



Exiting Eligible Individuals Who Are Proficient: Considerations for IEP Teams

The information below is intended to provide clarification regarding the misunderstanding that eligible individuals must be exited from special education when they reach proficiency on assessments. This resource should be used in conjunction with Iowa Administrative Rules for Special Education (IAC § 281—41), [Iowa Special Education Evaluation and Eligibility Standards \(2015\)](#), and the [AEA Special Education Procedures](#). The corresponding checklist is provided to support teams in sound decision making.

A learner meeting a proficiency target or reaching an IEP goal should be cause for celebration; however, the IDEA prohibits exiting a child from special education based on any single measure or assessment, including proficiency on a test, reaching an IEP goal, or any other single data element.

Iowa Special Education Eligibility and Evaluation — [Questions and Answers Issue 4: Eligibility for Special Education](#) (April 9, 2019) answers this question:

Can a child be eligible for special education if they are performing adequately in academics such as reading and math? **YES**

This point was reinforced by Administrative Law Judge Scase's decision in [A.W. vs Urbandale C.S.D., HAEA, IDOE, 2018](#):

A determination that a student is eligible for special education cannot be based on “any single measure or assessment as the sole criterion for determining whether a child is [eligible].” 34 CFR § 300.304(b)(3). (p. 54)

The Iowa Department of Education shall not require and the AEA and District shall not employ criteria that make a finding of disability under the IDEA contingent upon existence of a significant or severe discrepancy between the child's performance and age or grade-based standards. The Iowa Department of Education shall not require and the AEA and District shall not employ a definition of special education for purposes of determining whether a child needs special education as a result of a disability that excludes instruction adapted in content, methodology, or delivery to meet the needs of the child; merely because the instruction is within the capacity of general education. (p. 69)

Checklist for Exit Considerations:

The decision to exit an individual from special education must be made by a team of individuals knowledgeable about the individual and include individual(s) qualified to interpret assessment data. The following list of considerations is not exhaustive and is provided as a reminder to team members as they consider this decision.

If all boxes are checked in the affirmative, consider exiting; if not, consider gathering additional information or continuing eligibility.

1. The individual does not have a disability and/or the individual no longer needs specially designed instruction (adaptations to content, methodology or delivery) to meet their disability-related needs.
 - The individual's data, from multiple sources, are consistently above target lines that represent attaining performance that meets standards applicable to all individuals of the same grade and is performing at a level aligned with their unique circumstances.
 - The individual has no other concerns as a result of the disability which require specially designed instruction. An individual might have, for example, a behavior or motor disability and have no specific concerns in academics (e.g., learning to read, or develop math concepts etc.). Instead this individual may have specific motor/behavior deficits that impact his/her access, involvement and engagement with same-age expectations. An individual is eligible if they have a disability and need specially designed instruction related to any one or more of the seven performance domains that align to the 13 IDEA disability categories.
 - There are no data sources suggesting the student is not meeting standards.
 - There are no instructional supports, in or out of school (e.g., private tutoring, intensified/individualized intervention) of an ongoing nature that would be considered specially designed instruction, including the intensity or duration of the instructional supports.
 - The team has evidence from multiple data sources that the student does not have any continued needs.
2. The team is confident that the individual will sustain proficiency without special education services.
 - The team has data from multiple sources indicating that the individual will continue to be proficient without specially designed instruction (i.e., adaptations, alterations, or modifications of content, methodology or delivery).
 - The team has multiple data sources indicating that special education services are not required to maintain proficiency.
 - The team has considered and/or used a trial out of special education to determine a student's ability to maintain skills/proficiency.
 - The team has data from multiple sources to give confidence that the individual will sustain proficiency without special education services.

A full description of exiting procedures can be found on iowa idea information: [Can be found here](#)

Key considerations for determining [disability](#) & [need](#)



Department of Education