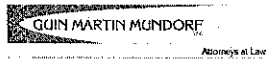


**MO-CASE**  
**Special Education Administrators'**  
**Conference**

Writing a Defensible and Appropriate Present  
Level

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Present Level of  
Academic Achievement  
and  
Functional Performance

**PLAAFP**

1. The Law
2. Practical Tips and Implications
3. Specific Examples

**The Law**

**Federal  
Regulations**

IEP must include a statement of  
the child's present levels of  
academic achievement and  
functional performance,  
including...

...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).

34 C.F.R. 300.320(a)(1)

For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities.

IEP must include a statement of measurable annual goals, including academic and functional goals designed to...

- Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and
- Meet each of the child's other educational needs that result from the child's disability.

34 C.F.R. 300.302(a)(2)

In developing each child's IEP, the IEP Team must consider

- the strengths of the child;
- the concerns of the parents for enhancing the education of their child;
- the results of the initial or most recent evaluation of the child; and
- the academic, developmental, and functional needs of the child

34 C.F.R. 300.324(a)(1)

IEP Team determines the special education and related services that are needed to meet each child's unique needs in order for the child to receive FAPE.

If functional performance not an issue, still required to include a statement to that effect.

*Student's functional performance is age appropriate and commensurate with his nondisabled peers.*

*Student does not have needs in the area of functional performance beyond that of his nondisabled peers.*

*Student does not have any deficits in his functional performance.*

## **Alignment of Present Level with Annual Goals**

The IEP Team's determination of how the child's disability affects the child's involvement and progress in the general education curriculum is a primary consideration in the development of the child's annual IEP goals.

Comments to 34 C.F.R. 300.320(a)(1)

IEP must include measurable annual goals designed to meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum.

Comments to 34 C.F.R. 300.320(a)(1)

## **State Law**

IEP means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting and must include:

- a statement of the child's present levels of academic achievement and functional performance, including how the child's disability affects the child's involvement and progress in the general education curriculum, or for preschool children, as appropriate, how the disability affects the child's participation in appropriate activities... (a note about alternative assessments).

State Plan, Regulation IV, Section 2 -- Individualized Education Program

### IEP must include:

- a statement of measurable annual goals, including academic and functional goals designed to meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum...

State Plan, Regulation IV, Section 2 – Individualized Education Program

### IEP includes a statement of the child's PLAAFP that:

- Is consistent with evaluation/reevaluation results in the evaluation report.
- Reflects changes in current functioning of the child since the initial/prior IEP.
- Addresses how the child's disability affects her/his involvement and progress in the general education curriculum.
- Considers the results of the initial or most recent evaluations of the child.
- Addresses the strengths of the child and the concerns of the parent for enhancing the education of their child.
- Addresses the academic, developmental and functional needs of the child

Compliance S & I 200.740

### IEP includes goals that:

Demonstrate consistency with the content of the present level of performance.

...

For children taking alternate assessments, description of benchmarks or short-term objectives aligned to alternate achievement standards. This information may be shown under goals on the Present Level Of Academic Achievement And Functional Performance.

Compliance S & I 200.810

### So from the law, we know that PLAAFP must:

- Address how the child's disability affects the child's involvement and progress in the general education curriculum.
- Address the strengths of the child.
- Indicate the concerns of the parents for enhancing the education of their child.
- Consider and be consistent with the results of the initial or most recent evaluation of the child.
- Address the academic, developmental, and functional needs of the child.
- Reflect changes in current functioning of the child since the initial/prior IEP.
- (Optional in PLAAFP) For children taking alternate assessments, include a description of benchmarks or short-term objectives aligned to alternate achievement standards.

## PRACTICAL TIPS AND IMPLICATIONS

## The IDEAL PLAAFP

**The Greatest Legal  
Sin in Drafting  
PLAAFP**

**1. Avoid Mismatched  
IEP**

Present Level drives  
remaining components of  
IEP

Needs identified in  
PLAAFP should be  
addressed in IEP

**System of checks  
and balances**

There should be a direct relationship from  
each component of the IEP to the PLAAFP

**EVERYTHING TIES TO PLAAFP**

**Notorious Mismatches:**

Related services

Behaviors

**Behavior Intervention  
Plan is part of IEP**

**Targeted behaviors should  
be reflected in PLAAFP  
and vice versa**

**If not, indicate why**

*Although Student exhibits  
some distractibility and off-  
task behavior, these  
behaviors do not interfere  
with his learning or his ability  
to progress in the general  
education curriculum.*

**Ideally, PLAAFP should be  
written only in the areas of  
unique needs that will be  
addressed by special  
education/services.**

Student's needs as identified in PLAAFP determine educational program, not availability of services in the district.

Keep FAPE in mind when drafting PLAAFP

- Focus on needs critical to allowing the student to benefit from educational services.

How to handle something identified in PLAAFP that is not otherwise addressed in the IEP or to explain why a particular area is not addressed...

*Although math is a weakness for Student, he is able to sufficiently progress in the general education curriculum without any specialized instruction, related services, supplementary aids and services, program modifications or accommodations in this area.*

Prioritize needs in the PLAAFP if too many to address.

Indicate if particular need does not affect FAPE

*These skills are critical in order for Student to sufficiently progress in the general education curriculum/benefit from his educational program.*

**2. State in objective, measurable terms to the extent possible.**

**Practical Purpose of PLAAFP**

- Objective descriptor of the unique needs
- Starting point for determining services to address the needs
- Point against which progress will be assessed.

*Student exhibits inappropriate behaviors in the classroom that limit his ability to be educated with his nondisabled peers.*

OR

*Student engages in hitting other students and staff 4-5 times per week. His hitting behaviors result in his removal from the regular classroom 90% of the time due to his inability to de-escalate and refusal to follow the directions of adults.*

*Student's handwriting is very slow and often illegible.*

OR

*Student can copy 10 letters per minute with 2-4 letters being illegible.*

Student is behind in counting...

OR

*Student can count by rote to 20.*

*Student makes many errors in reading and has poor comprehension.*

OR

*Student reads 3<sup>rd</sup> grade material at 80-100 words per minute with 5-12 errors and 30% accuracy on factual questions.*

*Student has great difficulty with cursive writing and prefers to print.*

OR

*Student copies 8-10 legible manuscript letters per minute.*

### 3. Parent Involvement in PLAAFP

Much of the PLAAFP is district's report about how the child is performing academically and functionally in the education environment.

Time spent during IEP meeting on PLAAFP

Reading of PLAAFP during IEP meeting

Disputes over word choice, descriptors

Parent reports that are not consistent with observations in educational environment

Parent presents outside evaluation reports/medical information for the first time in an IEP meeting

Strengths and concerns of the parent for enhancing the education of the child

**4. Use Positive Characterizations Whenever Possible**

Avoid an entire PLAAFP of student "can't," "is unable to," "fails," "refuses," "does not"

*Handwriting slow, labored and illegible due to improper size and spacing of letters and words.*

OR

*Writes legibly at a rate of X letters per minute.*

*Student does not follow  
adult directions the first  
time.*

OR

*Student follows adult  
directions within 5  
seconds about 45% of the  
time.*

Compare to  
nondisabled peers

*Writes legibly at a rate of X  
letters per minute when  
compared to an average of X  
letters per minutes for his  
nondisabled peers.*

*Student is approximately  
two grade levels behind  
his nondisabled peers  
in...*

**5. Avoid Writing IEP  
Services/Placement into  
PLAAFP**

*Student will get 1:1 tutoring in highly structured reading program.*

*OR*

*Student has 1:1 para throughout the day for all activities.*

*Student receives...*

**6. Reporting Evaluation Data in PLAAFP**

Copying evaluation reports into PLAAFP

Incorporating evaluation reports into PLAAFP

Summarizing evaluation reports

Descriptive statement of how the child is performing in specific areas of need as identified through evaluation.

Focus on skills or areas of need identified through evaluation

**7. Reporting Medical Information in PLAAFP**

Focus on medical problems that may impact instructional programming

**8. Over-reliance on Labels**

Use of labels in PLAAFP

*Student has a learning disability in the area of written expression.*

**9. Don't Shove a Square Peg into a Round Hole**

Avoid change of diagnosis in PLAAFP

Do not use PLAAFP to issue a notice of action

Didn't qualify for X because...

Does not meet eligibility criteria for X because...

**10. Strategies to Ensure Compliance**

Parenthetical for every need identified in PLAAFP

## Stranger Approach

- Describe student to a stranger (beyond age and gender)

Follow objective descriptor with...

- Student needs...
- Student requires...

*Student has attention deficits and difficulties and is easily distracted by sounds and other activity in the classroom. Student needs access to a smaller, quiet, more structured environment with minimal distractions.*

Don't just state the need, identify what is creating the need.

*Student needs verbal directions repeated to him.*

*Student needs 1:1 adult assistance throughout the day.*

OR

## Good Example

*Student is disorganized  
and turns in almost half  
of his homework  
assignments late.  
Student needs...*

*Student reacts inappropriately  
to others 1-2 times daily by  
yelling or throwing things.  
Student needs to learn to  
appropriately respond to  
others and manage his  
behavior.*

*Student follows directions  
from adults within 5  
seconds 50% of the time.  
Student needs to learn to  
comply with adult  
requests.*

# 1. Present Level of Academic Achievement and Functional Performance

Present Level must include:

- How the child's disability affects his/her involvement and progress in the general education curriculum; or for preschool children, participation in age-appropriate activities. (For students with transition plans, consider how the child's disability will affect the child's ability to reach his/her post-secondary goals (what the child will do after high school).)
  
- The strengths of the child (For students with transition plans, consider how the strengths of the child relate to the child's post-secondary goals.)
  
- Concerns of the parent/guardian for enhancing the education of the child (For students with transition plans, consider the parent/guardian's expectations for the child after the child leaves high school.)
  
- Changes in current functioning of the child since the initial or prior IEP (For students with transition plans, consider how changes in the child's current functioning will impact the child's ability to reach his/her post-secondary goal.)
  
- A summary of the most recent evaluation/re-evaluation results
  
- A summary of the results of the child's performance on:
  - Formal or informal age appropriate transition assessments:
  
- For students participating in alternative assessments, a description of benchmarks or short-term objectives
  - N/A Objectives/benchmarks are on goal page(s)
  - Objectives/benchmarks described below: