

## Compliance with the Individuals with Disabilities Education Act

In the United States, some aspects of physical education programs for students with a disability are governed by the Individuals with Disabilities Education Act (IDEA). In this law, *physical education* is specifically defined as the development of (a) physical and motor fitness; (b) fundamental motor skills and patterns; and (c) skills in aquatics, dance, and individual and group games and sports.

Relative to curriculum, the most important provision of IDEA is the written individual educational plan (IEP). An IEP must be developed for each student with a disability who requires special education. Notice that this is a two-pronged criterion - the student must have a disability recognized by IDEA and there must be evidence that the student requires special education services. The nature of the individual educational plan depends upon the student's age.

### Individualized Educational Plan (IEP)

IEPs are required for children aged 3-21 who have disabilities and who need special education. Both conditions must be satisfied. IEPs must include the following content:

1. The student's present levels of educational performance in every subject area required by state or federal law for the student's grade level. These are called required educational services. Present levels of educational performance are determined through formal or informal assessment of the student's abilities in each subject area. Because physical education is specifically mentioned and defined in the law, assessment of educational performance must include physical education.
2. The IEP must include individualized annual goals and short-term instructional objectives in all curriculum areas, including physical education. Annual goals are usually written for an academic year. Short-term objectives usually describe desired outcomes for an instructional unit. The 1997 revisions to IDEA emphasize congruence between the IEP and the general curriculum that is delivered to children in regular classrooms. Thus, IEP goals and objectives should be selected from the school district's physical education curriculum whenever possible and practical.
3. Another component of the IEP is a description of the specific educational and related services to be provided. The description of special education services must include the names or positions of the persons responsible for providing each service.
  - Educational services are provided by teachers. These services include, but are not limited to, appropriate positive behavioral interventions and strategies, supplementary aids and services, program modifications, and supports for school personnel. Examples of supplementary aids and services include large print materials for blind students, interpreters for deaf students, resource room help for students who have difficulty in reading or math, special education for students who learn slowly, and adapted physical education for students with difficulty in physical education.
  - Related services are provided by non-teaching professionals such as physical and occupational therapists, speech and language specialists, psychologists, and technology experts. Examples of related services include physical therapy, occupational therapy, special transportation, assistive technology, and speech and language services. Related services are provided only when the IEP committee concludes that the service is absolutely necessary for the child to benefit from educational services.

4. IDEA requires that children with a disability be educated in the least restrictive environment. Environments range from regular class in a regular school (least restrictive) to instruction offered at home, in hospitals, or in institutions (most restrictive). To monitor implementation of the least restrictive environment provision, the IEP must specify the extent to which the child will participate in regular education programs. The first step is to determine the number of school hours per week (e.g., 5 days a week x 6 hours a day = 30 hours a week). The next step is to count the number of hours that the student is placed in regular education each week. If the student receives 24 hours of regular education and 6 hours of special education each week, s/he is placed in regular education 80% of the time.
5. A projected timeline for services must also be included in the IEP. Depending upon the student's educational needs, some services are provided for the duration of the school year, while other services are provided for a shorter period of time.
6. Finally, IEPs must include objective criteria and evaluation procedures for judging whether IEP objectives have been met.

Although services may be offered from age 3 to 21 years, a student's right to a free appropriate public education is terminated upon graduation with a regular high school diploma. The right to special education services is not ended by any other kind of graduation certificate or diploma.

### **Individual Family Service Plan (IFSP)**

IFSPs are developed for children aged 0-2 years who have disabilities or developmental delays and who need special services to prevent or lessen the need for future special education. IFSPs must include the following content:

1. Current functioning levels in physical development, cognitive development, language and speech development, psycho-social development, and self-help skills must be determined by informal or formal assessment and must be described in the IFSP. Often the tests needed to determine current functioning levels are the same tests needed to diagnose disability or developmental delay.
2. The IFSP must include a description of family strengths and needs. Parents and siblings of very young children with a disability face a lot of challenges. Their needs may involve help accessing medical, mental health, social, or technological services. Most families also have a lot of strengths, including a network of extended family members and friends who are willing to help. The rationale for providing "indirect" assistance to family members is that family members need the capability to help the young child with a disability. Also, the child with a disability may need services from non-educational professionals to prepare for entry into school.
3. Similar to IEPs, IFSPs must include expected outcomes, including procedures, criteria, and timelines.
4. IFSPs must specify necessary early intervention services. The description, intensity, frequency, location, and method of service delivery must be included for each service. Most children aged 0-2 years learn new skills at home from family members, so often early intervention consists of preparing family members to teach the young child with a disability.
5. Similar to IEPs, the ISFP must include a timeline for the initiation and duration of services.
6. The name of the service manager must be included in the IFSP. The service manager should be from the profession most closely related to the child's and family's needs. The service manager does not need to be a teacher.

7. When writing the IFSP, the committee must consider skills the child will need for transition to services for children aged 3-5 years. In addition, the committee should consider possible preschool or school placements.

### **Individual Transition Plan (ITP)**

ITPs are developed for students aged 16-21 years who have disabilities and who need special services to prepare them for as much independence as possible in adult life in the community. The ITP may be a separate plan, or it may be one component of the student's IEP. ITPs must include the following content:

1. An analysis of the skills that will be needed in future job, home, and community environments. This analysis must necessarily include predictions about where the person will live, what jobs are possible for the person, whether the person will be able to obtain a driver's license, etc.
2. An analysis of the supportive services which are likely to be required in future job, home, and community environments.

### **Involvement of Physical Education Teachers**

IEPs are developed by a committee that must include (minimally) a teacher, an administrator, and a parent. Physical education teachers may be asked to serve on IEP committees. Regardless whether they sit on the committee, physical educators should give input by providing assessment results and suggested objectives for special education students. In addition, physical educators should request access to the IEPs for every special education student enrolled in the classes that they teach, and should faithfully implement the physical education component of the IEP.

### **For More Information**

For further information about IDEA and IEPs, consult with the special education director for your school system or access the IDEA web site at [www.ed.gov/offices/OSERS/IDEA/index.htm](http://www.ed.gov/offices/OSERS/IDEA/index.htm).