice of anticipated graduation

Arizona state board rules require that a PEA notify a parent in writing at least one year before the anticipated high school graduation date of the child with a disability. This notice is not the same as the required Prior Written Notice (PWN) that is required when a student graduates and school-based services are terminated.

Transfer of Rights (34 C.F.R. §300.320; A.R.S. §15-761)

Beginning not less than one year before the child turns 18 (Arizona age of majority), the IEP must include a statement that the child has been informed of his or her rights, if any, that will transfer to the child upon reaching age 18. Arizona statute provides that a student with a disability who is at least 18 years of age, and under 22 years of age, and who has not been declared legally incompetent may delegate the right to make educational decisions for special education to another individual provided the delegation meets the requirements outlined in A.R.S. §15-773.

Special Factors to Consider (34 C.F.R. §300.324; A.R.S. §15-761)

Assistive Technology Devices and Services (AT): IEP teams must consider whether each student needs AT devices and services. AT can consist of low-tech, mid-tech, and high-tech devices ranging from pencil grips to computers to sophisticated communication devices.

Communication Needs: IEP teams must consider the communication needs of each student. Include opportunities for direct communication with peers and professional personnel and how instruction can be modified or accommodated to meet a student's needs.

Behavior: In the case of a student whose behavior impedes the student's learning, or the

learning of others, the IEP team must consider how the student's behavior affects his or her learning or disrupts the learning environment of others. Develop and implement positive behavioral interventions and supports that will address the behavior and identify how progress will be monitored.

Limited English Proficiency (LEP): In the case of a student with limited English proficiency, IEP teams must consider what supports and strategies the student will need to address this limitation in English proficiency, as those needs relate to the child's IEP. LEP support can be addressed within the general education system or by direct instruction within the special education program.

Deaf/Hearing Impaired: IEP teams must consider the language and communication needs of a student with a hearing impairment including opportunities for direct communication with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs. This includes opportunities for direct instruction in the student's language and communication mode.

Blind/Visually Impaired: The IEP of a student with a visual impairment must provide instruction in Braille and in the use of Braille unless the IEP team determines that instruction in, or the use of, Braille is not appropriate for the student. That decision is made by evaluating the students' reading and writing skills, identifying student needs, and determining appropriate reading and writing media, including an evaluation of the student's future needs for instruction in Braille or the use of Braille.

Other Factors to Consider (34 C.F.R. §§300.116 and 300.106; A.A.C. R7-2-408)

The IEP team must consider special factors for specific students based on their disability and needs. It is recommended that the school document these not only in the students' IEP, but the prior written notice as well to ensure that all team members are aware of the decisions that were made, and the discussions that were held. These areas are included below:

Extended School Year Services (ESY) (34 C.F.R. §300.106; A.R.S. §15-881; A.A.C. R7-2-408)

Schools are required to ensure that extended school year services are available to students, as necessary, in order to provide a free appropriate public education (FAPE). Extended school year (ESY) services are defined as special education and related services that are provided to a child with a disability beyond the school's normal school days, in accordance with the child's IEP, at no cost to the parent. A child's need for ESY services is to be determined on an individual basis by the IEP team. Schools are not permitted to limit ESY services to particular categories of disability or to unilaterally limit the type, amount, or duration of the services. Moreover, eligibility for ESY services cannot be based on need or desire for day care or respite care, an educational program to maximize the student's academic potential, or a summer recreational program. ESY services are necessary if either: (1) the benefits that the student gained during the regular school year would be significantly jeopardized if he or she is not provided educational services, or (2) the student would experience severe or substantial regression if he or she is not provided educational services during short or long recesses or summer months, and the regression would result in substantial skill loss of a degree and duration that would seriously impede the student's progress toward educational goals. The IEP team shall determine if the student is eligible to receive ESY services no later than 45 days prior to the last day of the school year.

The determination of whether a student is eligible for ESY services must take into account least restrictive environment considerations and be determined by the IEP team, using a multifaceted inquiry based on the following criteria: (1) retrospective data, such as past regression and the rate of recoupment, and (2) predictive data, when empirical data is not available, which may be proven by expert opinion based upon a professional individual assessment.

Guidance: The team should consider the students' progress on annual IEP goals. Additionally, the team needs to consider whether the student is at a critical development stage. An ESY explanation should include data related to regression and recoupment of skills, as well as whether the student is at a critical learning stage. It is important that this

consideration is made annually for ALL students and that it is based on data collected relevant to the student's individual IEP goals

Placement (34 C.F.R. §300.116; A.R.S. §15-761; A.A.C. R7-2-401 H.)

The IDEA mandates that the student with a disability be educated with students who are nondisabled to the maximum extent appropriate. The IEP team must determine if the program outlined in the IEP can be implemented in the general education classroom, as well as the student's home school, or as close to the home school as possible, and the potential harmful effects that may occur as a result of the selected placement(s) must be considered and documented.

Guidance: The student's placement needs to be based on student data and must be an individual decision related to student needs and the student's program as outlined in the IEP. If the student needs to be placed in a more restrictive environment, why this placement is necessary should be explained. The team should always start with the general education classroom and work through the continuum to determine what is needed to allow the student to access and make progress in the general education curriculum. The placement determination should be made after the team discusses the student's present levels, goals and services, as these items are part of the discussion around placement. *Placement in a more restrictive environment should not mean that the student has reduced access to the general education curriculum.*

Review of the IEP (34 C.F.R. §300.324; A.R.S. §15-761; A.A.C. R7-2-401 G. 7.)

The IEP must be reviewed at least once a year and more frequently as needed if the student's progress substantially deviates from what was anticipated. This could include:

- Any lack of expected progress toward the annual and postsecondary goals.
- Any lack of expected progress in the general education curriculum (if appropriate).
- The results of a reevaluation (whether done by the PEA or privately by the parent);
and
- New information about the student provided to or by the parents.

All sections of the IEP must be reviewed and revised, as appropriate, during the IEP review.

A PEA or parent can request an IEP meeting. Requests must be made in writing and must identify the reason for the request. In this case, the IEP team must convene within 45 school days of receipt of the request.

IEP Meetings (34 C.F.R. §§300.321,300.322, and 300.325; A.R.S.§15-761)

The PEA should document IEP team member participation in all IEP meetings. This requires the role each team member is filling as well as the name of each person. While signatures on an IEP are not required, a sign-in sheet is a good way to document the participation of a compliant IEP team. The IEP team must consist of the following members:

- The parent of the student.
- Not less than one general education teacher (if the student is or may be participating in the general education environment).
- Not less than one special education teacher/provider of the student.
- A representative of the PEA (this individual may serve in more than one role on the IEP team, such as the general education teacher, special education teacher/provider, interpreter of evaluation data, etc.) In order to fulfil this role, the individual must be:
 - Qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities.
 - Knowledgeable about the general education curriculum; and
 - Knowledgeable about the availability of the resources of the PEA and able to commit those resources.
- An individual who can interpret the instructional implications of the evaluation results (this person may serve in more than one role on the IEP team).
- At the discretion of the parent or school, other individuals who have knowledge or special expertise regarding the student, including related service personnel.
- Whenever appropriate, the student (if the purpose of the meeting is to discuss

transition services, the student must be invited).

- With consent of the parent and to the extent possible, a representative of any participating agency that will be responsible for providing or paying for transition services.
- For an initial IEP team meeting for a child transitioning from AzEIP services and at the request of the parent, the AzEIP service coordinator or other representatives of the AzEIP system must be invited to assist in making the transition smooth.
- If the student is or may be attending an approved private school, a representative of the private school.

IEP Team Member Excusal (34 C.F.R. §300.321(e)(1),(2))

A required public school member of the IEP team may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of curriculum or related service if the parent and the PEA consent to the excusal in writing; and the member submits, to the parent and the IEP team, written input into the development of the IEP prior to the meeting.

If the parent and the PEA agree in writing that the attendance of a member is not necessary, in whole or in part, because that member's area of the curriculum or related service is not being discussed or modified at the meeting., this decision should be made well in advance of the meeting and excusal should not be used as a matter of convenience for an IEP team member who unexpectedly cannot attend. IEP teams should consider carefully the purpose of the IEP meeting and all potential areas of discussion prior to making the decision that a team member need not attend.

Consensus

In making decisions about a child's educational program, the IEP team should work toward consensus, but if it is unable to do so, the school has the ultimate responsibility to ensure that the child receives a FAPE. *It is not appropriate for the IEP team to make decisions based upon a majority "vote."* If the team is unable to reach consensus, the individual acting as the representative of the PEA must make the final decision and the

school must explain its proposal or refusal regarding the child's educational program in a prior written notice (PWN) to the parent. The parent may seek resolution of any disagreement by filing a due process complaint or requesting mediation with the school.

Parent Participation (34 C.F.R.§300.322; A.A.C. R7-2-401 G.6.)

The role of the parent is essential in the IEP meeting. The parents are equal members of the IEP team and their input merits careful consideration. The PEA must take steps to ensure that one or both of the child's parents are present at each IEP meeting or are afforded the opportunity to participate. These steps include:

- Notifying the parents of the meeting early enough to ensure that they will have an opportunity to attend; and
- Scheduling the meeting, in writing, at a mutually agreed-upon time and place.

The PEA must take whatever action is necessary to ensure that the parent understands the proceedings of the IEP team meeting, including arranging for an interpreter for parents who are hearing impaired or whose native language is other than English. The PEA must also provide a copy of the IEP to the parents at no cost to them. Upon request, a parent must be provided with a copy of any revised or amended IEP as well. It is best practice to provide parents with a draft of the IEP to allow parents time to review and generate questions before the meeting, which ensures the ability to fully participate.

Conducting an IEP Team Meeting without the Parent (34 C.F.R.§300.322(d))

An IEP team meeting may be conducted without a parent in attendance if the PEA is unable to convince the parents they should attend. In this case, the PEA must keep a record of its attempts to arrange a mutually agreed upon time and place, such as:

- Detailed records of telephone calls made or attempted and the results of those calls.
- Copies of correspondence sent to the parents and any responses received; and
- Detailed records of visits and results of visits to the parent's home or employment site

Guidance: In 2013, the 9th Circuit Court of Appeals held that schools must ensure parental involvement in the “creation process” of their child’s IEP unless the parents affirmatively refuse to attend or are entirely unresponsive to the school’s requests to meet. *It is important for schools to plan ahead to allow sufficient time to schedule a meeting, particularly if the deadline for the annual review is coming up; it is also important to work closely with parents to ensure that meetings are scheduled at a mutually agreed upon date and time.*

Alternative Means of Meeting Participation (34 C.F.R.§300.328; A.R.S. §15-761)

At times it is not possible for a meeting participant to attend a meeting in person. The parent and PEA may agree to use alternative means of participation, such as video conferencing or conference phone calls. IEP teams are urged to use flexibility to obtain the best input possible from all team members.

When an IEP Meeting Is Not Required (34 C.F.R.§300.324; A.R.S. §15-761; A.A.C. R7-2-401 G. 6.)

The parent and the PEA may agree not to convene an IEP team meeting for the purpose of making changes to a student’s IEP after the annual IEP team meeting. Instead, the parent and the PEA may choose to develop a written document to amend or modify the current IEP. If changes are made in this manner, the PEA must ensure that the entire IEP team is informed of any changes. A PWN and the revised IEP with any amendments must be provided to the parents.

Transfer Students (34 C.F.R. §§300.306 and 300.323; A.R.S. §15-828(G); A.A.C. R7-2-401 J. 4.)

In the case of a child with a disability who has an IEP in effect and who, during the *same school year*, transfers to a different school district or charter school within the *same state*, the receiving school, in consultation with the parents, is required to provide that student a FAPE, including services comparable to those in the IEP from the sending school until such time as the receiving school adopts the previous school’s IEP or develops and

implements a new IEP.

In the case of a child with a disability who has an IEP in effect and who transfers during the same school year to a *different* state, the receiving school, in consultation with the parents, is required to provide that student with a FAPE, including services comparable to those in the IEP from the sending school until such time as the receiving school conducts an evaluation and determines eligibility in the State of Arizona, if determined to be necessary, and develops and implements a new IEP.

In either case, the receiving school must take reasonable steps to promptly obtain the child's records (including the IEP and supporting documentation) from the sending school. In Arizona, the receiving school has ten school days to request records from the child's previous school and that school (if it is in Arizona) has 10 school days to send the records.