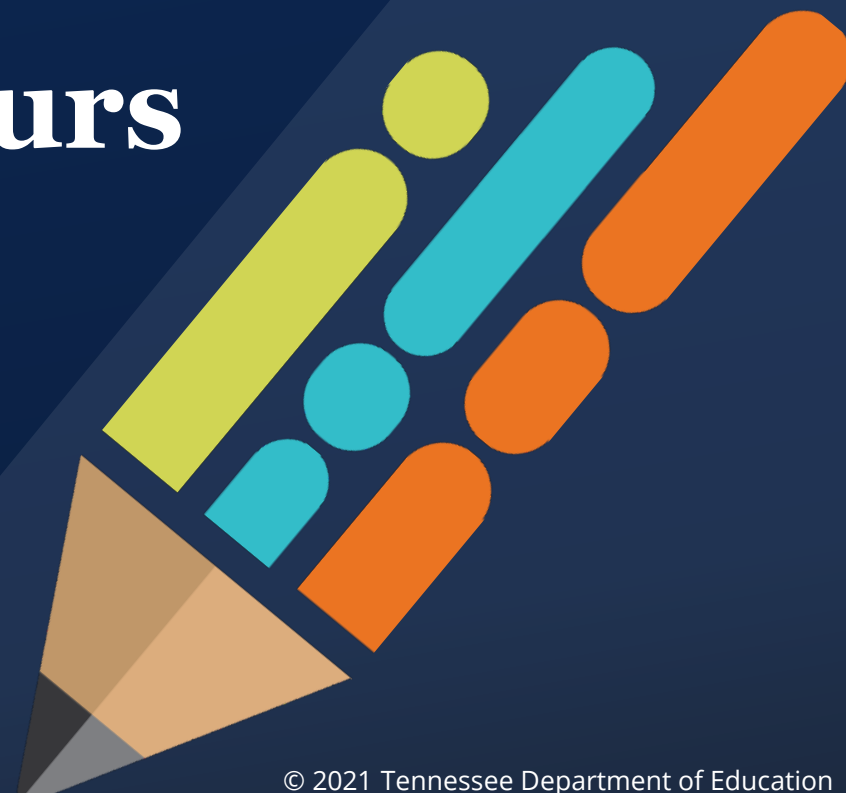


IEP Monitoring Office Hours

Division of Federal Programs and Oversight





Agenda:

- IEP Monitoring Files Based on Wave Assignment
- IEP Monitoring Wave Schedule
- Adverse Impact Statement



IEP Monitoring



Wave	Possible Number of IEP Files
Wave 1	5-8
Wave 2	12, 15, 20, 35
Wave 3	10
Wave 4	8-10

IEP Monitoring



Wave	Cohort Release to LEAs	Cohort Due from LEAs
Wave 1	Sept. 9, 2024	Sept. 23, 2024
Wave 2	Oct. 14, 2024	Oct. 28, 2024
Wave 3	Jan. 13, 2025	Jan. 27, 2025
Wave 4	Mar. 3, 2025	Mar. 17, 2025

Adverse Impact Statement

Adverse Impact Statement

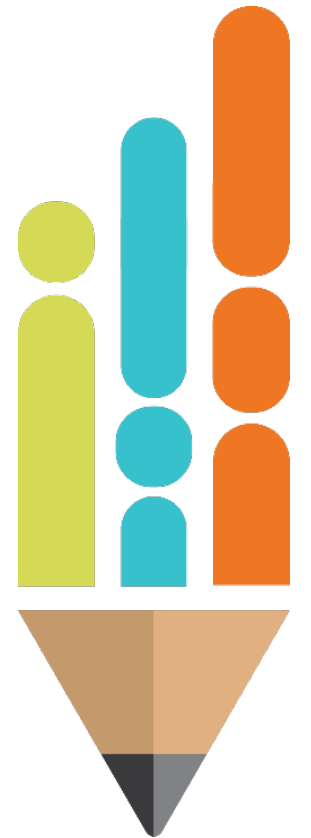
34 C.F.R. § 300.320(a)(1)(I-ii)

(a) General. As used in this part, the term individualized education program or IEP means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with §§300.320 through 300.324, and that must include—

(1) A statement of the child’s present levels of academic achievement and functional performance, including—

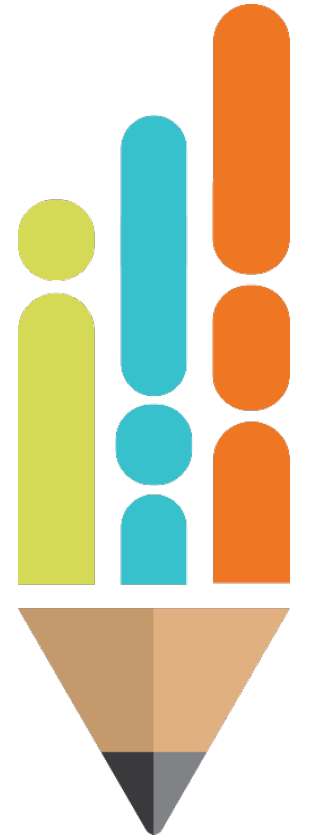
(i) How the child’s disability affects the child’s involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or

(ii) For preschool children, as appropriate, how the disability affects the child’s participation in appropriate activities;



Adverse Impact Statement Considerations

- Serves as the “opening statement” in determining the need and justification for special education services and supports
- Provides the foundation for Present Levels of Educational Performance (PLEPs) and subsequent Measurable Annual Goals (MAGs)
- Describes the student’s disability within the context of the *curriculum*



Adverse Impact Statement Considerations

- Includes observable actions or characteristics of the student that explain or show **how** the student is specifically affected by the disability in the general education setting.
- Keeps the statement simple and use definitive language.
- Leaves out any support/accommodations/modifications that are addressed later in the IEP.



Adverse Impact Statement Considerations

- Describes the individual student who has been made eligible in a specific disability category.
- Leaves out comparison of student current ability or skill to same age or grade level peers. To be made eligible a student will be deficit in one or more areas based on a comparison to same age/grade peers.



Practice

Adverse Impact Statement Example

- (Student's) deficit areas of language and social/emotional behavior impact their access to and participation in the general education curriculum compared to their peers. These deficits will be supported in the IEP.

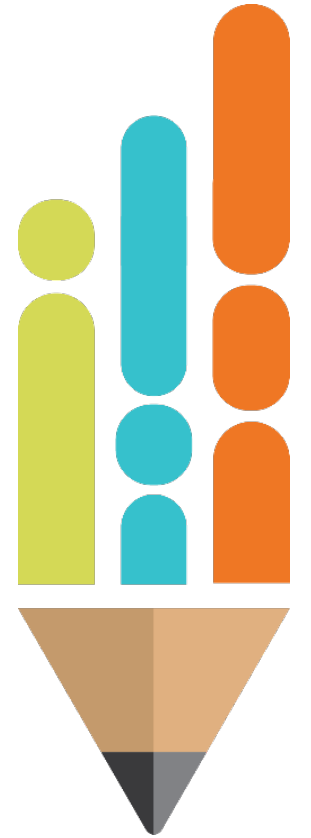
Non-compliant



Adverse Impact Statement Example

- (Student) is struggling in reading and math skills and is working below grade level in both areas. Due to Aims Web benchmark, progress monitoring, and classroom grades as well as struggles to pay attention and stay on task within the classroom activities; this will have an adverse impact on being successful in the general education curriculum.

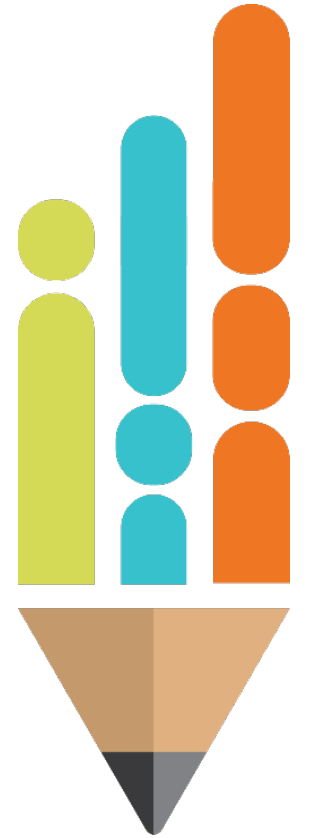
Non-compliant



Adverse Impact Statement Example

- (Student's) advanced skills cause them to become disengaged during instruction and results in distraction of others, verbal outbursts, and refusal to participate.

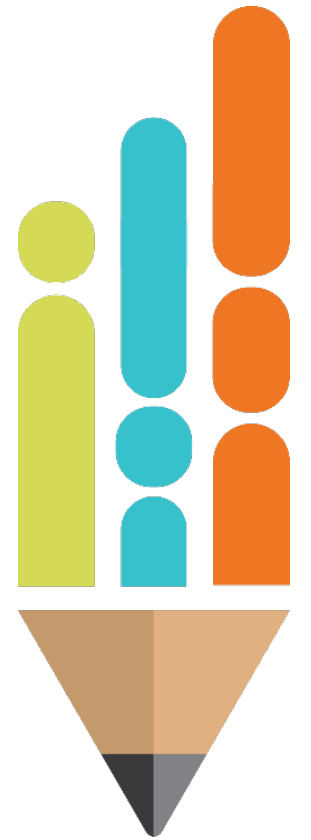
Compliant



Adverse Impact Statement Example

- (Student's) deficits in math calculation interferes with the completion of work within age-appropriate time limits. Their inability to solve multiplication/division with multiple steps impacts their ability to understand and complete higher-level math problems in the general education curriculum.

Compliant



Adverse Impact Statement Example

- (Student) demonstrates advanced reading comprehension and vocabulary skills and average fluency skills, along with strong math calculation and problem-solving abilities. Given their eligibility for giftedness, their present skills may negatively impact them within the general education standard framework, as they cannot meet their needs for higher-level thinking and knowledge.

Non-compliant

