

Oregon's System of General Supervision

Integrated Monitoring



Introduction

The Oregon Department of Education (ODE), through its Office of Enhancing Student Opportunities (OESO), maintains a comprehensive *System of General Supervision* to ensure that all Local Educational Agencies (LEAs) meet their obligations under the Individuals with Disabilities Education Act (IDEA) and Oregon state law. This system serves dual purposes: ensuring compliance with legal requirements and promoting continuous improvement in educational outcomes for disabled students and students experiencing disabilities.

Under 34 CFR § 300.600, states must monitor implementation of IDEA, enforce compliance, and annually report on LEA performance. *Oregon's System of General Supervision* fulfills these federal obligations while advancing the state's commitment to equity, inclusion, and meaningful educational results for every student. These monitoring protocols support ODE's ability to assess, support, and when necessary, enforce LEA compliance with special education requirements.

Purpose and Philosophy

Oregon's monitoring approach is grounded in the principle that compliance and results are inextricably linked. Technical compliance without meaningful outcomes fails students; similarly, good intentions without adherence to legal safeguards undermines the protections IDEA provides. These protocols seek to assess both the letter and spirit of special education law, examining whether LEAs have created systems that honor individual student rights while building capacity for sustained improvement.

The monitoring process serves multiple functions:

- **Shared Accountability:** Ensuring ODE supports LEAs to meet minimum federal and state requirements
- **Support:** Identifying areas where technical assistance can improve practice
- **System Building:** Promoting development of sustainable structures for compliance
- **Continuous Improvement:** Using data to drive ongoing enhancement of services
- **Student Protection:** Safeguarding individual rights while promoting systemic change

Monitoring Framework

Oregon's differentiated monitoring system operates at three distinct levels, ensuring all LEAs receive appropriate oversight while targeting intensive resources where most needed:

Universal Accountability and Support (ALL LEAs)

Every LEA participates in universal monitoring activities that establish baseline compliance and performance data:

- **Risk Assessment:** Annual analysis of data indicators to identify potential areas of concern
- **LEA Determinations:** Federal requirement to annually determine each LEA's compliance status
- **Dispute Resolution:** Investigation and resolution of state complaints, due process hearings, and mediation
- **IDEA Project Application:** Review of LEA applications for federal special education funding
- **Fiscal Accountability Audits:** Examination of special education expenditures and fiscal compliance
- **State Performance Plan/Annual Performance Report (SPP/APR) Data Collection and Reporting:** Compilation of required federal and state performance indicators

These universal activities provide ODE with comprehensive data to inform differentiated monitoring decisions and identify LEAs requiring additional review.

Cyclical Accountability and Support (SOME LEAs)

Using a cohort model, each Oregon LEA undergoes comprehensive monitoring every three years. ODE directly conducts all monitoring activities, which may include:

- **File Reviews:** ODE staff examine individual student records using these protocols
- **Policy and Procedure Reviews:** Analysis of LEA special education policies for legal compliance
- **Classroom Observations:** Direct observation of special education service delivery
- **Staff Interviews:** Structured conversations with administrators, teachers, and service providers
- **Focus Groups:** Facilitated discussions with parents, students, and community partners

All applicable priority areas are reviewed during cyclical monitoring. Specific activities examined during cyclical monitoring are determined based on:

- LEA risk indicators from universal monitoring data
- Current state priorities and areas of concern
- Previous monitoring findings and correction status
- Local context and unique LEA characteristics

Focused Accountability and Support (FEW LEAs)

Intensive monitoring through onsite or virtual reviews is reserved for LEAs with significant compliance or performance concerns. Focused monitoring may be triggered by:

- **High-Risk Status:** LEAs with multiple indicators of noncompliance or poor student outcomes
- **Emerging State Priorities:** Investigation of systemic issues affecting multiple students
- **Enforcement Actions:** Response to failure to correct previously identified noncompliance
- **Significant Complaints or Due Process Findings:** Patterns suggesting systemic problems

Focused monitoring employs all available review methods with increased depth and intensity. ODE collaborates with each selected LEA to plan the focused monitoring process.

Priority Areas

Oregon's System of General Supervision encompasses seven priority areas, each addressing critical aspects of special education implementation:

1. **Least Restrictive Environment (LRE):** Ensuring placement decisions are individualized and students experiencing disabilities are educated with their peers to the maximum extent appropriate
2. **Individualized Education Program (IEP) Development:** Examining the procedural and substantive requirements for developing comprehensive, IEPs that meet student needs
3. **Free Appropriate Public Education (FAPE):** Assessing whether students receive meaningful educational benefit through appropriately ambitious programs tailored to individual circumstances
4. **Discipline (DIS):** Reviewing protections for disabled students and students experiencing disabilities facing disciplinary actions, including manifestation determinations and continued services
5. **Secondary Transition (SEC):** Evaluating planning and services that prepare students for post-school success in education, employment, and independent living
6. **Child Find and Evaluation Procedures (CFE):** Examining systems for identifying, locating, and evaluating all children suspected of having disabilities within LEA jurisdiction
7. **Abbreviated School Day Programs (ASDP):** Monitoring compliance with Oregon's strict requirements limiting reduced school days for students with disabilities

ODE also reserves the right to establish emerging/emergent priority areas to be used within monitoring processes.

Protocol Structure

Each priority area protocol follows a consistent structure designed to support thorough, reliable review:

- **Introduction:** Establishes legal foundation, explains the priority area's importance, and contextualizes requirements within broader IDEA framework
- **Record Review Items:** Specific compliance standards with clear criteria for assessment, each tied to regulatory requirements
- **Related Authorities:** Citations to relevant federal regulations (34 CFR) and Oregon Administrative Rules (OAR) that establish legal requirements
- **Potential Documentation:** Examples of documents that may demonstrate compliance, though not exhaustive lists
- **Evidence of Compliance:** Clear rubrics defining what constitutes compliance ("YES"), noncompliance ("NO"), or non-applicability ("N/A").
- **Summary Sheets:** Tools for aggregating findings across student files and identifying patterns requiring systemic correction
- **Focus Group Questions:** Structured inquiries for various stakeholders to assess systemic implementation and identify improvement opportunities

Regulatory Foundation

These protocols operationalize requirements from multiple sources:

- The Individuals with Disabilities Education Act (IDEA) and implementing regulations at 34 CFR Parts 300-303
- Oregon Revised Statutes (ORS) Chapter 343
- Oregon Administrative Rules (OAR) Chapter 581, Division 15
- Relevant case law and federal guidance

Citations within protocols capture core requirements without attempting to be exhaustive. LEAs remain responsible for compliance with all applicable federal and state requirements, whether specifically referenced in these protocols or not.

Documentation and Evidence

Effective monitoring requires systematic documentation review and evidence analysis. These protocols provide guidance on potential documentation sources while recognizing that compliance may be demonstrated through various means.

- **Documentation** refers to written records, data systems, policies, and procedures that may demonstrate compliance. Examples include IEPs, evaluation reports, meeting notices, progress data, and correspondence.
- **Evidence** encompasses the specific information within documentation that demonstrates whether requirements are met. Reviewers must look beyond document existence to examine content quality and implementation fidelity.

LEAs should maintain comprehensive special education records that allow for efficient compliance review. However, absence of specific documents listed in protocols does not automatically indicate noncompliance if alternative evidence demonstrates requirement fulfillment.

Compliance Determination Process

Review teams assess each item using provided rubrics:

- **“YES”** indicates evidence demonstrates the requirement was met for the specific student or systemic practice reviewed.
- **“NO”** indicates evidence does not demonstrate compliance with the identified requirement.
- **“NA”** applies when a requirement does not pertain to the specific student or circumstance under review.

Individual instances of noncompliance must be corrected as soon as possible for affected students. Patterns across multiple files may indicate systemic noncompliance requiring broader corrective action. ODE considers factors including:

- Number and percentage of files with noncompliance
- Severity of identified issues
- Impact on student outcomes
- LEA history and improvement efforts
- Root causes and systemic factors

Correction of Noncompliance

Upon identification of noncompliance, LEAs must:

1. **Correct each individual instance** by ensuring the specific student receives required services or protections.
2. **Address systemic issues** through policy revision, professional development, or system redesign.
3. **Demonstrate sustained correction** through subsequent file reviews showing 100% compliance.
4. **Implement improvement plans** addressing root causes to prevent recurrence.

Standard correction timelines require correction as soon as possible and in no case later than:

- 60-day correction when noncompliance denies 10+ instructional days
- One-year maximum for all other noncompliance

Continuous Improvement

Beyond compliance correction, these protocols support continuous improvement through:

- **Data Analysis:** Aggregating findings to identify trends and target professional development
- **Root Cause Analysis:** Examining systemic factors contributing to noncompliance patterns
- **Stakeholder Engagement:** Using focus group feedback to understand implementation challenges
- **Technical Assistance:** Connecting identified needs with targeted support resources
- **Progress Monitoring:** Tracking improvement over time through subsequent reviews

Conclusion

Oregon's System of General Supervision reflects our commitment to ensuring that students experiencing disabilities and disabled students receive the full protection of their educational rights while achieving meaningful outcomes. These protocols provide the framework for systematic, fair, and thorough monitoring to ensure compliance.

Through consistent application of these protocols, collaboration between ODE and LEAs, and commitment to continuous improvement, we work toward a system where every student receives the individualized, appropriate education to which they are entitled, in environments that maximize their participation with peers, with services that enable meaningful progress toward ambitious goals.

Oregon's System of General Supervision

Priority Area 1: Least Restrictive Environment (LRE)



Introduction

Under 34 CFR § 300.114, disabled students and students experiencing disabilities must be educated with children who do not experience disabilities “to the maximum extent appropriate.” Special classes, separate schooling, or other removal from the general education environment occurs only when the nature or severity of the student’s disability is such that education in general education classes, with the use of supplementary aids and services, cannot be achieved satisfactorily.

The Individuals with Disabilities Education Act (IDEA) requires Local Educational Agencies (LEAs) to ensure that a full continuum of alternative placements is available to meet the needs of students experiencing disabilities and disabled students. The IEP team determines the most appropriate educational placement in the Least Restrictive Environment (LRE) that meets each student’s unique needs. Placement decisions must be individualized, based on the student’s IEP, and not made solely on factors such as disability category, availability of services, or administrative convenience.

This priority area examines whether placement decisions are made in accordance with IDEA requirements and whether students are receiving appropriate supports to facilitate their participation in the general education environment. The review evaluates both the procedural aspects of placement determination and the substantive implementation of LRE principles.

When using this protocol, LEAs will examine critical requirements related to LRE implementation. If noncompliance is found, LEAs must correct findings as soon as possible, prioritizing corrections for students with identified noncompliance. In all cases, noncompliance must be corrected within one year of the Oregon Department of Education’s (ODE) written notification. When noncompliance could result in denial of 10 or more instructional days, correction must occur within 60 days of ODE’s notification.

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LRE-1 – Placement Determined by Knowledgeable Group

Record Review Item

The placement decision was made by a group of individuals, including the parents and/or legal guardians and other individuals knowledgeable about:

- The student;
- The meaning of evaluation data; and
- Placement options.

Related Authorities

Federal: 34 CFR § 300.116(a)

State: OAR 581-015-2250(1)(a)

Potential Documentation

- Special Education Placement Determination
- Prior Written Notice
- Notice of Team Meeting, showing parent and/or legal guardian invitation
- Records of LEA attempts to secure parent and/or legal guardian attendance at IEP meeting where placement was determined
- Meeting Notes

Evidence of Compliance

Mark YES if there is evidence that any of the following are true:

- The placement decision was made by a knowledgeable group, including the parent and/or legal guardian, with individuals clearly identified and documented as having knowledge about the student, evaluation data, and placement options; or
- The placement decision was made by a knowledgeable group, with individuals clearly identified and documented as having knowledge about the student, evaluation data, and placement options. The parent and/or legal guardian was invited to participate in the meeting, but did not attend, and this is clearly documented.

Mark NO if there is evidence that any of the following are true:

- The placement decision was not made by a knowledgeable group; or
- The parent and/or legal guardian was not invited to the meeting.

LRE-2 – Placement Decision

Record Review Item

The file's documentation demonstrates that the student's placement was:

- Determined annually, at a minimum;
- Based on the student's needs as indicated in the IEP;
- As close as possible to the student's home; **and**
- Resulted in the student being educated in the school that they would attend if nondisabled unless the IEP requires another arrangement.

Related Authorities

Federal: 34 CFR § 300.116(b); 34 CFR § 300.116(c)

State: OAR 581-015-2250(1)(c-e); OAR 581-015-2250(3)

Potential Documentation

- Meeting Notes
- IEP – Present Levels of Academic Achievement and Functional Performance, Specially Designed Instruction, Related Services and/or Special Factors, Nonparticipation Justification, Demographics
- Artifact from Student Information System showing resident school and attending school
- Documentation of parent and/or legal guardian choice if the student is not attending their resident school due to parent and/or legal guardian choice
- Special Education Placement Determination

Evidence of Compliance

Mark YES if the evidence indicates that placement decisions are made in conformity with all the LRE provisions below:

- Determined annually, at a minimum;
- Based on the student's needs as indicated in the IEP;
- As close as possible to the student's home; and
- Resulted in the student being educated in the school that they would attend if nondisabled unless the IEP requires another arrangement.

Mark NO if the evidence indicates that either of the following are true:

- Placement decisions are not made in conformity with any of the required LRE provisions as listed above.
- Placement decision is not supported by information within the student's IEP.

LRE-3 – Accommodations and Modifications Included and Aligned with Summary of Present Levels

Record Review Item

The IEP documents appropriate accommodations and modifications based on the student's needs, enabling the child to be involved and make progress in the general education curriculum and participate in extracurricular and non-academic activities with peers.

Related Authorities

Federal: 34 CFR § 300.320(a)(4)

State: OAR 581-015-2200(1)(d)(A-C)

Potential Documentation

- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Service Summary
- Evaluation Results
- Meeting Notes
- Progress Reports

Evidence of Compliance

Mark YES if there is evidence that all the following are true:

- The accommodations and modifications were reviewed annually; and
- The accommodations and modifications documented in the IEP are based on the needs of the student and align with the student's present levels of academic achievement and functional performance.

Mark NO if there is evidence that any of the following are true:

- The accommodations and modifications were not reviewed annually;
- The accommodations and modifications are present, but they are not based on the needs of the student and do not align with the student's present levels of academic achievement and functional performance; or
- The IEP team did not consider accommodations and modifications for this student.

Mark N/A if the evidence indicates the IEP team considered the need for accommodations and modifications at least annually, and determined they are not needed at this time based on the student's needs as identified in the present levels of academic achievement and functional performance.

LRE-4 – Placement in LRE

Record Review Item

The placement determination documents that the student with a disability was removed from the regular educational environment only if the nature or severity of the disability was such that education in regular classes with the use of supplementary aids and services could not be achieved satisfactorily including documentation of the following elements:

- The selected and/or rejected placement(s), including consideration of each lesser restrictive placement than the one selected;
- The placement options included the consideration of meeting the student's needs in the general education classroom;
- The use of supplementary aids and services to maintain the student in a lesser restrictive environment;
- A justification is given for the decision to educate a child in a more restrictive environment; **and**
- The potential harmful effects of rejected and selected placement(s) on the student and whether it would impede the ability of the student or other children to learn.

Related Authorities

Federal: 34 CFR § 300.114; 34 CFR § 300.116; 34 CFR § 300.320(a)(5)

State: OAR 581-015-2250

Potential Documentation

- Special Education Placement Determination
- Nonparticipation Justification
- Prior Written Notice
- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Service Summary
- Evaluation Reports
- Meeting Notes

Evidence of Compliance

Mark YES if there is evidence that either of the following are true (must meet all criteria under A or B to mark "yes"):

- A. The student is educated or served in the general education setting, OR
- B. If the student is not educated or served in general education, the IEP includes justification as to why the student's placement is not the general education classroom and there is evidence of all the following:
 - The placement is based on the needs of the student;
 - Placement documentation reflects that the team has given consideration to meeting the student's needs in the general education classroom;
 - The placement options considered to maintain the student in a less restrictive option identify the specific supplementary aids and services for each option;
 - If the nature or severity of the disability is such that education in general education classes, even with the use of supplementary aids and services, cannot be achieved satisfactorily, a justification is given for the decision; and
 - Placement documentation describes potential harmful effects to the student or others, if applicable.

Mark NO if the student is not educated or served in the general education setting AND any of the above criteria are not true.

Mark N/A if the student is not removed from the general education setting.

LRE-5 – Removal Not Solely Due to Modifications

Record Review Item

The student was not removed from an age-appropriate general education classroom solely because of needed modifications in the general education curriculum.

Related Authorities

Federal: 34 CFR § 300.116(e)

State: OAR 581-015-2250(5)

Potential Documentation

- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Service Summary
- Student schedule
- Service trackers/logs
- Observation report

Evidence of Compliance

Mark YES if the evidence indicates the student was not removed from general education classrooms just because the curriculum needed to be modified.

Mark NO if the evidence indicates the student was removed from general education classrooms with age-appropriate peers only due to the need for curricular modifications.

Mark N/A if the evidence indicates the student was not removed from classrooms with age-appropriate peers or does not require modifications.

LRE-6 – Participation in Non-Academic and Extracurricular Services and Activities

Record Review Item

The student participates with nondisabled peers in non-academic and extracurricular services and activities (including lunch, recess, athletics, clubs, afterschool- sponsored activities/events, etc.) to the maximum extent appropriate, with the use of supplementary aids and services as determined by the student's IEP team to be appropriate and necessary.

Related Authorities

Federal: 34 CFR § 300.117; 34 CFR § 300.320(a)(4)(ii-iii)

State: OAR 581-015-2070(1); OAR 581-015-2200(1)(d)(B-C)

Potential Documentation

- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Service Summary
- IEP – Nonparticipation Justification
- Meeting Notes
- Student schedule
- Observation notes or report

Evidence of Compliance

Mark YES if the evidence indicates the student is included in non-academic and extracurricular services and activities and has access to aids and services during extracurriculars as determined necessary by the IEP team.

Mark NO if there is evidence the student is excluded from non-academic and extracurricular services and activities and the team did not provide a rationale for this exclusion.

LRE-7 – Placement Consistent with Individual Need

Record Review Item

The selected placement is consistent with the level of services and supports detailed in the service summary and the non-participation justification statement.

Related Authorities

Federal: 34 CFR § 300.116

State: OAR 581-015-2250

Potential Documentation

- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Service Summary
- IEP – Nonparticipation Justification
- Special Education Placement Determination

Evidence of Compliance

Mark YES if the evidence indicates the selected placement is consistent with the level of services and supports described in the IEP service summary, non-participation justification statement, other section of the IEP, or special education placement determination.

Mark NO if the evidence indicates the selected placement is not consistent with the level of services and supports described in the IEP service summary, non-participation justification statement, other section of the IEP, or special education placement determination.

LRE Summary Sheet

INFORMATION	
LEA Name:	Required Sample Size:

Total number of student files reviewed is indicated below.

Elementary School Students	Middle School Students	High School Students	Out of District Placements	Grand Total of Records

List Secure Student Identifiers (SSIDs) of the targeted sample of student files. Enter “Yes” if evidence was found. Enter “No” if evidence was not found. Enter “N/A” if the item is not applicable to the selected student. No item may be left blank.

SSID	LRE-1	LRE-2	LRE-3	LRE-4	LRE-5	LRE-6	LRE-7

Plan of Correction

Identify what will be done and when to correct any individual or systemic noncompliance for each item where the LEA found noncompliance during the district review process.

LRE Focus Group Questions

School/District Staff

- What supports and professional development help general education teachers successfully include disabled students and students experiencing disabilities?
- How do you determine when a more restrictive placement is truly necessary?
- What successes have you seen with inclusive practices, and how can these be replicated?
- What barriers prevent greater inclusive practices, and how are you addressing them?
- How do you ensure placement decisions are based on individual needs rather than disability labels?
- How do you support students with more significant support needs in less restrictive settings?

Parents and/or Legal Guardians

- How was your child's placement decision explained to you, including options considered?
- What supports would help your child be more successful in general education settings?
- Do you feel your input about placement was genuinely considered?
- What concerns do you have about your child's current placement?
- How well does your child's placement support both academic and social development?
- What would increase your confidence in inclusive placement options?

Students

- How do you feel about the classes you're in and who you learn with?
- What helps you succeed in classes with all different kinds of students?
- Do you feel included in regular school activities and friendships?
- What's hard about being in different classes than some other kids?
- What would help you learn better with all students?
- How do you feel about the support you get in your classes?

Community

- How can community organizations support inclusive practices in schools?
- What community activities could reinforce inclusion beyond school hours?
- How do segregated placements impact students' community participation?
- What role can community members play in supporting inclusive education?
- How can we address community attitudes that may be a barrier to inclusion?
- What partnerships would strengthen schools' capacity for inclusion?

Oregon's System of General Supervision

Priority Area 2: IEP Development



Introduction

Under the Individuals with Disabilities Education Act (IDEA), each student's Individualized Education Program (IEP) must be reviewed and revised by the IEP team at least annually. The IEP serves as the cornerstone document outlining the special education and related services necessary for the student to receive a Free Appropriate Public Education (FAPE). Parents and/or legal guardians, as integral team members, must be invited to participate and afforded meaningful opportunity to contribute to this process.

An effectively developed IEP addresses all areas of student need and provides a roadmap for appropriately ambitious educational progress. The IEP must include specific components: present levels of academic achievement and functional performance (PLAAFP); measurable annual goals; services and supports; special factors; participation in assessments; and Extended School Year (ESY) considerations. Each component must align to create a cohesive plan tailored to the student's unique needs resulting from their disability.

This priority area examines whether Local Educational Agencies (LEAs) comply with procedural requirements for IEP development and whether IEP content meets substantive requirements. The review encompasses meeting procedures, required participants, component completeness, and alignment between identified needs and proposed services.

When using this protocol, LEAs will examine critical requirements related to IEP development. If noncompliance is found, LEAs must correct findings as soon as possible. In all cases, noncompliance must be corrected within one year of the Oregon Department of Education's (ODE) written notification. When noncompliance could result in denial of 10 or more instructional days, correction must occur according to the shortened timeline outlined in Oregon Administrative Rules (OAR) 581-015-2015.

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IEP-1 – IEP Reviewed and Revised Annually

Record Review Item

The IEP has been reviewed at least once every 365 days and revised as appropriate to address all the following as applicable based on the student's circumstances:

- Any lack of expected progress toward annual goals and in the general education curriculum;
- Results of any reevaluation conducted;
- Information about the student provided to, or by, the parents and/or legal guardian; and
- The student's anticipated needs; or
- Other matters.

Related Authorities

Federal: 34 CFR § 300.324(b)(1)

State: OAR 581-015-2225(1)(b)

Potential Documentation

- IEP and amendments – Annual IEP review date and/or annual goals, previous and current IEPs
- IEP Progress Reports
- Evaluation Results
- Meeting Notes
- Prior Written Notice
- Parent and/or legal guardian input

Evidence of Compliance

Mark YES if there is evidence that all the following are true:

- The IEP was reviewed within the past 365 days; and
- The IEP reflects appropriate revisions if any of the following apply:
 - Lack of expected progress;
 - Reevaluation;
 - Information provided to, or by, the parents and/or legal guardians; or
 - Student's anticipated needs; or
 - Other matters needed to be addressed.

Mark NO if there is evidence that any of the following are true:

- The IEP was not reviewed within the past 365 days;
- The IEP team did not make appropriate revisions to the IEP if any of the following applied:
 - Lack of expected progress;
 - Reevaluation;
 - Information provided to, or by, the parents and/or legal guardians;
 - Student's anticipated needs; or
 - Other matters needed to be addressed.

IEP-2 – Special Factor: Behavior

Record Review Item

The IEP team considered the use of positive behavioral interventions and supports, and other strategies, to address the behavior of a student whose behavior impedes their learning or the learning of others.

Related Authorities

- **Federal:** 34 CFR § 300.324(a)(2)(i)
- **State:** OAR 581-015-2205(3)(a)

Potential Documentation

- IEP – Special Factors
- Functional Behavioral Assessment (FBA) and/or Behavior Intervention Plan (BIP)
- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Measurable Annual Goals; Service Summary
- Meeting Notes

Evidence of Compliance

Mark YES if there is evidence the IEP team considered the student's behavior and, if it impedes learning, the IEP includes appropriate positive behavioral interventions, supports, and strategies.

Mark NO if the student's behavior impedes learning and the IEP team did not consider or address it with positive behavioral interventions and supports.

Mark N/A if the record demonstrates that behavior does not impede the student's learning or the learning of others.

IEP-3 – Special Factor: Limited English Proficiency

Record Review Item

For a student with limited English proficiency, the IEP team considered the language needs of the student as those needs relate to the student's IEP.

Related Authorities

Federal: 34 CFR § 300.324(a)(2)(ii)

State: OAR 581-015-2205(3)(b)

Potential Documentation

- IEP – Special Factors
- IEP – Present Levels of Academic Achievement and Functional Performance
- Evaluation Results (e.g., language proficiency assessments)
- IEP – Measurable Annual Goals; Service Summary; Accommodations
- Meeting Notes
- Language Use Survey

Evidence of Compliance

Mark YES if there is evidence the IEP team considered the student's language needs and those needs are appropriately addressed within the IEP.

Mark NO if the IEP team failed to consider the language needs of a student with limited English proficiency as they relate to the IEP.

Mark N/A if the student does not have limited English proficiency.

IEP-4 – Special Factor: Blindness or Visual Impairment

Record Review Item

For a student who is blind or visually impaired, the IEP team provided for instruction in Braille and the use of Braille, unless the team determined after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media, that instruction in Braille or the use of Braille is not appropriate for the student.

Related Authorities

Federal: 34 CFR § 300.324(a)(2)(iii)

State: OAR 581-015-2205(3)(c)

Potential Documentation

- IEP – Special Factors
- Evaluation Results (e.g., Functional Vision Evaluation, Learning Media Assessment)
- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Service Summary (e.g., services from a Teacher of the Visually Impaired)
- Meeting notes

Evidence of Compliance

Mark YES if there is evidence the IEP team conducted the required evaluation and, based on that data, either provided for instruction in Braille or documented why it was not appropriate.

Mark NO if the IEP team failed to provide for instruction in Braille without first conducting the required evaluation and documenting the determination that it was not appropriate.

Mark N/A if the student is not blind or visually impaired.

IEP-5 – Special Factor: Communication Needs

Record Review Item

The IEP team considered the communication needs of the student. In the case of a student who is deaf or hard of hearing, the team considered the student's language and communication needs, opportunities for direct communication with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs.

Related Authorities

Federal: 34 CFR § 300.324(a)(2)(iv)

State: OAR 581-015-2205(3)(d)

Potential Documentation

- IEP – Special Factors
- Evaluation Results (e.g., Speech-Language, Audiological)
- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Measurable Annual Goals; Service Summary; Accommodations
- Meeting Notes

Evidence of Compliance

Mark YES if there is evidence the IEP team considered the student's communication needs and, for a student who is deaf or hard of hearing, considered the specific factors required and addressed those needs in the IEP.

Mark NO if the IEP team failed to consider the student's communication needs, or, for a student who is deaf or hard of hearing, failed to consider the specific required factors.

Mark N/A if communication is not an area of need resulting from the student's disability.

IEP-6 – Special Factor: Assistive Technology

Record Review Item

The IEP team considered whether the student needs assistive technology devices and services.

Related Authorities

Federal: 34 CFR § 300.324(a)(2)(v)

State: OAR 581-015-2055

Potential Documentation

- IEP – Special Factors
- Evaluation Results (e.g., Assistive Technology)
- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Service Summary; Supplementary Aids and Services
- Meeting Notes

Evidence of Compliance

Mark YES if there is evidence the IEP team considered the student’s need for assistive technology and, if needed, included it in the IEP.

Mark NO if there is no evidence the IEP team considered the student’s potential need for assistive technology devices and services.

Mark N/A if the item is not applicable because the IEP team considered the need for assistive technology and documented its determination that no such need exists, which is confirmed by the information in the student’s file.

IEP-7 – Present Levels of Academic Achievement and Functional Performance

Record Review Item

The IEP includes all the required elements of the present levels of academic achievement and functional performance.

Related Authorities

Federal: 34 CFR § 300.320(a)(1); 34 CFR § 300.324(a)(1)

State: OAR 581-015-2200(1)(a); OAR 581-015-2205(1)

Potential Documentation

- IEP – Present Levels of Academic Achievement and Functional Performance

Evidence of Compliance

Mark YES if there is evidence that the present levels contain all the following:

- The strengths of the student (e.g., academic, developmental, functional);
- The concerns of the parent and/or legal guardians for enhancing the education of their child;
- The academic, developmental and functional needs of the student;
- The results of the initial or most recent evaluation of the student; and
- A statement of how the student's disability affects involvement and progress in the general education curriculum.

Mark NO if there is evidence the present levels do not contain one or more of the following:

- The strengths of the student (e.g., academic, developmental, functional);
- The concerns of the parent and/or legal guardians for enhancing the education of their child;
- The academic, developmental and functional needs of the student;
- The results of the initial or most recent evaluation of the student;
- A statement of how the student's disability affects involvement and progress in the general education curriculum.

IEP-8 – Measurable Annual Goals Present

Record Review Item

The IEP includes measurable annual goals aligned to content standards or if appropriate, alternate achievement standards, for the student's enrolled grade that address the identified areas of need.

Related Authorities

Federal: 34 CFR § 300.320(a)(2)

State: OAR 581-015-2200(1)(b)

Potential Documentation

- IEP – Measurable Annual Goals
- IEP – Related Content Standard(s)

Evidence of Compliance

Mark YES if there is evidence that all IEP goals:

- Demonstrate a direct link between goal(s) and the student's present levels of academic achievement and functional performance;
- Are written in measurable terms (i.e., are observable, include conditions, a target skill/behavior, and criteria);
- Describe what the student can reasonably accomplish during the time period in which the IEP is in effect;
- If student takes alternative assessments aligned to alternate achievement standards, benchmarks or short-term objectives are included;
- Includes how the child's progress towards meeting annual goals will be measured and when progress reports will be provided;
- Relate to meeting a student's needs that result from the disability;
- Meet other education needs that result from the disability; and
- Enable involvement in and progress with the general education curriculum.

Mark NO if there is evidence that any of the goals are missing any of the required components or do not address the needs of the student as identified in the present levels of academic achievement and functional performance.

IEP-9 – Specially Designed Instruction

Record Review Item

The IEP contains specially designed instruction to be provided to the student, and includes the anticipated frequency, location, and duration of these services.

Related Authorities

Federal: 34 CFR § 300.320(a)(4)

State: OAR 581-015-2200(1)(d)

Potential Documentation

- IEP – Service Summary
- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Measurable Annual Goals

Evidence of Compliance

Mark YES if there is evidence that all of the following are true:

- The IEP includes specially designed instruction;
- The specially designed instruction is consistent with the other component parts of the IEP such as the present levels of academic achievement and functional performance and annual goals; and
- The services include the projected beginning date, and the anticipated frequency, location, and duration for each identified area of specially designed instruction.

Mark NO if there is evidence that any of the following are true:

- Services indicate only a service delivery model (e.g., self-contained classroom);
- The identified specially designed instruction is inconsistent with other parts of the IEP (e.g., present levels of academic achievement and functional performance and annual goal); or
- The services do not include the anticipated frequency, location, and duration for each identified area of specially designed instruction.

IEP-10 – Related Services

Record Review Item

The IEP contains a statement of related services to be provided to the student that are necessary to assist the student with a disability to benefit from special education and includes the anticipated frequency, location, and duration of those services.

Related Authorities

Federal: 34 CFR § 300.320(a)(4); 34 CFR § 300.34

State: OAR 581-015-2200(1)(d)

Potential Documentation

- IEP – Service Summary
- IEP – Present Levels of Academic Achievement and Functional Performance

Evidence of Compliance

Mark YES if there is evidence that all the following are true:

- A statement of related services is included in the IEP;
- Related services are aligned with the needs identified in other parts of the IEP; and
- The related services include the projected beginning date, and the anticipated frequency, location, and duration of those services.

Mark NO if there is evidence that any of the following are true:

- A statement of related services was not included;
- The identified related services are not aligned with the needs identified in other parts of the IEP; or
- The related services do not include the anticipated frequency, location, and duration of those services.

Mark N/A if there is evidence that all of the following are true:

- The IEP included a statement that indicates the team considered the student's needs and determined that related services were not necessary; and
- The statement was based on the needs of the student and aligned to the present levels of academic achievement and functional performance.

IEP-11 – Supplementary Aids and Services: Accommodations and/or Modifications

Record Review Item

The IEP contains a statement of the supplementary aids and services, including accommodations and/or modifications to be provided to the student and includes the projected beginning date, and the anticipated frequency, location, and duration of these aids and services.

Related Authorities

Federal: 34 CFR § 300.320(a)(4)

State: OAR 581-015-2200(1)(d)

Potential Documentation

- IEP – Service Summary
- IEP – Present Levels of Academic Achievement and Functional Performance

Evidence of Compliance

Mark YES if there is evidence that all the following are true:

- The IEP contains a statement of supplementary aids and services, including accommodations and/or modifications that address the needs of the student;
- The supplementary aids and services are aligned with the needs identified in other parts of the IEP; and
- The supplementary aids and services include the anticipated frequency, location, and duration of those services.

Mark NO if there is evidence that any of the following is true:

- A statement of supplementary aids and services was not included in the IEP;
- The identified supplementary aids and services are not aligned with the needs identified in other parts of the IEP; or
- The supplementary aids and services do not include the anticipated frequency, location, and duration of those services.

IEP-12 – Supports for School Personnel

Record Review Item

The IEP contains a statement of supports for school personnel services that provides services on behalf of the student and includes the anticipated frequency, location, and duration of these services.

Related Authorities

Federal: 34 CFR § 300.320(a)(4)

State: OAR 581-015-2200(1)(d)

Potential Documentation

- IEP – Service Summary
- IEP – Present Levels of Academic Achievement and Functional Performance

Evidence of Compliance

Mark YES if there is evidence that all the following are true:

- The IEP contains a statement of supports for school personnel services to be provided on behalf of the student;
- The supports for school personnel services are aligned with the needs identified in other parts of the IEP; and
- The supports for school personnel services includes the anticipated frequency, location, and duration of those services.

Mark NO if there is evidence that any of the following are true:

- A statement of supports for school personnel was not included;
- The identified supports for school personnel are not aligned with the needs identified in other parts of the IEP; or
- The supports for school personnel services do not include the anticipated frequency, location, and duration of those services.

Mark N/A if there is evidence that all the following are true:

- The IEP included a statement that indicates the team considered the student's needs and determined that supports for school personnel services were not necessary; and
- The statement was based on the needs of the student and aligned to the present levels of academic achievement and functional performance.

IEP-13 – State and Districtwide Assessment

Record Review Item

The IEP includes a statement describing student participation in the state and districtwide assessments and contains appropriate accommodations necessary to measure academic achievement and functional performance on state and districtwide assessments.

Related Authorities

Federal: 34 CFR § 300.160; 34 CFR § 300.320(6)

State: OAR 581-015-2200(1)(g)

Potential Documentation

- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Statewide Assessment
- IEP – District-Wide Assessment
- IEP – Supplementary Aids/Services; Accommodations; Modifications

Evidence of Compliance

Mark YES if there is evidence that all the following are true:

- The IEP includes a statement of individual appropriate accommodations necessary to measure academic achievement and functional performance of the student on state and districtwide assessments and if applicable includes a statement of why the student cannot participate in the regular assessment and the particular alternate assessment selected;
- The IEP indicates if the student will participate in the state and districtwide assessments (either standard or alternate); and if applicable, includes a statement of why the student cannot participate in the regular assessment and includes the particular alternate assessment selected;
- Appropriate accommodations necessary to measure academic achievement and functional performance on state or districtwide assessment are clearly stated and align with needs identified in other components of the student's IEP; or there is evidence the team considered accommodations and determined that no accommodations were necessary; and
- If the IEP team determined that the student should participate in the Extended Assessment (Oregon's alternate assessment for students with the most significant cognitive disabilities), the IEP contains evidence that the decision was consistent with the guidelines established by the state for participation in Oregon's Extended Assessment.

Mark NO if there is evidence that any of the following are true:

- The IEP does not indicate if the student will participate in the state or districtwide assessments; or for those taking alternate assessments does not include a statement describing why the child cannot participate or indicate which alternate assessments were selected;
- Accommodations needed for full participation in the assessments are not addressed or do not align with other components of the student's IEP; or
- If the IEP team determined that the student should participate in the Extended Assessment (Oregon's alternate assessment for students with the most significant cognitive disabilities), the decision was inconsistent with the guidelines established by the state.

IEP-14 – Extended School Year (ESY) Services

Record Review Item

On at least an annual basis, the IEP team made an individual determination as to whether ESY services were necessary for the provision of a FAPE to the student, based on the requirements of OAR 581-015-2065, including:

- Regression and recoupment time based on documented evidence or, if no documented evidence, on predictions according to the professional judgment of the team; and
- Any additional criteria developed by the school district.

Definitions

- **Regression** means significant loss of skills or behaviors in any area specified on the IEP as a result of an interruption in education services.
- **Recoupment** means the recovery of skills or behaviors specified on the IEP to a level demonstrated before the interruption of education services.

Related Authorities

Federal: 34 CFR § 300.106(a)(2)

State: OAR 581-015-2065

Potential Documentation

- IEP – Extended School Year (ESY) Services
- Meeting Notes
- Prior Written Notice
- District Policy on ESY

Evidence of Compliance

Mark YES if there is evidence that within the last year:

- The student's IEP team determined, on an individual basis, that the services were or were not necessary for the provision of a free appropriate public education to the student;
- The determination was based on:
 - Regression and recoupment time based on documented evidence or, if no documented evidence, on predictions according to the professional judgment of the team; and
 - Any additional criteria developed by the school district; and
- The LEA did not unilaterally limit the type, amount, or duration of those services.

Mark NO if there is evidence that within the last year any of the following were true:

- The need for ESY services was not considered;
- The decision was not based on the required Oregon criteria as outlined in OAR 581-015-2065;
- The decision regarding eligibility for ESY special education was made unilaterally rather than by the child's IEP team; or
- The LEA unilaterally limited the type, amount, or duration of those services.

IEP-15 – Nonparticipation Justification

Record Review Item

For any part of the school day in which the student will not participate with nondisabled peers in the general education classroom and/or in nonacademic and extracurricular activities, the IEP contains a specific, individualized explanation justifying the removal.

Related Authorities

Federal: 34 CFR § 300.320(a)(5); 34 CFR § 300.114

State: OAR 581-015-2200(1)(e); OAR 581-015-2240

Potential Documentation

- IEP – Nonparticipation Justification
- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Service Summary
- Meeting Notes

Evidence of Compliance

Mark YES if the evidence indicates that for all removals from the general education setting, the IEP meets all of the following criteria:

- **Quantifies the Extent:** The IEP specifies the amount of time (e.g., minutes per week) and identifies the specific subjects or activities (e.g., “during the 60-minute reading block”) for which the student is removed.
- **Provides an Individualized Explanation:** The justification explains why the student needs to be removed from the general education setting, based on the student’s unique needs as described in the PLAAFP, and not on any other factor such as the student’s disability category, administrative convenience, or program availability.

Mark NO if the evidence indicates that the student is removed from the general education setting and the IEP demonstrates any of the following:

- The IEP is missing a written explanation for the removal.
- The explanation is not quantified and is vague about the time or setting of the removal (e.g., “as needed”).
- The explanation is generic and not linked to the student’s individual needs described in the PLAAFP (e.g., “For resource support,” “Student has autism,” or “To work in the life skills program”).

Mark N/A if the evidence indicates the student is educated in the general education setting for 100% of the school day and participates fully with nondisabled peers in all nonacademic and extracurricular activities.

IEP Summary Sheet

INFORMATION	
LEA Name:	Required Sample Size:

Total number of student files reviewed is indicated below.

Elementary School Students	Middle School Students	High School Students	Out of District Placements	Grand Total of Records

List Secure Student Identifiers (SSIDs) of the targeted sample of student files. Enter “Yes” if evidence was found. Enter “No” if evidence was not found. Enter “N/A” if the item is not applicable to the selected student. No item may be left blank.

SSID	IEP-1	IEP-2	IEP-3	IEP-4	IEP-5	IEP-6	IEP-7	IEP-8	IEP-9	IEP-10	IEP-11	IEP-12	IEP-13	IEP-14	IEP-15

Plan of Correction

Identify what will be done and when to correct any individual or systemic noncompliance for each item where noncompliance was found during the review process.

IEP Focus Group Questions

School/District Staff

- How do you ensure IEPs are truly individualized rather than program-based?
- What tools or processes help teams develop meaningful, measurable goals?
- How do you monitor whether IEP services are being implemented with fidelity?
- What challenges do you face in scheduling or conducting effective IEP meetings?
- How do you ensure all staff understand their responsibilities for IEP implementation?
- What training would improve IEP development and implementation quality?
- Describe the formal and informal processes your team uses to resolve disagreements during the IEP process and identify where these processes are most strained.

Parents and/or Legal Guardians

- Do you feel like a true partner in developing your child's IEP?
- How well does the IEP reflect your child's strengths and challenges, and your concerns?
- Are IEP goals meaningful and do they address what's most important for your child?
- How clearly can you track your child's progress on IEP goals?
- What would make IEP meetings more productive and comfortable for you?
- Do you understand all parts of your child's IEP and how to support them at home?

Students

- Do you understand what your IEP is and why you have one?
- How much do you get to help decide what goes in your IEP?
- Do your teachers know what help you need based on your IEP?
- Can you explain what you're working on with your IEP goals?
- What would make IEP meetings better for you?
- Do you feel your IEP helps you learn better?

Community

- How can community services complement and reinforce IEP goals?
- What community perspectives should inform IEP development?
- How could IEP services be better coordinated with community-based supports?
- What role can community organizations play in supporting IEP implementation?
- How do IEPs prepare students for community participation?
- What community resources could enhance IEP services?
- From your perspective as a community member, where do you see the most frequent sources of misunderstanding or conflict for families in the IEP process?

Priority Area 3: Free Appropriate Public Education (FAPE)



Introduction

Under the Individuals with Disabilities Education Act (IDEA), each student eligible for special education is entitled to a Free Appropriate Public Education (FAPE). This fundamental right requires that students receive individualized special education and related services designed to meet their unique needs and enable meaningful educational progress. The Supreme Court's *Endrew F.* decision clarified that each student's IEP must be reasonably calculated to enable progress appropriate in light of the student's circumstances.

FAPE encompasses both procedural and substantive obligations. Procedural requirements ensure proper development and implementation of IEPs with full parental participation and legal safeguards. Substantive requirements ensure educational programs are tailored to individual needs and result in meaningful benefit. Within substantive FAPE, Local Educational Agencies (LEAs) must demonstrate both effective implementation of services and organizational capacity to deliver them.

This protocol examines FAPE through three lenses: (1) Major Procedural Requirements focusing on fundamental process safeguards; (2) Meaningful Educational Benefit examining whether IEPs provide appropriate access and progress; and (3) Appropriately Ambitious Progress analyzing whether students make progress suitable to their circumstances.

When using this protocol, LEAs will examine critical components related to FAPE provision. If noncompliance is found, LEAs must prioritize correcting noncompliance for affected students as soon as possible. In all cases, noncompliance must be corrected within one year of the Oregon Department of Education's (ODE) written notification. When noncompliance could result in denial of 10 or more instructional days, correction must occur within 60 days of ODE's notification.

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Section 1: Major Procedural Requirements

This section evaluates the LEA's adherence to critical procedural requirements that ensure parents are informed partners and students' rights are protected.

FAPE-1 – Procedural Safeguards Provided

Record Review Item

Procedural Safeguards were provided to the parent, legal guardian, and/or adult student at least once per school year and were provided in understandable language.

Related Authorities

Federal: 34 CFR § 300.504

State: OAR 581-015-2315

Potential Documentation

- IEP – Procedural Safeguard Notification
- Meeting Notes
- Prior Written Notice

Evidence of Compliance

Mark YES if there is evidence the procedural safeguards were provided at least once per school year and were provided in understandable language.

Mark NO if there is no evidence that the parent, legal guardian and/or adult student were provided a copy of the procedural safeguards at least once per school year and/or it were not provided in understandable language.

FAPE-2 – Parent/Adult Student Invited

Record Review Item

The parents/legal guardians or adult student were invited to the IEP meeting, and if neither attended the meeting, there is documentation of attempts to afford them the opportunity to participate.

Related Authorities

Federal: 34 CFR § 300.322; 34 CFR § 300.501(b)

State: OAR 581-015-2190; OAR 581-015-2195

Potential Documentation

- Notice of Team Meeting
- Documentation of invitation
- Contact or communication logs with parent/adult student, including emails

Evidence of Compliance

Mark YES if there is evidence that the parents or adult student were invited to the IEP meeting.

Mark NO if there is no evidence that parents or adult student were invited to the meeting.

FAPE-3 – Required IEP Team Members Present

Record Review Item

The required members of the IEP Team were present at the IEP meeting, or there is appropriate documentation in the student's records authorizing a required member's non-attendance.

Related Authorities

Federal: 34 CFR § 300.321

State: OAR 581-015-2210

Potential Documentation

- IEP – Meeting Participants
- Meeting Notes
- Written agreement between parents and the district
- Written input

Evidence of Compliance

Mark YES if there is evidence that all required IEP team roles are filled and clearly identified and if any required role on the IEP team is not filled, there must be documentation that those members were appropriately excused with parent and/or legal guardian agreement prior to the meeting, and that those members whose area of the curriculum or related services was modified or discussed provided written input prior to the meeting.

Mark NO if there is evidence that the IEP team did not have all required roles filled and those members were not properly excused, or required IEP team members not present did not provide written input when their area of the curriculum or related services was modified or discussed.

FAPE-4 – Prior Written Notice

Record Review Item

The most recent Prior Written Notice given by the LEA to the parent and/or legal guardian was provided within a reasonable time before the LEA proposed or refused to initiate or change the identification, evaluation, or educational placement of the student or the provision of FAPE to the student; **and** included all the required content in understandable language.

Related Authorities

Federal: 34 CFR § 300.503

State: OAR 581-015-2310

Potential Documentation

- Prior Written Notice

Evidence of Compliance

Mark YES if there is evidence that the LEA gave Prior Written Notice to the parent and/or legal guardian within a reasonable time after a decision and before implementation of the decision; and the Prior Written Notice included all of the required content and was provided in understandable language.

Mark NO if there is evidence that the Prior Written Notice was not provided after a decision and before implementation, did not include all required content, or was not provided in understandable language.

Section 2: Meaningful Educational Benefit

This section assesses whether the IEP's substance and implementation are designed to confer meaningful educational benefit and access to the general curriculum.

FAPE-5 – PLAAFP Establishes Foundation for Services

Record Review Item

The student's Present Levels of Academic Achievement and Functional Performance (PLAAFP) establish a clear and comprehensive baseline, using data to describe the student's unique needs and provide a direct foundation for the goals, services, and supports described later in the IEP.

Related Authorities

Federal: 34 CFR § 300.320(a)(1) & 300.324(a)(1)

State: OAR 581-015-2200(1)(a) & OAR 581-015-2205(1)

Potential Documentation

- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Measurable Annual Goals
- IEP – Service summary

Evidence of Compliance

Mark YES if there is evidence that the PLAAFP provides sufficient context to understand the student's strengths or challenges, contains data-driven statements of the student's needs, and that the identified needs are clearly linked to the goals and services in the IEP.

Mark NO if the PLAAFP is a generic statement, lacks data or merely provides but does not describe data, does not provide sufficient context to understand the student's strengths or challenges, or if the needs described in the PLAAFP do not appear to be the basis for the goals and services provided in the IEP.

FAPE-6 – Goals and Services Logically Address PLAAFP Needs

Record Review Item

The IEP contains measurable annual goals, services, and supports that are logically connected to the needs identified in the PLAAFP and are designed to enable the student to access and make progress in the general education curriculum.

Related Authorities

Federal: 34 CFR § 300.320(a)(2)

State: OAR 581-015-2200(1)(b)

Potential Documentation

- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Measurable Annual Goals
- IEP – Service Summary

Evidence of Compliance

Mark YES if there is evidence of a clear thread connecting the needs in the PLAAFP, the measurable goals, and the specially designed instruction and related services.

Mark NO if the goals and services appear disconnected from the student's identified needs, or if they are not sufficient to address the needs described in the PLAAFP.

FAPE-7 – All Services in IEP Were Provided

Record Review Item

There is evidence the student received all services as described within the most recent IEP including but not limited to specially designed instruction, related services, supplementary aids and services, and/or supports for school personnel.

Related Authorities

Federal: 34 CFR § 300.323

State: OAR 581-015-2220

Potential Documentation

- IEP – Service Summary
- Service Trackers/Logs
- Student schedule
- Progress reports

Evidence of Compliance

Mark YES if there is evidence that all services in the IEP were provided.

Mark NO if there is evidence that any services in the most recent IEP were not provided.

FAPE-8 – IEP Is Accessible to Staff

Record Review Item

The student's IEP is accessible to all staff who are responsible for its implementation, and they have been informed of their specific responsibilities related to implementing the student's IEP as well as the specific accommodations, modifications, and supports that must be provided for the student in accordance with the IEP.

Related Authorities

Federal: 34 CFR § 300.323(d)

State: OAR 581-015-2220(3)

Potential Documentation

- IEP distribution logs
- Emails to staff and providers, along with confirmations of receipt
- Access tracking systems
- Meeting agendas
- Staff training materials

Evidence of Compliance

Mark YES if there is evidence that all staff responsible for implementing the IEP has access to it and has been informed of their specific responsibilities and the specific accommodations, modifications, and supports that must be provided.

Mark NO if there is evidence that any of these conditions were not met.

Section 3: Appropriately Ambitious Progress

This section examines whether the IEP facilitates appropriately ambitious progress and whether the IEP team adjusts the plan based on the student's progress or lack thereof.

FAPE-9 – Progress Was Measured and Provided as Described

Record Review Item

The student's progress towards meeting annual IEP goals was measured and reported to the parents or adult student in accordance with the method and schedule provided in the IEP.

Related Authorities

Federal: 34 CFR § 300.320(a)(3); 34 CFR § 300.323

State: OAR 581-015-2200; OAR 581-015-2220

Potential Documentation

- IEP – Measurable Annual Goals
- Progress Reports
- Progress monitoring data

Evidence of Compliance

Mark YES if there is evidence that the IEP indicates an appropriate method and schedule for monitoring progress; progress is measured consistent with the method outlined; and progress reports were provided as often as indicated on the IEP.

Mark NO if there is evidence that any of these conditions were not met.

FAPE-10 – Goals Changed Over Last 3 IEPs

Record Review Item

The student's goals have changed across the last three IEPs, or in the rare event that a goal is retained, the IEP includes a rationale that describes the student's circumstances that led to the retention of the goal.

Related Authorities

Federal: 34 CFR § 300.320(a)(2)(i); 34 CFR § 300.324(b)

State: OAR 581-015-2200(1)(b); OAR 581-015-2225

Potential Documentation

- Annual IEPs (3 years total)
- All IEP amendments within past 3 years
- Progress Reports
- Progress monitoring data

Evidence of Compliance

Mark YES if there is evidence that each goal was reviewed each year, the team considered adjustments to each goal based on the student's individual circumstance, and only retained a goal in rare circumstances that includes a rationale.

Mark NO if there is evidence that a goal or multiple goals are repeated across years and the team did not consider adjustments to goals based on the student's individual circumstances.

FAPE-11 – Student Made Progress on Goals

Record Review Item

Across the last three IEPs, there is evidence that the student's measurable annual goals were being achieved; or the IEP team reviewed and, if determined appropriate, revised the IEP to address any lack of expected progress.

Related Authorities

Federal: 34 CFR § 300.320(a)(2)(i); 34 CFR § 300.324(b)

State: OAR 581-015-2200(1)(b); OAR 581-015-2225

Potential Documentation

- IEP – Measurable Annual Goals
- Progress Reports
- Prior Written Notice
- Progress monitoring data

Evidence of Compliance

Mark YES if there is evidence of either: student has made progress on the three most recent IEP's annual goals; or the student did not make progress on one or more goals, and the team addressed the lack of progress.

Mark NO if there is evidence the student did not make progress on one or more of the three most recent IEP's annual goals and the team did not address the lack of progress.

FAPE Summary Sheet

INFORMATION	
LEA Name:	Required Sample Size:

Total number of student files reviewed is indicated below.

Elementary School Students	Middle School Students	High School Students	Out of District Placements	Grand Total of Records

List Secure Student Identifiers (SSIDs) of the targeted sample of student files. Enter “Yes” if evidence was found. Enter “No” if evidence was not found. Enter “N/A” if the item is not applicable to the selected student. No item may be left blank.

SSID	FAPE-1	FAPE-2	FAPE-3	FAPE-4	FAPE-5	FAPE-6	FAPE-7	FAPE-8	FAPE-9	FAPE-10	FAPE-11

Plan of Correction

Identify what will be done and when to correct any individual or systemic noncompliance for each item where noncompliance was found during the review process.

FAPE Focus Group Questions

School/District Staff

- How do you ensure IEPs are truly individualized and not based on available programs?
- What systems are in place to monitor IEP implementation fidelity across all settings?
- Who is benefitting from the IEP process, and the special education services and related services determined appropriate by teams?
- Is there alignment between the needs identified within the present levels, the goals, accommodations and services?
- How is individual student progress monitored on IEP goals and services?
- What professional development needs exist around developing meaningful IEPs?
- Where are the challenges with IEP implementation within your district or at individual schools?
- How do you notice when there are FAPE concerns? If there are FAPE concerns, what is the district's typical process to address?
- What issues related to IEP progress monitoring and educational benefit have caused contention in your district?

Parents and/or Legal Guardians

- Do you feel your child's IEP truly addresses their individual needs?
- How well is the IEP being implemented as written?
- Are you receiving meaningful progress reports that help you understand your child's growth?
- What changes would make the IEP more effective for your child?
- Do you feel heard and valued as an equal partner in the IEP process?

Students

- Do you understand your IEP goals and why they're important?
- Are you getting the help and services your IEP says you should?
- How do you know if you're making progress on your goals?
- What would help you be more successful in school?
- Do you feel included in decisions about your education?

Community

- What community services could complement school-based special education services?
- How can we ensure continuity of services between school and community settings?
- What role can community organizations play in supporting meaningful educational benefit and student progress?
- Are there systemic barriers in your community that affect students' ability to access FAPE?

Priority Area 4: Discipline



Introduction

Under 34 CFR § 300.530, students experiencing disabilities and disabled students have specific protections when facing disciplinary actions. A change of placement occurs when removal exceeds 10 consecutive school days or when short-term removals totaling more than 10 days constitute a pattern. Beginning on day 11, LEAs must provide services enabling continued participation in the general curriculum and progress toward IEP goals.

Within 10 school days of any decision to change placement due to a code of conduct violation, the Local Educational Agency (LEA) must convene a Manifestation Determination Review (MDR). This review determines whether the conduct was caused by or had a direct and substantial relationship to the student's disability, or resulted from the LEA's failure to implement the IEP. These protections ensure that students are not punished for disability-related behaviors and continue receiving a Free Appropriate Public Education (FAPE) during disciplinary removals.

This priority area examines compliance with discipline procedures for disabled students and students experiencing disabilities who have been removed for more than 10 days. The review focuses on procedural safeguards, MDRs, and provision of services during removal. LEAs not meeting state targets for State Performance Plan/Annual Performance Report (SPP/APR) Indicator 4 must examine discipline-related policies, practices, and procedures.

When using this protocol, LEAs will examine critical components related to discipline procedures. If noncompliance is found, LEAs must correct findings as soon as possible. In all cases, noncompliance must be corrected within one year of the Oregon Department of Education's (ODE) written notification. When noncompliance could result in denial of 10 or more instructional days, correction must occur according to the shortened timeline outlined in OAR 581-015-2015.

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DIS-1 – Procedural Safeguards Provided

Record Review Item

The parent and/or legal guardian was provided procedural safeguards in accordance with discipline procedures.

Related Authorities

Federal: 34 CFR § 300.530(h); 34 CFR § 300.504

State: OAR 581-015-2315

Potential Documentation

- MDR Paperwork
- Documentation notifying the parent and/or legal guardian of change of placement and procedural safeguards
- Notice of Team Meeting
- Prior Written Notice
- Meeting Notes

Evidence of Compliance

Mark YES if there is evidence the parent and/or legal guardian was provided procedural safeguards on the date on which a decision was made to make a removal that constitutes a change of placement of the student because of a violation of a code of student conduct.

Mark NO if there is evidence the parent and/or legal guardian was not provided procedural safeguards on that date.

DIS-2 – Special Factors Considered

Record Review Item

The IEP team considered the Special Factors of the student to determine if the student exhibits behavior that impedes the student's learning or that of others, and considered the use of positive behavior interventions, supports and other strategies to address the behavior that resulted in a removal from school that constituted a disciplinary change of placement.

Related Authorities

Federal: 34 CFR § 300.324(2)(i)

State: OAR 581-015-2205

Potential Documentation

- IEP – Special Factors
- IEP – Present Levels of Academic Achievement and Functional Performance
- Meeting Notes
- Prior Written Notice

Evidence of Compliance

Mark YES if there is evidence that the IEP team considered if the student exhibits behavior that impedes the student's learning or that of others and considered the use of positive behavior interventions, supports, and other strategies.

Mark NO if there is evidence that the IEP team did not consider if the student exhibits behavior that impedes the student's learning or that of others or did not consider the use of positive behavior interventions, supports, and other strategies.

DIS-3 – Manifestation Determination Review Conducted

Record Review Item

Within 10 school days of a change in the student's placement due to a violation of a code of student conduct, the appropriate IEP team members reviewed all relevant information in the student's file and conducted an MDR to determine whether:

- The conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or
- The conduct in question was the direct result of the LEA's failure to implement the IEP.

Related Authorities

Federal: 34 CFR § 300.530(e)

State: OAR 581-015-2415(3); OAR 581-015-2420

Potential Documentation

- Student discipline records
- MDR Paperwork
- Prior Written Notice
- Meeting Notes
- Notice of Team Meeting

Evidence of Compliance

Mark YES if there is evidence that all the following are true:

- An MDR was conducted within 10 school days of a change in the student's placement due to a violation of a code of student conduct;
- The LEA, the parent and/or legal guardian, and relevant members of the child's IEP Team participated in the MDR process;
- The team reviewed all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents and/or legal guardians in order to make a determination;
- A determination was made as to whether the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or was the direct result of the LEA's failure to implement the IEP; and
- The determination that resulted from the review was in alignment with available evidence.

Mark NO if there is evidence that any of the following are true:

- An MDR was not conducted within 10 school days of a change in the student's placement due to a violation of a code of student conduct;
- The LEA, the parent and/or legal guardian, and relevant members of the child's IEP Team did not participate in the MDR process;
- A determination was not made as to whether the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or was the direct result of the LEA's failure to implement the IEP; or
- The determination that resulted from the MDR was not in alignment with available evidence.

DIS-4 – Team Determined Next Steps After Manifestation

Record Review Item

If the behavior was determined to be a manifestation of the student's disability, the team returned the student to the placement from which the student was removed, unless the parent and/or legal guardian and the LEA agreed to a change of placement as part of the modification of the behavior intervention plan, and agreed to either:

- Conduct a functional behavioral assessment to develop a behavior intervention plan; or
- Review and modify as necessary an existing behavior intervention plan to address the behavior.

Related Authorities

Federal: 34 CFR § 300.530(f)

State: OAR 581-015-2415(3-5)

Potential Documentation

- MDR Paperwork
- Prior Written Notice
- Meeting Notes
- Functional Behavioral Assessment (FBA)
- Behavior Intervention Plan (BIP)

Evidence of Compliance

Mark YES if there is evidence that all the following are true:

- The behavior was determined to be a manifestation of the student's disability;
- The LEA conducted a functional behavioral assessment to develop a behavior intervention plan, or if a behavior intervention plan was already in place, it was reviewed and modified as necessary to address the behavior; and
- The student was returned to the placement from which they were removed, or the parent and/or legal guardian and the LEA agreed to a more restrictive placement as part of a modification of the student's behavior intervention plan.

Mark NO if there is evidence that any of the following are true:

- The behavior was determined to be a manifestation of the student's disability, but the LEA did not conduct a functional behavioral assessment to develop a behavior intervention plan, nor was an existing behavior intervention plan reviewed and modified to address the behavior; and/or
- The behavior was determined to be a manifestation of the student's disability, but the student was not returned to their original placement and there was no agreement for a change of placement.

Mark N/A if there is evidence the team determined the behavior was not a manifestation of the student's disability.

DIS Summary Sheet

INFORMATION	
LEA Name:	Required Sample Size:

Total number of student files reviewed is indicated below.

Elementary School Students	Middle School Students	High School Students	Out of District Placements	Grand Total of Records

List Secure Student Identifiers (SSIDs) of the targeted sample of student files. Enter “Yes” if evidence was found. Enter “No” if evidence was not found. Enter “N/A” if the item is not applicable to the selected student. No item may be left blank.

SSID	DIS-1	DIS-2	DIS-3	DIS-4

Plan of Correction

Identify what will be done and when to correct any individual or systemic noncompliance for each item where the LEA found noncompliance during the district review process.

DIS Focus Group Questions

School/District Staff

- What are examples of discipline practices in your district that you would consider successful?
- How do you ensure consistency in disciplinary practices for disabled students and students experiencing disabilities across all schools?
- What training do administrators and staff receive on MDRs and discipline procedures?
- How do you identify/address patterns that may indicate systemic issues with behavior support?
- What preventative measures and positive behavior supports are in place to reduce disciplinary removals?
- How do you balance school safety concerns with students' rights to FAPE during disciplinary actions?
- What challenges do you face in providing educational services during disciplinary removals?

Parents and/or Legal Guardians

- How clearly was the discipline process explained when your child faced removal from school?
- Did you understand your rights and your child's rights during the MDR?
- What supports could have prevented the behavior that led to disciplinary action?
- How well did the school maintain your child's educational services during any removal?
- Do you feel the discipline process considered your child's disability-related needs fairly?
- What would help schools better support your child's behavioral needs proactively?

Students

- Do you understand why you got in trouble and how it relates to your disability, if it does?
- Did anyone help you explain your side of what happened?
- What supports would help you avoid getting in trouble at school?
- How did being out of school affect your learning and friendships?
- Do you feel the consequences were fair?
- What would help you be more successful with behavior at school?

Community

- What community-based behavioral health services could support students who are or who may face disciplinary removal?
- How could continuity between school and community behavior support services be improved?
- What alternative programs or settings might prevent the need for disciplinary removals?
- How do disciplinary disparities for disabled students and students experiencing disabilities impact our community?
- What partnerships could strengthen positive behavior support implementation?

Priority Area 5: Secondary Transition



Introduction

Beginning no later than the first Individualized Education Program (IEP) in effect when the student turns 16 (or as early as 14 or younger as determined necessary by the IEP team), IEP teams must address postsecondary transition planning. Under 20 U.S.C. § 1416(a)(3)(B), transition components must be based on the student's preferences, interests, needs, and strengths (PINS) and designed to facilitate movement from school to post-school activities.

Effective transition planning requires student-centered processes that actively involve the student in developing their IEP. Required components include: age-appropriate transition assessments; measurable postsecondary goals for education/training, employment, and independent living (as needed); transition services and courses of study aligned to these goals; annual IEP goals supporting transition needs; and coordination with adult service agencies when appropriate.

This priority area examines compliance with secondary transition requirements through Oregon's State Performance Plan/Annual Performance Report (SPP-APR) Indicator 13. The review ensures that transition planning is comprehensive, student-centered, and reasonably calculated to support successful post-school outcomes. Local Educational Agencies (LEAs) may also use this protocol independently to evaluate transition planning for any student.

When using this protocol, LEAs will examine critical components related to secondary transition. If noncompliance is found, LEAs must correct findings as soon as possible. In all cases, noncompliance must be corrected within one year of the Oregon Department of Education's (ODE) written notification. When noncompliance could result in denial of 10 or more instructional days, correction must occur according to the shortened timeline outlined in OAR 581-015-2015.

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Student Information

Is the student going to be at least 16 years of age prior to the end date of the IEP?

- If the answer is **YES**, please complete the secondary transition protocol for this file.
- If the answer is **NO**, this protocol will not be reviewed for the purposes of cyclical monitoring.

SEC-1 – Student Invited

Record Review Item

The student was invited to the IEP meeting.

Related Authorities

Federal: 34 CFR § 300.321(b)(1)

State: OAR 581-015-2210(2)(a)

Potential Documentation

- Notice of Team Meeting
- Meeting Notes
- Meeting Participants

Evidence of Compliance

Mark YES if there is evidence the student was invited to the IEP meeting.

Mark NO if there is evidence the student was not invited to the IEP meeting.

SEC-2 – Participating Agency Invited

Record Review Item

If participating agencies are likely to be responsible for providing or paying for transition services, agency representatives were invited to the IEP meeting, **with the prior consent** of the parent or adult student to whom rights at the age of majority have transferred.

Related Authorities

Federal: 34 CFR § 300.321(b)(3)

State: OAR 581-015-2210(2)(b)

Potential Documentation

- Notice of Team Meeting
- Meeting Notes
- Meeting Participants
- IEP – Transition Planning
- IEP – Present Levels of Academic Achievement and Functional Performance
- Signed, written consent to invite participating agency
- Written communication between the parent or adult student and the district

Evidence of Compliance

Mark YES if there is evidence that any of the following are true:

- A participating agency (non-school district personnel such as Vocational Rehabilitation, brokerage agency, community college disability services, etc.) was not likely to provide and/or pay for transition services and the IEP team documented the rationale for this determination within the IEP;
- A participating agency was likely to provide or pay for transition services and an agency representative was invited to the meeting with prior consent; or
- A participating agency was likely to provide or pay for transition services and the LEA sought prior consent to invite the agency representative, but the parent or adult student declined to give that consent.

Mark NO if there is evidence that any of the following are true:

- A participating agency was likely to pay for or provide services, but a representative was not invited;
- A participating agency was invited, but consent for agency invitation was not sought; or
- A participating agency representative was not invited to the IEP, and the team did not document the rationale behind the decision.

SEC-3 – Age-Appropriate Transition Assessments

Record Review Item

The postsecondary goals are based on Age-Appropriate Transition Assessments (AATA).

Related Authorities

Federal: 34 CFR § 300.320(b)(1)

State: OAR 581-015-2200(2)(a)(A)

Potential Documentation

- IEP – Transition Planning
- IEP – Present Levels of Academic Achievement and Functional Performance

Evidence of Compliance

Mark YES if there is evidence the student's postsecondary goals are based upon AATA and aligned to the student's preferences, interests, needs and strengths (PINS) identified in the AATA.

Mark NO if there is evidence the student's post-secondary goals do not align with information obtained from the student's transition assessments, or information from assessments is not current or otherwise no longer reflects the student's PINS.

SEC-4 – Measurable Post-Secondary Goals

Record Review Item

There are appropriate measurable postsecondary goals addressing:

- Education and/or training,
- Employment, and
- Independent living, as needed.

Related Authorities

Federal: 34 CFR § 300.320(b)(1)

State: OAR 581-015-2200(2)(a)(A)

Potential Documentation

- IEP – Transition Planning

Evidence of Compliance

Mark YES if there is evidence that all the following are true:

- Each required postsecondary goal is present;
- Each postsecondary goal is measurable (i.e., observable, conditional, and contain criteria); and
- Each postsecondary goal states what the student will do following the student's graduation with a standard diploma or after the district's secondary transition services are otherwise anticipated to end.

Mark NO if there is evidence that any of the following are true:

- A postsecondary goal was not included in one or more required areas, including independent living, as needed;
- One or more of the postsecondary goals was not measurable (i.e., not observable, not conditional, or does not contain criteria); or
- One or more of the postsecondary goals did not state what the student will do following the student's graduation with a standard diploma or after the district's secondary transition services are otherwise anticipated to end.

SEC-5 – Post-Secondary Goals Reviewed Annually

Record Review Item

The postsecondary goals were reviewed or updated annually.

Related Authorities

Federal: 34 CFR § 300.320(a)(2)(i)(B); 34 CFR § 300.320(b)(1); 34 CFR § 300.324(b)

State: OAR 581-015-2200(1)(b)(B); OAR 581-015-2200(2)(a)(A); OAR 581-015-2225

Potential Documentation

- IEP – Transition Planning
- IEP – Present Levels of Academic Achievement and Functional Performance
- Meeting Notes
- Previous IEP to compare goals for changes

Evidence of Compliance

Mark YES if there is evidence that either of the following are true:

- The goals were reviewed and revised year to year; or
- If the goals were the same year to year, the team considered and documented that the goals were still appropriate.

Mark NO if there is evidence the student's postsecondary goals were not reviewed or updated annually.

Mark N/A if there is evidence that this is the first IEP in effect when the student turns 16 years of age.

SEC-6 – IEP Goals

Record Review Item

The annual IEP goals are related to the student's transition services needs.

Related Authorities

Federal: 34 CFR § 300.320(a)(2)(i); 34 CFR § 300.320(b)(1); 34 CFR § 300.320(a)(2)(i)(B)

State: OAR 581-015-2200(1)(b); OAR 581-015-2208(1); OAR 581-015-2200(1)(b)(B)

Potential Documentation

- IEP – Transition Planning
- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Measurable Annual Goals

Evidence of Compliance

Mark YES if there is evidence of clear alignment between the student's annual IEP goals and transition services.

Mark NO if there is evidence the student's annual IEP goals do not align with the transition services including postsecondary goals.

SEC-7 – Transition Services

Record Review Item

The IEP includes transition services that will reasonably enable the student to meet the post-secondary goals including services such as instruction, related services, community experiences, development of employment and other post-school adult living objectives; and/or daily living skills and the provision of a functional vocational evaluation.

Related Authorities

Federal: 34 CFR § 300.43; 34 CFR § 300.320(b)(2)

State: OAR 581-015-2200(2)(a)(B); OAR 581-015-2000(41)

Potential Documentation

- IEP – Transition Planning
- Service Summary

Evidence of Compliance

Mark YES if there is evidence that the IEP includes transition services provided by the district or program that will reasonably enable the student to meet the postsecondary goals.

Mark NO if there is evidence the student's IEP does not include transition services or contains very limited transition services that do not meet the student's needs.

SEC-8 – Courses of Study

Record Review Item

The student's IEP includes courses of study that will reasonably enable the student to meet their postsecondary goals.

Related Authorities

Federal: 34 CFR § 300.320(b)(2)

State: OAR 581-015-2200(2)(a)(B)

Potential Documentation

- IEP – Transition Planning
- IEP – Services Summary
- Descriptions of courses of study and activities beyond listing of required courses for graduation

Evidence of Compliance

Mark YES if there is evidence of multi-year educational experiences and activities supporting the student's postsecondary goals from the current year to anticipated exit year or evidence of a single year for students exiting services during the current school year.

Mark NO if there is no evidence of courses of study, including a multi-year projection of courses and activities the student could be involved in the future.

SEC-9 – Transfer of Rights

Record Review Item

Beginning no later than one year before the student reaches the age of majority (age 18 in Oregon), the IEP includes a statement that the student has been informed of the procedural rights under IDEA that will transfer to them upon reaching the age of majority.

Related Authorities

- **Federal:** 34 CFR § 300.320(c); 34 CFR § 300.520
- **State:** OAR 581-015-2325

Potential Documentation

- IEP – Transition Planning
- IEP – Transfer of Rights section
- Meeting Notes
- Prior Written Notice
- Specific district form documenting the notification of transfer of rights

Evidence of Compliance

Mark YES if there is evidence that the IEP in effect when the student is 17 (or otherwise within one year of turning 18) contains a specific statement confirming that the student was informed of the rights that will transfer to them upon reaching the age of majority.

Mark NO if there is evidence that the student is within one year of reaching the age of majority and the IEP does not contain a statement that the student was informed of the upcoming transfer of rights.

Mark N/A if the student is not within one year of reaching the age of majority.

SEC Summary Sheet

INFORMATION	
LEA Name:	Required Sample Size:

Total number of student files reviewed is indicated below.

Elementary School Students	Middle School Students	High School Students	Out of District Placements	Grand Total of Records

List Secure Student Identifiers (SSIDs) of the targeted sample of student files. Enter “Yes” if evidence was found. Enter “No” if evidence was not found. Enter “N/A” if the item is not applicable to the selected student. No item may be left blank.

SSID	SEC-1	SEC-2	SEC-3	SEC-4	SEC-5	SEC-6	SEC-7	SEC-8	SEC-9

Plan of Correction

Identify what will be done and when to correct any individual or systemic noncompliance for each item where noncompliance was found during the review process.

SEC Focus Group Questions

School/District Staff

- How do you ensure transition planning is truly student-centered and based on individual interests?
- What partnerships with employers and post-secondary institutions support student transitions?
- How do you track and use post-school outcome data to improve transition services?
- What are the biggest barriers to successful transitions, and how are you addressing them?
- How do you coordinate with adult service agencies to ensure smooth transitions?
- What professional development would strengthen transition planning and services?

Parents

- How involved is your child in developing their own transition goals and plans?
- What information do you need about adult services and post-school options?
- How well do transition services prepare your child for their desired post-school life?
- What concerns do you have about your child's readiness for adulthood?
- How can the school better support your family in planning for your child's future?
- Are you connected with the adult service agencies your child may need?

Students

- Do your transition goals reflect what YOU want for your future?
- What experiences or classes are helping you prepare for life after high school?
- Do you understand the steps needed to reach your post-school goals?
- Who helps you learn about jobs, college, or other options after graduation?
- What skills do you still need to learn to be ready for adult life?
- How included do you feel in planning for your own future?

Community

- What gaps exist between school transition services and adult services in our community?
- How can employers better partner with schools to provide work experiences?
- What community resources could enhance transition planning and services?
- How can post-secondary institutions better support disabled students and students experiencing disabilities?
- What systemic barriers prevent successful transitions to adult life?
- How can we improve collaboration between schools and adult service agencies?

Oregon's System of General Supervision

Priority Area 6: Child Find and Evaluation (CFE)



Introduction

Under 34 CFR § 300.111, Local Educational Agencies (LEAs) have an affirmative and continuing obligation to identify, locate, and evaluate all children suspected of having disabilities within their jurisdiction. This Child Find mandate extends to all children from birth through age 21, regardless of enrollment status, including those in public schools, private schools, homeschool programs, or not enrolled in any educational program.

The Child Find obligation reflects the Individuals with Disabilities Education Act's (IDEA) commitment to early identification and intervention. Delays in identification can result in lost opportunities for effective intervention and compound educational deficits. Once a child is suspected of having a disability, the LEA must ensure comprehensive evaluation within required timelines to determine eligibility for special education services. This includes responding promptly to referrals, conducting culturally and linguistically appropriate assessments, and making eligibility determinations through properly constituted teams.

This priority area examines individual records to assess Child Find implementation and evaluation procedures. The review encompasses: timely response to disability suspicions; comprehensive evaluation planning; appropriate consent procedures; assessment comprehensiveness and cultural/linguistic appropriateness; timeline compliance; and proper team composition for eligibility decisions. Patterns of noncompliance may indicate systemic Child Find failures requiring broader corrective action.

When using this protocol, LEAs will examine critical components related to Child Find and evaluation. If noncompliance is found, LEAs must correct findings as soon as possible. In all cases, noncompliance must be corrected within one year of the Oregon Department of Education's (ODE) written notification. When noncompliance could result in denial of 10 or more instructional days, correction must occur according to the shortened timeline outlined in Oregon Administrative Rules (OAR) 581-015-2015.

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CFE-1 – Review of Existing Evaluation Data Conducted

Record Review Item

For a reevaluation, a review of existing evaluation data was completed by the IEP team and other qualified professionals as appropriate.

Related Authorities

Federal: 34 CFR § 300.321(a); 34 CFR § 300.304(c)(iv); 34 CFR § 300.501(b); 34 CFR § 300.305

State: OAR 581-015-2115(1)

Potential Documentation

- Forms documenting the review of existing evaluation data
- Prior Notice about Evaluation/Consent for Evaluation
- Evaluation Planning documentation
- Prior Written Notice
- Meeting Notes
- Written input from team members

Evidence of Compliance

Mark YES if there is evidence that all the following are true (must meet all criteria under A, B, and C to mark yes):

A. A review of existing evaluation data occurred that included:

- Evaluations and information provided by the parents of the student;
- Current classroom-based, local, or State assessments, and classroom-based observations; AND
- Observations by teachers and, if applicable, related services providers; AND

B. Based on that review and input from the parent and/or legal guardian and, as applicable, adult student, the team identified what additional data, if any, were needed to determine:

- Whether the student is a student with a disability or continues to have a disability;
- The present levels of academic achievement and related developmental needs of the student;
- Whether the student needs or continues to need special education and related services; AND
- Whether any additions or modifications to the special education and related services are needed to; AND

C. If the IEP team determined that no additional data was needed for a reevaluation, the LEA notified the parent and/or legal guardian and, as applicable, adult student of:

- The determination and the reasons for it; AND
- Their right to request an assessment.

Mark NO if all the statements under A, B, and C were not met as described in the YES criteria.

Mark N/A if this was an initial evaluation and a review of existing educational data was not conducted because the student had no existing evaluation data to review.

CFE-2 – Parental Consent for Initial Evaluation Obtained

Record Review Item

For an initial evaluation, the LEA obtained informed written consent from the parent and/or legal guardian, or adult student, before conducting the evaluation.

Related Authorities

Federal: 34 CFR § 300.300(a); 34 CFR § 300.304(a); 34 CFR § 300.9

State: OAR 581-015-2090(3)

Potential Documentation

- Prior Notice about Evaluation/Consent for Evaluation
- Documentation of consent efforts

Evidence of Compliance

Mark YES if there is evidence all of the criteria under either A or B is true:

A. Signed written consent was obtained that:

- Included full information about the evaluation procedures in the parent's native language or communication mode;
- Described the evaluation activities and any records to be released; AND
- Indicated that consent was voluntary and could be revoked at any time; OR

B. If signed written consent was not obtained, the LEA:

- Made and documented reasonable efforts to obtain informed consent; AND
- Either pursued the initial evaluation of the student through procedural safeguards/ due process or documented appropriate exceptions for a student who is a ward of the State.

Mark NO if neither A nor B were met.

Mark N/A if there is evidence of a reevaluation in the student's records.

CFE-3 – Parental Consent for Reevaluation Obtained

Record Review Item

For a reevaluation, the LEA obtained informed, written consent or documented reasonable efforts to obtain consent before conducting the reevaluation.

Related Authorities

Federal: 34 CFR § 300.300(c); 34 CFR § 300.9

State: OAR 581-015-2090(5)

Potential Documentation

- Prior Notice about Evaluation/Consent for Evaluation
- Documentation of consent efforts
- Communication logs

Evidence of Compliance

Mark YES if there is evidence that:

A. Informed, written consent was obtained for the reevaluation; OR

B. The LEA made reasonable documented efforts to obtain consent and:

- The parent and/or legal guardian did not respond; AND
- The LEA proceeded with the reevaluation.

Mark NO if the LEA conducted a reevaluation without consent and without documented reasonable efforts.

Mark N/A if this review concerns only an initial evaluation.

CFE-4 – Comprehensive Assessment of All Areas

Record Review Item

The evaluation assessed all areas related to the suspected disability and was sufficiently comprehensive to identify all of the child's or adult student's special education and related services needs.

Related Authorities

Federal: 34 CFR § 300.304(c)(4); 34 CFR § 300.304(c)(6)

State: OAR 581-015-2110(4)(e)

Potential Documentation

- Statement of Eligibility Form(s)
- Evaluation Results
- Prior Written Notice
- Evaluation Planning documentation
- Eligibility Meeting Notes
- Written input from team members

Evidence of Compliance

Mark YES if there is evidence that:

- The student was assessed in all areas related to the suspected disability, including (if appropriate): health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities; AND
- The evaluation was comprehensive enough to identify all special education and related services needs, whether or not commonly linked to the disability category.

Mark NO if the evaluation failed to assess any area of suspected disability or was not sufficiently comprehensive.

CFE-5 – Variety of Assessment Tools and Strategies Used

Record Review Item

The evaluation used a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student.

Related Authorities

Federal: 34 CFR § 300.304(b)

State: OAR 581-015-2110(3)

Potential Documentation

- Statement of Eligibility Form(s)
- Evaluation Results
- Prior Written Notice
- Evaluation Planning documentation
- Written input from team members

Evidence of Compliance

Mark YES if there is evidence that:

- A variety of assessment tools and strategies were used;
- Information was gathered from multiple sources including parents;
- No single measure or assessment was used as the sole criterion; AND
- Assessments provided information to develop the IEP.

Mark NO if any of these requirements were not met.

CFE-6 – Assessments in Native Language or Communication Mode

Record Review Item

Assessments were provided and administered in the student's native language or other mode of communication most likely to yield accurate information.

Related Authorities

Federal: 34 CFR 300.304(c)(1)

State: OAR 581-015-2110(4)

Potential Documentation

- Evaluation Results
- Language Use Survey
- Evaluation Planning documentation
- Written input from team members
- Documentation of language/communication mode determination

Evidence of Compliance

Mark YES if:

- Assessments were administered in the student's native language or communication mode of communication; OR
- Documentation shows it was not feasible to assess the student in their native language or communication mode.

Mark NO if assessments were not in the appropriate language or communication mode and there is no documentation of infeasibility.

CFE-7 – Prior Written Notice Provided

Record Review Item

The LEA provided Prior Written Notice to parents as required regarding evaluation and eligibility determination decisions.

Related Authorities

Federal: 34 CFR § 300.503

State: OAR 581-015-2310

Potential Documentation

- Prior Written Notice Forms
- Prior Notice about Evaluation/Consent for Evaluation
- Statement of Eligibility Form(s)
- Documentation of notice delivery

Evidence of Compliance

Mark YES if Prior Written Notice was provided that included:

- A description and explanation of the action proposed or refused;
- A description of each evaluation procedure, assessment, record, or report used as a basis for the decision;
- A statement that the parent and/or legal guardian has protection under the procedural safeguards and sources for parents to obtain assistance in understanding their procedural safeguards;
- A description of other options considered and the reasons why those options were rejected; AND
- A description of other relevant factors.

Mark NO if Prior Written Notice was not provided or was incomplete.

CFE-8 – Eligibility Team

Record Review Item

Eligibility was determined by a properly constituted team that included all required members.

Related Authorities

Federal: 34 CFR § 300.306(a)(1); 34 CFR § 300.308

State: OAR 581-015-2120(1)(a); OAR 581-015-2170(3)

Potential Documentation

- Statement of Eligibility Form(s)
- Eligibility Meeting Notes
- Signatures of team members

Evidence of Compliance

Mark YES if there is evidence that all the following are true:

- The eligibility team included all required members based on the suspected disability;
- The team used required criteria for the eligibility category;
- Exclusionary factors were appropriately considered;
- The determination was documented; AND
- Parents and the adult student, as applicable, received copies of the evaluation report and eligibility determination.

Mark NO if any of the requirements under the YES criteria were not met.

CFE-9 – Initial Evaluation Timeline Met

Record Review Item

For an initial evaluation, eligibility was determined within 60 school days of receiving parental consent.

Related Authorities

Federal: 34 CFR § 300.301

State: OAR 581-015-2110(5)(a)

Potential Documentation

- Prior Notice about Evaluation/Consent for Evaluation (dated)
- Statement of Eligibility Form(s) (dated)
- Documentation of exceptions

Evidence of Compliance

Mark YES if:

- Eligibility was determined within 60 school days of consent; OR
- The timeline was exceeded but appropriate exceptions were documented (e.g., student absences, parent and/or legal guardian delays).

Mark NO if the timeline was exceeded without appropriate documented exceptions.

Mark N/A if this review concerns only a reevaluation.

CFE-10 – Reevaluation Timeline Met

Record Review Item

For a reevaluation, eligibility was determined within 60 school days of receiving parent and/or legal guardian consent and before the expiration of the previous eligibility.

Related Authorities

Federal: 34 CFR § 300.303

State: OAR 581-015-2110(5)(b)

Potential Documentation

- Prior Notice about Evaluation/Consent for Evaluation (dated)
- Statement of Eligibility Forms (current and previous)
- Documentation of exceptions

Evidence of Compliance

Mark YES if:

- Eligibility was determined within 60 school days of consent AND before the previous eligibility expired; OR
- Appropriate exceptions were documented; OR
- The team determined that no additional data was needed and eligibility was determined before expiration.

Mark NO if timelines were not met without documented exceptions.

Mark N/A if this review concerns only an initial evaluation.

CFE-11 – Consent for Initial Provision of Special Education Services

Record Review Item

The LEA obtained informed consent before the initial provision of special education and related services.

Related Authorities

Federal: 34 CFR § 300.300(b); 34 CFR § 300.9

State: OAR 581-015-2090(4)

Potential Documentation

- Prior Notice and Consent for Initial Provision of Special Education Services

Evidence of Compliance

Mark YES if, following an initial eligibility determination or for an eligible student who transferred into the LEA with no previous documentation of informed consent for initial provision of special education services, the LEA obtained written consent prior to initially providing special education services that:

- Was in the parent's native language or communication mode;
- Included all relevant information about services;
- Indicated consent was voluntary and revocable; AND
- Was obtained before services began.

Mark NO if consent for initial provision of services was not properly obtained before services began.

Mark N/A if documentation exists that consent for initial provision of services was properly obtained in a different LEA.

CFE Summary Sheet

INFORMATION	
LEA Name:	Required Sample Size:

Total number of student files reviewed is indicated below.

Elementary School Students	Middle School Students	High School Students	Out of District Placements	Grand Total of Records

List Secure Student Identifiers (SSIDs) of the targeted sample of student files. Enter “Yes” if evidence was found. Enter “No” if evidence was not found. Enter “N/A” if the item is not applicable to the selected student. No item may be left blank.

SSID	CFE-1	CFE-2	CFE-3	CFE-4	CFE-5	CFE-6	CFE-7	CFE-8	CFE-9	CFE-10	CFE-11

Plan of Correction

Identify what will be done and when to correct any individual or systemic noncompliance for each item where noncompliance was found during the review process.

CFE Focus Group Questions

School/District Staff

- Describe your district's Child Find activities and how you ensure all potentially eligible children are identified.
- What are the most common referral sources, and are there populations you struggle to reach?
- How do you ensure evaluations are comprehensive and culturally/linguistically appropriate?
- What challenges do you face in meeting evaluation timelines, and what would help address these?
- How do you coordinate with early childhood programs, private schools, and homeschool families?

Parents and/or Legal Guardians

- How did you first learn about the possibility of special education evaluation for your child?
- What was your experience with the evaluation process, including consent and participation?
- Did you feel the evaluation captured your child's strengths and needs accurately?
- How well did the school explain the evaluation results and what they meant for your child?
- What would have made the evaluation process clearer or more supportive for your family?

Students

- Did anyone explain to you why you were being evaluated and what it meant?
- How comfortable did you feel during the evaluation process?
- Do you feel the evaluation results accurately describe your strengths and challenges?
- Were you asked about what helps you learn best?

Community

- How can community organizations help identify children who may need special education services?
- What partnerships would strengthen the district's Child Find efforts?
- Are there underserved populations in our community who may not be accessing evaluations?
- How can we better coordinate between medical providers, early childhood programs, and schools?