

Individualized Education Program

The Valley School shall use the following procedures and protocols for developing and administering an IEP for a student, in conjunction with Medford School District.

1. General IEP Information

- a. The Valley School will work with Medford School district to ensure that an IEP is in effect for each eligible student:
 - (1) Before special education and related services are provided to a student;
 - (2) At the beginning of each school year for each student with a disability for whom the district is responsible; and
 - (3) Before the district implements all the special education and related services, including program modifications, supports and/or supplementary aids and services, as identified on the IEP.
- b. The Valley School, in conjunction with Medford School District develops and implements all provisions of the IEP as soon as possible following the IEP meeting.
- c. Medford School District informs all teachers and service providers of their specific responsibilities for implementing the IEP accommodations, modifications and/or supports that must be provided for or on behalf of the student to fully implement the IEP, including any amendments the district and parents agreed to make between annual reviews.
- d. The Valley School and Medford School District will take steps to ensure that parents are present at each IEP meeting or have the opportunity to participate through other means.
- e. Medford School District and The Valley School will make a good faith effort to assist the student to achieve the annual goals and short-term objectives identified on the IEP. Neither the Medford School District nor The Valley School will be held accountable if, despite good faith implementation, a student does not achieve the anticipated progress identified on the IEP.
- f. Medford School District takes whatever action is necessary to ensure that parents understand the proceedings of the IEP team meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.
- g. Medford School District provides a copy of the IEP to the parents at no cost.

2. IEP Meetings

- a. Medford School District conducts IEP meetings within 30 calendar days of the determination that the student is eligible for special education and related services.
- b. Medford School District convenes IEP meetings for each eligible student periodically, but not less than once per year.

- c. At IEP meetings, the team reviews and revises the IEP to address any lack of expected progress toward annual goals and in the general curriculum, new evaluation data or new information from the parents, the student's anticipated needs, or the need to address other matters.
- d. Between annual IEP meetings, Medford School District and the parent may amend or modify the student's current IEP without convening an IEP team meeting using the procedures in the Agreement to Amend or Modify IEP subsection.
- e. When the parent requests a meeting, the Medford School District, in conjunction with The Valley School will either schedule a meeting within a reasonable time or provide timely written prior notice of the district's refusal to hold a meeting.
- f. If an agency other than the district fails to provide agreed upon transition services contained in the IEP, the district convenes an IEP meeting to plan alternative strategies to meet the transition objectives and, if necessary, to revise the IEP.
- g. Medford School District provides prior written notice to the parent upon completion of the IEP, and before implementation of IEP services, if:
 - (1) The IEP changes the provision of a free appropriate public education (FAPE) to the student (e.g., adding or discontinuing a special education or related service).
 - (2) The IEP team refuses a parent request for a change in the provision of FAPE to the student.
- h. In general, the recording of an IEP meeting by a parent will not be permitted. A parent may request, in writing, permission to use an audio recording device at an IEP meeting. The district will grant permission under the following conditions:
 - (1) The parent has a disability under the Americans with Disabilities Act, such as a cognitive delay, hearing impairment, or processing disorder;
 - (2) The parent requires an accommodation as a result of his/her disability in order to meaningfully participate in the IEP meeting; and
 - (3) There is no accommodation other than recording that would allow the parent to meaningfully participate in the IEP meeting.

The district has the right to consider and determine whether other accommodations, including a note-taker, would adequately accommodate the parent's disability.

- (4) If permission is granted, the District will conduct the recording and will provide the parent with a copy of the recording in a timely manner.
- (5) If permission is denied, the parent may elect to have a note-taker present. The parent will arrange for and cover any costs related to the presence of the note-taker.

3. IEP Team Members

- a. The district's IEP team members include the following:
 - (1) One or both of the parents;
 - (2) The student, if the purpose of the IEP meeting is to consider the student's postsecondary goals and transition services (beginning for IEPs in effect at age 16), or for younger students, when appropriate;

- (3) At least one of the student's special education teachers as provided by Medford School District
- (4) A regular education teacher from The Valley School who will directly teach the student
- (5) A representative of Medford School District (who may also be another member of the team) who is qualified to provide or supervise the provision of special education and is knowledgeable about district resources. The representative of the district will have the authority to commit district resources, and be able to ensure that all services identified in the IEP can be delivered;
- (6) An individual, who may also be another member of the team, who can interpret the instructional implications of the evaluation results; and
- (7) At the discretion of the parent or district, other persons who have knowledge or special expertise regarding the student.

b. Student participation:

Whenever appropriate, the student with a disability is a member of the team.

c. Participation by other agencies:

- (1) With parent or adult student written consent, and where appropriate, the district invites a representative of any other agency that is likely to be responsible for providing or paying for transition services if the purpose of the IEP meeting includes the consideration of transition services (beginning at age 16, or younger if appropriate); and
- (2) If the district refers or places a student in an ESD, state operated program, private school or other educational program, IEP team membership includes a representative from the appropriate agencies. Participation may consist of attending the meeting, conference call or participating through other means.

4. Agreement for Nonattendance and Excusal

- a. Medford School District and the parent may consent to excuse an IEP team member from attending an IEP meeting, in whole or in part, when the meeting involves a discussion or modification of team member's area of curriculum or service. The district designates specific individuals to authorize excusal of IEP team members.
- b. If excusing an IEP team member whose area is to be discussed at an IEP meeting, Medford School District ensures:
 - (1) The parent and the district consent in writing to the excusal;
 - (2) The team member submits written input to the parents and other members of the IEP team before the meeting; and
 - (3) The parent is informed of all information related to the excusal in the parent's native language or other mode of communication according to consent requirements.

5. IEP Content

- a. In developing the IEP, the Medford School District considers the student's strengths, the parent's concerns, the results of the initial or most recent evaluation, and the academic, developmental and functional needs of the student.
- b. Medford School District ensures that IEPs for each eligible student includes:
 - (1) A statement of the student's present levels of academic achievement and functional performance that:
 - (a) Includes a description of how the disability affects the progress and involvement in the general education curriculum;
 - (b) Describes the results of any evaluations conducted, including functional and developmental information;
 - (c) Is written in language that is understood by all IEP team members, including parents;
 - (d) Is clearly linked to each annual goal statement;
 - (e) Includes a description of benchmarks or short term objectives for children with disabilities who take alternate assessments aligned to alternate achievement standards.
 - (2) A statement of measurable annual goals, including academic and functional goals, or for students whose performance is measured by alternate assessments aligned to alternate achievement standard, statements of measurable goals and short term objectives. The goals and, if appropriate, objectives:
 - (a) Meet the student's needs that are present because of the disability, or because of behavior that interferes with the student's ability to learn, or impedes the learning of other students.
 - (b) Enable the student to be involved in and progress in the general curriculum, as appropriate; and
 - (c) Clearly describe the anticipated outcomes, including intermediate steps, if appropriate, that serve as a measure of progress toward the goal.
 - (3) A statement of the special education services, related services, supplementary aids and services that the district provides to the student:
 - (a) The district bases special education and related services, modifications and supports on peer-reviewed research to the extent practicable to assist students in advancing toward goals, progressing in the general curriculum and participating with other students (including those without disabilities), in academic, nonacademic and extracurricular activities.
 - (b) Each statement of special education services, related or supplementary services, aids, modifications or supports includes a description of the inclusive dates, amount or frequency, location and who is responsible for implementation.

- (4) A statement of the extent, if any, to which the student will not participate with nondisabled students in regular academic, nonacademic and extracurricular activities.
- (5) A statement of any individual modifications and accommodations in the administration of state or district wide assessments of student achievement.
 - (a) A student will not be exempt from participation in state or district wide assessment because of a disability unless the parent requests an exemption;
 - (b) If the IEP team determines that the student will take an alternate assessment in any area instead of a regular state or district wide assessment, a statement of why the student cannot participate in the regular assessment and why the alternate assessment selected is appropriate for the student.
- (6) A statement describing how the district will measure student's progress toward completion of the annual goals and when periodic reports on the student's progress toward the annual goals will be provided.

6. Agreement to Amend or Modify IEP

Between annual IEP meetings, Medford School District and the parent may agree to make changes in the student's current IEP without holding an IEP meeting. These changes require a signed, written agreement between the district and the parent.

- a. Medford School District and the parent record any amendments, revisions or modifications on the student's current IEP. If additional IEP pages are required these pages must be attached to the existing IEP.
- b. Medford School District files a complete copy of the IEP with the student's education records and informs the student's IEP team and any teachers or service providers of the changes.
- c. Medford School District, provides the parent prior written notice of any changes in the IEP and upon request, provides the parent with a reserved copy of the IEP with the changes incorporated.

7. IEP Team Considerations and Special Factors

- a. In developing, reviewing and revising the IEP, the IEP team considers:
 - (1) The strengths of the student and concerns of the parent for enhancing the education of the student;
 - (2) The results of the initial or most recent evaluation of the student;
 - (3) As appropriate, the results of the student's performance on any general state or districtwide assessments;
 - (4) The academic, developmental, and functional needs of the child.
- b. In developing, reviewing and revising the student's IEP, the IEP team considers the following special factors:
 - (1) The communication needs of the student; and
 - (2) The need for assistive technology services and/or devices.

- c. As appropriate, the IEP team also considers the following special factors:
- (1) For a student whose behavior impedes his or her learning or that of others, strategies, positive behavioral intervention and supports to address that behavior;
 - (2) For a student with limited English proficiency, the language needs of the student as those needs relate to the IEP;
 - (3) For a student who is blind or visually impaired, instruction in Braille and the use of Braille unless the IEP team determines (after an evaluation of reading and writing skills, needs and media, including evaluation of future needs for instruction in Braille or the use of Braille, appropriate reading and writing), that instruction in Braille or the use of Braille is not appropriate; and
 - (4) For a student who is deaf or hard of hearing, the student's language and communication needs, including opportunities for direct communication with peers and professional personnel in the student's language and communication mode, academic level and full range of needs, including opportunities for direct instruction in the student's language and communication mode.
 - (5) A statement of any device or service needed for the student to receive a Free Appropriate Public Education.

8. Incarcerated Youth

- a. For students with disabilities who are convicted as adults, incarcerated in adult correctional facilities and otherwise entitled to FAPE, the following IEP requirements do not apply:
- (1) Participation of students with disabilities in state and districtwide assessment; and
 - (2) Transition planning and transition services, for students whose eligibility will end because of their age before they will be eligible to be released from an adult correctional facility based on consideration of their sentence and eligibility for early release.
- b. The IEP team may modify the student's IEP, if the state has demonstrated a bona fide security or other compelling interest that cannot be otherwise accommodated.

9. Extended School Year Services

- a. Medford School District, makes extended school year (ESY) services available to all students for whom the IEP team has determined that such services are necessary to provide a free appropriate public education (FAPE) and.
- b. ESY services are:
- (1) Provided to a student with a disability in addition to the services provided during the typical school year;
 - (2) Identified in the student's IEP;
 - (3) Provided at no cost to the parent;
 - (4) Provided through an established district sponsored program.
- c. Medford School District does not limit consideration of ESY services to particular categories of disability or unilaterally limit the type, amount or duration of service.

- d. The district provides ESY services to maintain the student’s skills or behavior, but not to teach new skills or behaviors.
- e. The district’s criteria for determining the need for extended school year services include:
 - (1) Regression (a significant loss of skills or behaviors) and recoupment time based on documented evidence; or
 - (2) If no documented evidence, on predictions according to the professional judgment of the team.
- f. “Regression” means significant loss of skills or behaviors in any area specified on the IEP as a result of an interruption in education services.
- g. “Recoupment” means the recovery of skills or behaviors specified on the IEP to a level demonstrated before the interruption of education services.

10. Assistive Technology

- a. Medford School District ensures that assistive technology devices or assistive technology services, or both, are made available if they are identified as part of the student’s IEP. These services and/or devices may be part of the student’s special education, related services or supplementary aids and services.
- b. On a case-by-case basis, the Medford School District permits the use of district-purchased assistive technology devices in the student’s home or in other settings if the student’s IEP team determines that the student needs access to those devices to receive a free appropriate public education. In these situations, district policy will govern liability and transfer of the device when the student ceases to attend the district.

11. Transfer Students

- a. In state:
 - (1) If a student with a disability (who had an IEP that was in effect in a previous district in Oregon) transfers into The Valley School within the same school year, Medford School District (in consultation with the student’s parents and The Valley School) provides a free appropriate public education to the student (including services comparable to those described in the student’s IEP from the previous district), until the district either:
 - (a) Adopts the student’s IEP from the previous district; or
 - (b) Develops, adopts and implements a new IEP for the student in accordance with all of the IEP provisions.
- b. Out of state:
 - (1) If a student transfers into the district with a current IEP from a district in another state, Medford School District, in consultation with the student’s parents, will provide a free appropriate public education to the student, including services comparable to those described in the student’s IEP from the previous district, until the new district:

- (a) Conducts an initial evaluation (if determined necessary by the new district to determine Oregon eligibility) with parent consent and determines whether the student meets eligibility criteria described in Oregon Administrative Rules.
- (b) If the student is eligible under Oregon criteria, the district develops, adopts and implements a new IEP for the student using the Oregon Standard IEP or an approved alternate IEP.
- (c) If the student does not meet Oregon eligibility criteria, the district provides prior written notice to the parents explaining that the student does not meet Oregon eligibility criteria and specifying the date when special education services will be terminated.

END OF POLICY

Legal Reference(s):

[ORS 338.115](#)