

Special Education

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Present Levels of Performance and Individual Needs

Purpose

An appropriate program for a student with a disability begins with an IEP that reflects the results of the student's individual evaluation and describes the needs of the student to be addressed through the provision of special education services, including a student's strengths, interests and preferences and concerns of the parents. This section of a student's IEP identifies the areas of unique needs related to the student's disability and the current level of functioning, including the strengths of the student, related to those areas. This is the foundation on which the Committee builds to identify goals and services to address the student's individual needs.

Considerations in Identifying Present Levels of Performance

The Committee must ensure that the present levels of performance and individual need statements are developed in consideration of:

- results of the student's most recent individual evaluation(s);
- student's strengths;
- student's results on State and district-wide assessments;
- parents' concerns for enhancing the education of their child;
- special factors related to the student's disability such as a student's needs in the areas of behavior, communication, limited English proficiency, instruction in and the use of Braille, and assistive technology devices and services;
- how the student's disability affects involvement and progress in the general curriculum, or for preschool students, participation in age-appropriate activities; and
- the results of age-appropriate transition assessments² and the student's strengths, preferences and interests as they relate to transition from school to post school activities.

Present levels of performance and need statements:

- summarize information from a variety of sources;
- translate information from technical evaluation reports to clear, concise statements;
- identify the instructional implications of evaluations; and
- describe, in language the parents and professionals can understand, the unique needs of the student that the IEP will address and identify the student's level of performance in those need areas.

Evaluation Results

The IEP must document the results of the initial or most recent individual evaluation of the student as well as the results of

the student's performance on any general State or district-wide assessment programs that identify the student's present levels of performance and individual needs. For example:

Behavioral Assessment - 10-11-09 - Student demonstrated difficulty in the areas of self-regulation and attention and showed aggression in the form of destruction of materials. Observations and reports from teachers indicate these behaviors are avoidance/escape motivated behaviors in response to stress and skill deficits.

State Assessments - 2008 grade 4 English language arts - Level 2; 2008 grade 4 Math - Level 2 (not proficient).

The Four Need Areas that must be addressed in documenting a student's present level of performance and individual needs

The IEP recommendation must report the student's present levels of performance and indicate the individual needs according to each of four areas:

- academic achievement, functional performance and learning characteristics;
- social development;
- physical development; and
- management needs.

The report of the student's present levels of performance and individual needs in the above areas must include how the disability affects involvement and progress in the general curriculum (i.e., the same curriculum as for nondisabled students), or for preschool students as appropriate, how the disability affects participation in age-appropriate activities.

Academic Achievement, Functional Performance and Learning Characteristics

The student's current levels of knowledge and development in subject and skill areas, including, as appropriate:

- activities of daily living (e.g., personal care, preparing meals, household activities, managing resources);
- level of intellectual functioning (e.g., general intelligence, attention, memory, problem-solving ability, language functioning);
- adaptive behavior (e.g., the effectiveness with which the individual copes with the natural and social demands of his or her environment; how the student makes judgments and decisions);
- expected rate of progress in acquiring skills and information (e.g., the pace in which a student learns new information or skills, in consideration of factors such as those associated with the child's levels of cognitive skills, interests, age and history of rate of progress); and
- learning style (e.g., how the student learns best such as through visual or auditory modalities, hands-on approaches, cooperative learning, repetition).

Social development

The degree and quality of the student's:

- relationships with peers and adults;
- feelings about self; and
- social adjustment to school and community environment.

Physical development

The degree or quality of the student's:

- motor and sensory development;
- health;
- vitality; and
- physical skills or limitations that pertain to the learning process.

Management Needs

Management needs means the nature and degree to which the following are required to enable the student to benefit from instruction:

- environmental modifications (e.g., consistency in routine; limited visual/auditory distractions; adaptive furniture);
- human resources (e.g., assistance in locating classes and following schedules; assistance in note taking); and
- material resources (e.g., instructional material in alternative formats).

Management needs must be developed in accordance with the factors identified in the areas of academic or educational achievement and learning characteristics, social and physical development.

Present Level Statements should answer these questions:

Present levels of performance statements should answer such questions as:

- What are the student's unique needs that result from his or her disability?
- What is it that the student can and cannot do at this time?
- What are the student's strengths in this area?
- How do these needs affect the student's participation and progress in the general curriculum or, for a preschool student, participation in age-appropriate activities?
- What are the parents' concerns for the education of their child?
- What instructional and/or behavioral supports or services have been effective or not effective in addressing the need area in the past year?
- What accommodations and/or program modifications or supplementary aids and services have been effective or not effective in addressing the need area in the past year?
- What instructional supports and services will likely be supported and used by the student?

When you complete the student's present level of performance and individual need section of an IEP, you should be able to state:

The student's unique needs that require the student's educational program to be individualized:

We are individualizing this student's education program because of his unique needs related to his disability in the areas of . . . (e.g., reading, writing, organization, memory, vision, hearing, problem solving, attention, motor skills).

What the student can and cannot do in each area of identified need:

In the area of _____, we know this student can currently _____, but cannot _____. (e.g., in the area of memory, he can remember a two-step sequence, but does not complete activities that involve multiple steps such as "get ready for school.)

The strengths of the student are upon which you can build:

He learns best through _____ (e.g., pairing auditory with written work; using music to trigger memory; redirection; modeling).

The areas of concern the parents have raised about their child's needs:

(e.g., He becomes upset and cries at home when he has to do writing assignments; he is not showing at home any of the language skills teachers report he has achieved in school; he has tantrums whenever we bring him out into the community).

The environmental, human or material resources the student will need to enable him/her to benefit from education:

(e.g., He will need structure and routine throughout his instructional day; close supervision during transitions; assistance with note taking; adaptive furniture for motor support; instructional materials in large print formats; a positive reward system for appropriate behavior).

How the disability affects involvement and progress in the general curriculum, or for preschool students, how the disability affects participation in age appropriate activities

The present levels of performance must include a description of how a student's disability affects the student's involvement in the general curriculum.

Examples:

- Kari's difficulty in organizing materials and information affects her ability to complete assignments independently and compose written essays.
- Luis has difficulty organizing information into larger units (e.g., main ideas or themes). He understands parts of a text, but has difficulty determining the main ideas and writing summaries of information read.

For preschool students, appropriate activities include those activities that children of that chronological age engage in such as coloring, pre-reading activities, play time, listening to stories, sharing-time, parallel play.

Examples:

- Dayton prefers to play in isolation and becomes upset (e.g., cries and hits others) when another student comes too close. As a result his peer interactions at playtime are limited.
- Damien's attention problems result in failure to follow teacher's directions, talking out of turn and responding inappropriately during group activities.

Consideration of Special Factors

The IEP must include a statement (under the applicable sections of the IEP) if the student needs a particular device or service (including an intervention, accommodation or other program modification) to address one or more of the following needs in order for the student to receive a free appropriate public education.

Strategies, including positive behavioral intervention and supports to address the behavior when a student has behavior that impedes his or her learning or that of others

In the case of a student whose behavior impedes his or her learning or that of others, the Committee must consider strategies, including positive behavioral interventions and supports and other strategies to address that behavior. The behavioral interventions and/or supports should be indicated under the applicable section of the IEP. For example, a Committee may determine that the positive behavioral supports a student needs require a special education service (e.g., consultant teacher), a related service (e.g., counseling), a program modification (e.g., special seating arrangements), assistive technology (e.g., communication board) and/or supports for school personnel (e.g., consultation with the school psychologist).

A student's need for a behavioral intervention plan must be documented in the IEP. When a behavioral intervention plan is recommended, the Committee must ensure that a functional behavioral assessment (FBA) has or will be conducted prior to the development of the behavioral intervention plan. A student's IEP must specify when a behavioral intervention plan will

include the use of a time out room for a student, including the maximum amount of time a student will need to be in a time out room as a behavioral consequence as determined on an individual basis in consideration of the student's age and individual needs. In addition, if applicable, other information relating to a student's behavioral intervention plan as required by section 200.22(e)(9) of the Regulations must be specified.

Language needs of the student with limited English proficiency, as such needs relate to the student's IEP

In developing an IEP for a student with limited English proficiency (LEP), the Committee must consider how the student's level of English language proficiency affects the special education services that the student needs, including:

- whether a student with LEP may need special education services for those aspects of his or her educational program that addresses the development of English language skills and other aspects of the student's educational program (e.g., consultant teacher to be provided in the student's English as a second language course); and
- whether the special education services will be provided in a language other than English (e.g., bilingual speech and language therapy).

Communication needs of the student

For each student with a disability, the Committee must consider whether a student needs a particular device or service to address the student's communication needs.

For a student who is deaf or hard-of-hearing, such consideration must also include the:

- opportunities the student needs for direct communication with peers and professional personnel in the student's language and communication mode; and
- student's academic level and full range of needs, including opportunities for direct instruction in the student's language and communication mode.

The communication needs of the student would be addressed on the IEP under the applicable sections. For example:

- "Annual Goals/ Short Term Objectives/Benchmarks" (e.g., reflecting instruction in sign language or use of an augmentative communication device)
- "Related Services" (e.g., reader)
- "Program Modifications/Accommodations/Supplementary Aids and Services/ Assistive Technology Devices/Services " (e.g., instructional materials in alternative formats: audio text, tape recorder, computer, speech synthesizer, headphones; related hardware and software; instruction in the use of speech synthesizer software)
- "Testing Accommodations" (e.g., separate location with double time)

In the case of a student who is blind or visually impaired, the student's need for instruction in Braille and the use of Braille

In the case of a student who is blind or visually impaired, the IEP must recommend that the student be provided instruction in Braille and in the use of Braille, unless the Committee determines, after reviewing the results of the student's individual evaluation, that instruction in Braille or the use of Braille is not appropriate for that student. If instruction in Braille or the use of Braille is to be provided, this would be documented under the applicable sections of the IEP, for example:

- "Annual Goals/Short Term Objectives/Benchmarks" (e.g., reflecting instruction in the use of Braille and/or instruction in the use of a related assistive technology device)

"Related Services" (e.g., orientation and mobility services; parent counseling and training in use of a portable word-processor/note taker Braille device)

- "Program Modifications/ Accommodations/ Supplementary Aids and Services/ Assistive Technology Devices/ Services/ Supports for School Personnel" (e.g., instructional materials in alternative formats: Braille text; refreshable Braille note taker; related hardware and software; instruction in the use of Braille, staff training in the use of a Braille word-processing device)

The student's need for assistive technology devices and services

The Committee must consider each student's need for assistive technology devices and/or services. If a student needs such devices and/or services, the appropriate sections of the IEP must specify the:

- nature of the assistive technology to be provided;
- services the student needs to use the assistive technology device;
- frequency, duration of such services;
- location where the assistive technology devices and/or services will be provided; and
- whether such device is required to be used in the student's home or another setting in order for the student to receive a free appropriate public education.

Attachment 2 provides examples of guiding questions that may be used by a Committee to determine whether a student needs such an intervention, accommodation or program modification to address one of these special considerations.

Quality Indicators

Present levels of performance and individual need statements:

- provide instructionally relevant information about the student.
- identify how the student is progressing towards the State learning standards.
- are descriptive and specific.
- provide the basis for annual goals and direction for provision of appropriate educational programs and services.
- are written in such a way that they can be understood by parents, professionals and paraprofessionals.
- are based on the results of the individual evaluation.
- reflect the concerns of the parents for enhancing the education of their child.
- identify what impact the student's disability is having on his or her ability to participate and progress in age-appropriate activities or in the same curriculum as nondisabled peers.

2 For guidance on age appropriate transition assessments, see http://www.nsttac.org/products_and_resources/tag.aspx

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Contact

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