Common Noncompliance Issues with Frequency and Duration (Documentation)
Specially Designed Instruction Noncompliance Issues (in IEP)

— In IEP:
  • Frequency, duration, location not in accordance with TEA Guidance
  • No specially designed instruction in IEP
Specially Designed Instruction Noncompliance Issues (in Documentation of Delivery)

• Documentation:
  – Specially designed instruction delivered by a paraprofessional
    – not supervised by a certified special educator
  – No documentation that specially designed instruction was delivered in accordance with ARD-established requirements
  – Documentation established that delivery of specially designed instruction did not match the frequency, duration, and/or location in the IEP.
Documenting Frequency, Duration, and Location of Special Education Services
3 Steps:

1) ARD committee determines frequency, duration, and location of services.
2) Service provider implements the services, on the schedule and in the location determined by the ARD committee.
3) Service provider documents the provision of services.
Documentation Tips

• Document individually, by student, as documentation is a student record.

• Pre-fill the service time from the IEP on top so the service provider can see the requirement.

• Document the actual time and date of service provision in addition each time.
  – The time the service is provided and documented must match the time on the IEP.

• Note: This is a good opportunity to collect data on progress toward attainment of IEP goals.
IMPORTANT!!!

Make sure the services delivered match what the ARD/IEP requires

AND

Make sure the services delivered are documented to show they were delivered