

Background: IEP Section 7 – Writing Specific Amount of Time and Frequency under Related Services directly related to a goal(s).

For each service identified, the IEP team will determine the specific amount of time a service will be provided. The team will also need to indicate the frequency of the delivery. For each service and, indicate the time and frequency in such a manner to ensure the district’s commitment of resources are clear.

**MDE Quick Reference Guide Section 7: Special Education Services and Programs
Tips for Developing a Quality and Compliant Individualized Education Program (IEP)**

Public agencies are not required to specify the amount of services to be provided in accordance with a student's IEP in terms of hours and minutes in order to satisfy the Part B regulation regarding content of an individualized education program at 34 CFR 300.346(a)(3); however, they are required to state the amount of services to be provided in a manner that is appropriate to the specific service and clear to all who are involved in the development and implementation of the IEP.

[Letter to Copenhaver](#)
[Office of Special Education Programs](#)

TBAISD Guidance for Itinerants writing ranges for *related service*

In an effort to provide clarity for parent understanding of district commitment, ranges for *related service* on an IEP should reflect the following guidance:

Section 7

Special Education Services and Programs Related Service	Rule Number		Location	Duration

- The amount of **time** you can range can be up to 50% more than your lowest number of minutes
 - Ex: 10 – 15 mins (10 + 50% of 10 = 15) Ex: 30 – 45 mins (30 + 50% of 30 = 45)
- The session **frequency** can range by no more than 2
 - Ex: 2-4x’s 7-9x’s 4-6x’s
- The sessions can range within a day, week or month only
- It is not necessary to write a range to cover short months such as September, December, or June
- *If you need to use “year” in your frequency for direct service you will need to contact your Service Area Supervisor.*

Range Guidance Question and Answer

1. A preschooler is being brought in for stand-alone speech services. Mom has a flex schedule at work and gets it monthly. We wanted to write services in a larger range because it is dependent on the parent's availability to bring him in for service. The recommendation is 2 times per week. If he is not seen that amount of time and it is due to parent availability are we out of compliance?

If the parent does not make the student available, document and indicate that the student was not available.

2. I am working on an IEP for a preschool student who attends a head start. The speech therapist is assigned to that building one time per week. The student needs therapy at least twice per week. He will be transitioning to kindergarten while this IEP is still current. I want the IEP to reflect the need... I would typically write in 3-8 per month to account for therapist assignment to the building, but then allowing the therapist for his kindergarten year to see him twice weekly.

Student need always drives service. If the student needs service 2x per week then that should be reflected in their IEP. This is regardless of the time a staff is assigned to a building.

The change in service can be noted in a couple of different ways...

- A new IEP can be held prior to Kindergarten.
- An IEP is written for one school year. That school year may occur in two different environments depending on the date of the IEP. (As the case above where the service is being delivered in preschool until the end of the year and will continue in Kindergarten.) Service delivery toward a goal can be written in one IEP to reflect suspected changes throughout the year.

For example 20 - 30 mins. 4-6x per month – October 5, 2014- June 30, 2015 then you will write 20 – 30 mins.6-8x per month, July 1, 2015 – October 4, 2015.

Service	Specific Amount of Time and Frequency	Location	Duration
SSW	20-30 mins. 4-6x/mo	General Ed/Special Ed	10/5/14-6/30/15
SSW	20-30 mins. 6-8x/mo	General Ed/Special Ed	7/1/2015-10/4/15

3. I wanted to touch base with you regarding the new ranges that we are using as we write in school social work services on IEP's. In the past I have written a range of 1-4 times per month to accommodate the change in student needs over the course of the school year. In addition to the change in needs, this range of time is very effective in accommodating the fact the some of my students are in a group for a portion of the school year, but not necessarily the entire school year based on changing needs. In addition, the expectation that an amendment would need to be held to address changing social work times, further impacts our time available to work with students.

If the needs of the student change then an amendment to the IEP should be written to reflect those changes and service time should be adjusted appropriately to meet the goals. An amendment does not have to be a meeting.

5. I recognize that when we write in services it is to be based on student needs, not on our needs as the provider. However, we all certainly recognize that unfortunately due to staffing needs, there are months that we struggle to meet the minimum time requirements with students on our caseload due to meetings/crises/evaluations etc.

If the student is absent you do not have to make it up. If the student is in crisis and can't receive service this can be considered as if the student is unavailable. If the staff is absent then that time needs to be made up. It is not necessary to write ranges to cover short months. If there is excessive absence on behalf of the service provider, please contact your Service Area Supervisor.

6. Concerns also expressed were, due to crisis in buildings, sometimes many hours are eaten up and SW can't abide by schedule, etc.

This is not a range concern but a building demand concern. Contact your Service Area Supervisor to assist in problem solving.

7. Flexibility allows for front loading during big transitions. Etc.

It is possible to range your service delivery times differently throughout the year. See the answer to question 2 for more detail.

8. How can the range of service be written into the IEP for the duration of the IEP, to ensure the flexibility needed to meet the changing levels of student support needed (i.e. beginning of year needs where the SLP needs to support the student(s) with AAC aids, returning from absences from school-medical but not

homebound, returning from vacations (i.e. 2 week break); progress in student achievement where the length and/or frequency of therapy is no longer appropriate?

It is possible to range your service delivery times differently throughout the year. See the answer to question 2 for more detail.

9. If you are doing a 1-2 times/week range. Can you enter into Medicaid a non-billable service during the 3:1 week?

You can add any non-billable service into Medicaid as a non-billable.

10. If the range of frequency can be no more than two, how do we handle mandatory trainings and meetings that may not be mandatory but your presence is important to student progress or perhaps requested by your SD, with-in the same week?

Work with your SAS. You will be responsible to meet your minimums.

11. There is a concern about what would happen if, for example, the SLP is required to do PD that is two days in a row and occurs several times throughout the year (i.e., coaching academy or the START training) or they are ill for several days. Since we don't get subs, this is of concern. Result: An IEP that is out of Compliance

IEP service delivery that is not met must be made up. If a staff person cannot make this up they need to contact their Service Area Supervisor for assistance.

12. Reasons that a service delivery session could be missed:

- **REED meeting** – If you are participating in a REED meeting on behalf of the student, this can count as service time.
- **IEP meeting** – If you are participating in an IEP meeting on behalf of the student, this can count as service time.
- **Child Study meeting** – If you are attending a child study meeting on behalf of the student, this can count as service time.
- **Student is unavailable due to absence, school activity, etc.** – Document the student absence and attempt to give service to the student. This does not count against you. If it becomes a pattern, address this with your SAS.
- **Student in crisis (TBAISD mandates CPI training, thus we are expected to be a part of a crisis team if needed in constituent districts)** – Having CPI training does not mean that you must serve on a crisis team.
- **Professional development** – This does not count as student service time.
- **Mandatory meetings** – This does not count as student service time, if you are having difficulty meeting ranges due to required meetings, PD, etc, you need to address this with your SAS.
- **Itinerant meeting** – If you are unavailable to provide service to the student, this does not count as service time.

13. “Student starts working on a new sound. I would like to see the student three times per week to establish the sound. Once sound is established, continue at three times per week until it is sustained. Decrease time as student makes progress that can be carried over at home/in the classroom (e.g. working at the word level, can be practiced at home).

Service delivery toward a goal can be written in one IEP to reflect suspected changes throughout the year. See question 2 for an example.

Student is in therapy and starts to make significant progress. Data demonstrates that they are sustaining when seen twice a week. With a wide range (4-8 session/month, 20-30 min/session) I can start to taper toward the lower end of the range to see if the student sustains with less time. If so, I have a strong case for dismissal and I ensure that I am adhering to the LRE by not pulling the student more than I need to. Currently, I have a student who has corrected his sound errors and is sustaining with minimal treatment as prescribed in the range, I am waiting for the MET team to evaluate, when evaluation is complete, I will be able to dismiss. With the new range guideline, this student would be pulled near the maximum time prescribed (because I would write the time range to be closer to the maximum needed) which I believe is a violation of FAPE because he is in a more restrictive setting. (Unless I went back to IEP/amendment, which again decreases productivity).

Ranges of service need to be based on the professional's evaluation of the time needed for a student to make progress toward goals. If the PLAAFP shows significant progress then service time may be reduced through IEP or amendment. A service may be dismissed based on data in the PLAAFP. This way a non-useful service does not need to be given while waiting for a REED. Also, IEP amendment may need to be used.

Type of Service	Description of Service	Amount of Direct work with student	Frequency	Where/How Service is Described in IEP	Relation to Measureable Goals
<p>Related Service</p> <p>IEP Section 7</p> <p>MDE Quick Reference Guide Section 7</p>	<p>Service is provided by working directly with the student and by consultation directly related to the goal. Attending an IEP meeting, conducting evaluation, participation at matrix/FBA, as well as other activities (meetings, etc.) directly related to the student.</p>	<p>Direct work with student is regular, may include consultation with others.</p>	<p>Provided on a weekly, bi-weekly, or monthly basis. Specific amount of time and frequency. TBAISD Compliance 1-pager on Ranges.</p>	<p>Listed under “related services” on the programs and services page of the IEP. Section 7, list time, frequency, duration, start and end date, and location.</p>	<p>The related service provider works/collaborates to develop, implement and monitor a measureable goal related to service being provided and to data in the PLAAFP.</p>
<p>Supplementary Aids and Service</p> <p>IEP section 5</p> <p>MDE Quick Reference Guide Section 5</p>	<p>Service is provided by working with teachers and/or others having regular contact with the students. Monitoring the effectiveness of supports for the student.</p>	<p>Direct work with the student is based on need, may be occasionally to not at all.</p>	<p>Typically occurs less than monthly. May have periods of higher contact based on student’s needs. Provided on weekly, biweekly, monthly, or annual basis. Clear and detailed description (time and frequency or condition).</p>	<p>Listed under supplemental aids and services, IEP section 5. Must list time/frequency and/or condition. (Examples, “when tests are given”, “when independent reading is required”, “during all math calculation activities”, etc.)</p>	<p>The consultative service provider supports student or those working with the student. Not directly connected to the attainment of the goal.</p>