

Writing IEPs for the Audience of Teachers, Parents, and Students: The Case for the Communicative Individual Education Program

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Abstract

Our current paradigm of Individualized Education Program (IEP) construction, the creation of a legal document or contract between parents and schools, needs rethinking. This paradigm's unintended consequences have resulted in vast inefficiencies in special education and have detracted from the core purpose of the IEP document, the communication of the individualized educational plan. An alternative approach, the communicative IEP, will be presented. In this framework the written IEP is primarily conceived as a communication tool rather than a legal document. It will be argued that this approach will result in a shorter and more understandable IEP document, as well as a substantial savings in limited educator resources, which could then be better prioritized towards service delivery.

The Case for a Communicative Individual Education Program

Our current special education processes are inefficient and have conceptually drifted from their intended purpose. This problem has been repeatedly recognized over the past decade. For example, the President's Commission Report (2002) concluded that special education processes are being hindered by excessive litigiousness. They write:

the current system often places process above results, and bureaucratic compliance above student achievement, excellence and outcomes. The system is driven by complex regulations, excessive paperwork and ever-increasing administrative demands at all levels (p. 7)

Recognizing this problem, Congress attempted to address these concerns in the introduction to the Individuals with Disabilities Education Act (IDEA) 2004. They write:

Almost 30 years of research and experience has demonstrated the education of children with disabilities can be made more effective by focusing resources on teaching and learning while reducing paperwork and requirements that do not assist in improving educational results (20 U. S. C. § 1400 (c) (5)(G)).

Consider further in the Senate Report on the Individuals with Disabilities Education Act (2003); they write:

The committee is greatly concerned about the paperwork burdens experienced by teachers and other education personnel in connection with writing IEPs. Lengthy and complex IEPs are not

necessarily beneficial to students if they create confusion and take teachers away from instructional time with children (p. 30).

Although Congress has recognized this problem, over focus on the documentation of compliance and litigious paperwork continues to be detrimental to effective service delivery. Consider the conclusions from the Texas Study of Personnel Needs in Special Education (2006):

Both special education teachers and other special education professionals devoted many hours per month to non-teaching tasks or tasks other than providing direct services to students. For other special education professionals, it appears that more work hours are spent on paperwork such as developing IEPs (Individualized Education Programs), ARD (Admission, Review, and Dismissal) committee work, and other administrative tasks than on providing direct services to students. This directly impacts the service level for special education students (p. 23)

At the center of all special education paperwork and process is the Individualized Education Program (IEP), a yearly document created for each student to guide their services within special education. Some attempts at reforming IEP paperwork have been made in recent years. For example, at the federal level, the Office of Special Education Programs (OSEP, 2006) has produced a federal model IEP form that is four pages in length. Several states have followed suit, such as Texas who has reduced their model IEP forms to four pages (Texas Education Agency, 2011) and Alabama whose new model IEP form is slightly longer at six pages (Alabama Department of Education, 2012). These steps are encouraging. However, it should be noted that this trend toward simplified forms is not universal. For example, Ohio's model form is currently nine pages in length (Ohio Department of Education, 2010) and Michigan's is twelve pages (Michigan Department of Education, 2010). Note also that these page counts are for blank model forms; when they are filled in with actual content they will grow appreciably in length.

The progress by OSEP and some states in making changes to their model IEP forms is a positive step. However, the core issue of a misplaced focus on compliance and legality remains unaddressed by these reforms, which have been narrowly focused on the issue of paperwork reduction. The field remains in need of a qualitative change, a reconceptualization of the IEP document that addresses the inefficiencies stemming from the litigious nature of the process. Consider the following from the President's Commission Report (2002), which appears to get to the heart of the problem:

A particularly revealing issue to the Commission was the strikingly high number of parents, teachers and administrators who described how IEPs are not actually designed or used for individualized education; instead they are focused on legal protection and compliance with regulatory processes...The original concept of IEPs as an instructional framework for a defined period of a child's education has been lost to the greater need to document legal and procedural compliance (p. 16)

The above defines the counterproductive conceptualization that exists regarding the purpose of the IEP document. That is, IEPs are constructed as if they were legal documents, or contracts, formal binding agreements between parents and schools regarding service delivery and access to programs. Equal to this purpose in the current paradigm is the IEP's role in documenting

compliance with IDEA. This legal focus detracts from what ought to be the core purpose of the IEP document, efficiently communicating the details of the education plan to school staff, parents, and students so that it could be effectively implemented. For the rest of this paper, IEPs written with the primary aim of being contracts and documentation of compliance will be termed “legal IEPs.” In contrast, IEPs whose construction places the document’s communicative value above its purpose as a contract and proof of compliance will be termed “communicative IEPs.” It will be argued that a change in process from legal to communicative IEPs would lead to higher levels of effectiveness within special education.

Legal IEPs are not Communicative Documents

Legal IEPs are not designed as communicative tools that describe a student’s educational program to those entrusted with its implementation. Instead they are technical documents designed as legal safeguards for schools and parents. Their content and layout appear to be more a function of district’s piecemeal responses to state compliance probes than a result of a serious consideration on how to produce a document that has practical value to those working with students. Addressing the reasons why Texas IEPs were often more than 20 pages long, Borreca (2011) reports the following regarding how defensive legality enters the process:

One explanation is an unwarranted and unjustified fear of litigation. Over the years, there has been litigation and it has been emphasized to “document, document, and document.” Pages of paperwork have been added to cover issues at the local or state level. Local districts have been reported to have added elements because the state has come in for review, and said, “I don’t see documentation for this.” (p. 4)

The above highlights a central issue in legal IEP construction. Because of pressure on districts to create more perfect legal documents, IEPs are often designed more for the audience of state compliance monitors than they are for parents and general education teachers. A document whose primary purpose is to demonstrate that a district is in compliance and legally protected will not be designed in such a way as to maximize its effectiveness as a communicative reference for those involved with the student. These end points have little overlap. The consequence of this “legal first” paradigm appears to be the decreasing communicative value of our IEP documents in inverse proportion to their legal sophistication.

Three central areas of content in legal IEPs appear to decrease their communicative value. These are an over documentation of the considerations required in IDEA 2004, inserted sections of special education law and administrative statements, as well as protective statements documenting that the district followed procedure. Because these content areas add length and dilute vital content, they limit the effectiveness of the IEP document as a communicative tool.

Legal IEPs are characterized by an over documentation of federal compliance. IDEA 2004 explicitly stipulates that the IEP take into consideration multiple issues. Among these are, the concerns of the parents, the academic, developmental, and functional needs of the student, the strengths of the student, the results of past evaluations of the student, the impact of the student’s behavior on their learning, their communication needs, the needs of English language learners, the needs of students with visual impairments, and the student’s assistive technology needs. It is

common in the design of legal IEP documents to set aside a text box for most or all of these considerations. See the state of Delaware's (Delaware Department of Education, 2007) or the state of Illinois (Illinois State Board of Education, 2010) model IEP forms for examples. The IEP team is then obligated to write stylized statements and perhaps supply data for each consideration as documented proof that the considerations were in fact considered. Although it is common practice to produce statements for each of the considerations in the IEP, it is not required by federal law. IDEA 2004 clearly stipulates what statements are necessary in the IEP in section 1414(d)(1)(A). In section 614(d)(1)(A)(ii) the rule of construction states that nothing else beyond what is explicitly required by this law is required. Therefore, statements in the IEP that document each consideration are not required. It should be noted that a proper IEP does consider all of the preceding issues. However, to consider means to think and discuss. It does not mean to document. This excessive documentation, apart from being a drain on educator resources, unnecessarily adds to the length of the document and thereby reduces its communicative facility.

Legal IEP's are characterized by inserted sections of law and administrative statements. Similar to the excessive documentation of the considerations, these additions add length and lessen the communicative facility of the document. Inserted sections of law continue to be found on IEPs that have been "simplified". For example, the OSEP model IEP (2006) has a copied section of law above each textbox. The following section of law is inserted above the text box for special education and related services:

A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child: To advance appropriately toward attaining the annual goals. [34 CFR §300.320(a)(4)(i)] To be involved in and make progress in the general education curriculum and to participate in extracurricular and other nonacademic activities. [34 CFR §300.320(a)(4)(ii)] To be educated and participate with other children with disabilities and nondisabled children in extracurricular and other nonacademic activities. [34 CFR §300.320(a)(4)(iii)]

In addition to copied sections of law, legal IEPs often contain what can be referred to as administrative statements regarding the position of the educational agency on issues such as inclusion. For example see the following from Michigan's model IEP (2010):

The district ensures that, to the maximum extent appropriate, the student will be educated with students who are nondisabled; and special classes, separate schools, or other removal of the student from the general education environment occurs only when the student's needs cannot be met satisfactorily in the general education setting with supplemental aids and services. (p. 31)

The addition of copied sections of law and administrative statements in numerous areas throughout the IEP document appear to be for legal rather than communicative purposes. These non individualized statements do not improve the document's ability to efficiently communicate the details the education plan to those entrusted with its implementation. In contrast, they detract from it. Writing communicative IEPs requires us to take seriously who we are writing for.

Adding legal or administrative text above every section in the IEP can easily double or triple the number of pages. This makes the IEP less accessible to teachers, parents, and students, the opposite of what ought to be the goal.

Legal IEPs are characterized by numerous protective statements. Rather than contribute to the communication of the plan, these statements are focused on documenting that the district followed procedure. For example, the Illinois model IEP form contains a section on parental rights and involvement (Illinois State Board of Education, 2010). When the parent is not in attendance the district must fill in a text box detailing the attempts to contact the parent prior to the IEP meeting. There is another line which documents the date and manner in which the parents were informed about their procedural safeguards. Finally there is a section which documents if the parents were given a copy of the following: Evaluation report and eligibility determination, District's behavioral intervention policies, IEP, District's behavioral intervention procedures.

While it is important for the district to perform the actions required to be documented in this section, the inclusion of this type of content in the IEP document itself is not aligned to what should be its purpose, the communication of the plan. Protective statements are an aspect of contracts, not communicative tools. They do not help teachers to know how to accommodate, or counselors to know how to schedule. They do not help parents understand their child's progress or the strategies the school is using to address their disability. Protective statements appear to be included for the benefit of the district, not teachers, parents, and students. Their effect when placed throughout legal IEPs is to lower the overall communicative value of the document.

Legal IEPs Drain Limited Educator Resources

The time it takes to create, proof, and correct the exacting contracts that legal IEPs have become drains educator resources away from their students. Special education teachers spend an inordinate amount of time on paperwork unrelated to instruction. For example, the Texas Study of Personnel Needs in Special Education (2006) found that special education teachers spent an average of 16.9 hours a month completing paperwork for their disabled students. A more recent study found that the time special education teachers spend on paperwork related to special education equals 60 percent of their time spent on academic instruction (Vannest et al, 2011). These studies highlight the current inefficiencies in the system and the lack of appropriate prioritization of resources. It therefore appears that not much has changed since the Presidents Commission Report (2002) found that, "special educators spend more time on paperwork than grading papers, communicating with parents, sharing expertise with colleagues, supervising paraprofessionals and attending IEP meetings combined" (p. 17). For teachers, this time spent on paperwork directly detracts focus from a variety of important activities such as instructional planning, case management, and working with parents, activities that we know can lead to improved student achievement. It should come as no surprise that 88 percent of special education teachers report that the requirements of IDEA interfere with their teaching duties (SPeNSE, 2001). Succinctly stated, overly litigious IEP's have a cost that can be measured in lack of student achievement. This cost needs to be taken seriously.

While there is a lot we do know about the cost of legality in our IEPs, there is much that has gone unmeasured. When we consider the teacher time lost to the construction of legal IEPs we also need to consider professional development. How much time is spent in professional development talking about compliance issues rather than learning skills applicable to teaching? What percentage of time in district and county special education staff meetings is taken up with issues regarding the documentation of compliance that could be put to practical use developing school wide systems to enhance teaching and learning? Doing the research and finding the answers to these questions may provide an even more serious picture of the cost of the litigiousness of our current practices.

Legality in IEPs is Unnecessary

It has so far been argued that legal IEPs are not highly communicative documents and that their construction drains educator resources to the detriment of the students needing their support. However, before proposing a change, it needs to be determined that it is advisable to remove the legality from the IEP document. To do this, assumptions need to be reexamined. The field needs to question why legality in IEP documents is thought to be necessary to protect the rights of students with disabilities.

In general, legal protection against discrimination comes from the law, not from a personal document or contract between parties. Consider the rest of society; it is against the law for a person with a disability to be denied service in a business establishment because of their disability. To do so would be illegal. If and when it happens individuals may find recourse and protection under the law. This protection, however, stems from the law itself. It is not the result of a personal document stating the needs and rights of the individual with a disability. This protection is also not the result of a contract between that individual and the business establishment (if there was one) where the establishment agreed in writing to provide access to that individual. Such a contract or a personal document as a means of legal protection would be absurd. Likewise, considering the legal content in the actual IEP document as being essential to the protection of rights in education is equally absurd.

Is conceptualizing the IEP as a 'legal contract' between the parents and schools necessary to provide services or to modify a student's educational programming? We can look to general education for an answer. There are many instances in general education where student's programs and services are adjusted based on their individualized needs. For example, consider grade retention. The decision to have a student repeat a grade is made by the school and the parents based on the student's individual needs. In this scenario, extra services are being provided (a whole year of education) without the aid of a legal contract. Secondly, class scheduling for secondary students is completed based on student interest and needs (e.g., electives, remedial classes, credit recovery). Again, educational programming is modified without the use of a contract. Thirdly, many general education students with health problems require accommodations and interventions, such as the restriction of certain physical activities or the administration of medicine at school. Often these accommodations are recorded in a type of medical care plan; however, such a plan would certainly not be considered a legal contract. Finally, in the Response to Intervention framework assessments and interventions are designed and implemented to meet the individual learning needs of general education students. While

parents are informed and often participate in this process, no formal contract is required. In all, these examples demonstrate that without contracts, schools, working in conjunction with parents, have been providing intervention services, making significant changes to educational programming, as well as taking specific actions to protect the health and welfare of students based on their individual needs. Therefore, there is no reason to assume that a contract is necessary to provide an education for special education students when it is not necessary for general education students. Neither is this requirement in the law. IDEA 2004 states, “the term ‘individualized education program’ or ‘IEP’ means a written statement for each child with a disability” [34 CFR §300.320(a)]. The word “statement” does not directly imply “contract”. While IDEA 2004 requires schools to meet and individualize an educational plan for students with disabilities, it does not require schools to “contractualize” education.

Finally, it could be argued by a proponent of the current legal IEP paradigm that we have so far ignored history. Four decades ago few children with disabilities were appropriately educated; many schools refused to educate them entirely, let alone provide acceptable access to general education (IDEA, 2004). It could be argued that only because of federal disability law and the IEP being conceived as a legal contract did all of the gains in terms of access occur. These points have some validity and will not be disputed here. However, a question will be asked. If a way of doing things 40 years ago resulted in positive outcomes 40 years ago, does that mean that this way of doing things needs to continue in the present and persist indefinitely in the future? If it is possible that systematic discrimination against persons with disabilities is not as prevalent today as it was 40 years ago, might it also be prudent to temper our response to it.

There was a period in American history, relatively close in time to the origin of special education law, when a collection of soldiers from the National Guard were needed to enforce the racial integration of public schools. Today we do not have the National Guard outside schools to protect against segregation. To do so would be an absurd waste of resources. Although they were necessary at one time, in today’s world these measures are no longer required. Similarly, the conceptualization of an IEP as a legal safeguard created to protect individual rights in education may no longer be necessary.

In what follows, the framework for the communicative IEP will be presented. However, if one continues to view the purpose of the written IEP as a legal document created to protect rights in education, then what follows will seem woefully inadequate. Moving past the idea that legally constructed IEP documents are necessary will require a broad conceptual shift. This will be difficult. Change is hard. However, such a change in the field is necessary to move towards greater levels of efficiency and effectiveness.

Description of the Communicative IEP

A communicative IEP will place the communicative facility of the IEP document and educator resources above legalities. It will read as a treatment plan rather than a legal contract. Its primary purpose is to be a simple record of the educational planning that occurred at the IEP meeting, written in such a way as to maximize its communicative facility to school staff, parents, and, when appropriate, students. Brevity will be prized. For most students, the goal is for the IEP document to be no longer than a single page. More than a page takes away from its

communicative facility, and in this system, communication takes priority (however, it is recognized that proper individualization of the process will require some student's to have IEPs that are longer than a single page).

Referring back to the law, we find that IDEA 2004 defines an IEP as a series of statements regarding an individual's educational programming. The following seven statements (plus one for transition if the student has reached 16 years of age) are to be included in each IEP. By limiting focus to these seven statements, a team could produce a short IDEA compliant IEP. It should be noted that this document structure is similar to the current OSEP model IEP form, which basically consists of a series of text boxes to address each of the following statements. The list of required statements below are taken from IDEA 2004 (20 U.S.C. § 1414(d)(1)(A)).

(I) a statement of the child's present levels of academic achievement and functional performance

(II) a statement of measurable annual goals

(III) a description of how the child's progress toward meeting the annual goals described in subclause (II) will be measured

(IV) a statement of the special education and related services and supplementary aids and services

(V) an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described in subclause

(VI) a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district wide assessments

(VII) the projected date for the beginning of the services and modifications described in subclause (IV), and the anticipated frequency, location, and duration of those services and modifications

The communicative IEP takes as its starting point the idea that only two types of content ought to be included in the IEP document. The first is the above statements that are explicitly required by federal law, and the second is what the team determines to be of practical value to school staff, parents, and students. Nothing that is not mandated by federal law or determined to be of practical value to these parties will be recorded in a communicative IEP. In addition, care will be taken to ensure that these two areas of content will be presented in a communicative fashion directed primarily at those entrusted with its implementation. Please see the following three fictitious examples of communicative IEPs below.

(Communicative IEP Example #1)

Name: Christine
Date of Birth: 4/19/02

IEP Date: 10/20/12
Grade: 4th

Provider: Ms. Mitchell
School: Elmwood Elementary

PERFORMANCE LEVEL/PROGRESS IN GENERAL EDUCATION/GOALS:

Christine is eligible for special services as having a Specific Learning Disability in the area of Math Calculation. Her cognitive ability is average, except for a significant deficit in Working Memory, which limits the amount of information she can effectively process at once. She has no other academic weakness (see psychological from 2010 for more details). Christine has made significant progress in developing her computation skills since she started receiving services in the 1st grade. Her goal from last year was to have a test average in her general education math class of 60%. She has achieved that goal as her test average is currently 68%. Christine has been receiving less service in the resource room each year as she has been increasing her skills. Her goal for the upcoming IEP year is to hold a math test average of 75 %. If she reaches this goal, the team feels that her resource time could be further reduced, or she could possibly be decertified. Christine’s math test average can be viewed by her parents or other team members at any time via the district’s web based grade book.

PROGRAMS & SERVICES:

Christine will attend the resource room at Elmwood for approximately 35 minutes three days a week for supplemental instruction in math. This will be in addition to her math lessons in the general education classroom, which she will attend in their entirety. Christine will go to the resource room while the rest of her class is doing silent reading and social studies (She will be excused from any gen ed work she misses) The focus will be primarily on getting assistance with the math work that she is doing in general education.

During this year, if Christine’s test average remains at or above 75%, then her resource sessions will be decreased to twice per week (resource teacher will call parents to discuss first). If she can continue to hold that average, her resource time may be reduced to once per week.

ACCOMODATIONS/SUPPLIMENTARY AIDS:

She will receive extra time as needed to complete any work requiring calculations.

ASSESSMENTS:

Christine will take the standard state assessments.
She will be allowed to take math assessments in a small group setting.
She will be allowed extra time x1.5 for assessments involving math.

PARTICIPANTS:

IEP START DATE: 3/3/12

_____	_____	_____	_____
_____	_____	_____	_____

(Communicative IEP Example #2)

Name: John
Date of Birth: 08/9/03

IEP Date: 3/3/12
Grade: 2nd

Provider: Ms. Mitchell
School: Elmwood Elementary

PERFORMANCE LEVEL/PROGRESS IN GENERAL EDUCATION/GOALS

John is eligible as having a Learning Disability. He has average cognitive ability and average math and communication skills. He has strength in athletics. John has deficits in the areas of basic reading skills (currently at a level 12/first grade first month/ on the districts reading assessment: 02/26/12), and anger management (7 discipline referrals last year) that impedes his performance in general education. His goal from the last IEP was to be able to read level 10 books at 90% accuracy, so the goal has been met. His goals for this time next school year are to be able to read level 18/end of first grade/ books with 90% accuracy and have no more than two discipline referrals. A progress report on John's reading level will be sent home each quarter.

PROGRAMS & SERVICES

John will receive special services in the Elmwood resource room for approximately 60 min each day. The focus of this intervention is to improve his reading skills with small group reading practice and explicit phonics instruction. John will participate in general education for the rest of the day. (John will also receive support in general ed from the district's Title One reading support services approximately 2 to 3 times each week). John will participate in social work groups 2 to 4 times a month. The focus will be anger management and building of self concept.

ACCOMODATIONS/SUPPLIMENTARY AIDS

John will have tests read aloud in general education
John will have a "break pass" to social worker to use when needed

Teachers should be advised that John's aggressive behaviors often stem from academic frustration (especially in not understanding written seat work). In the past these behaviors have been circumvented by teachers making sure that John knows how to complete the work. When John does become angry, teachers should prompt him to use his "feelings strategies". If this does not work teachers could ask if he needs to use his "break pass". Please call (x547) to notify Mrs. McEvoy (the social worker) if help is ever needed.

ASSESSMENTS

For all state assessments John is to have the questions read aloud.
John will take assessments in a small group setting.

PARTICIPANTS:

IEP START DATE: 3/3/12

(Communicative IEP Example # 3)

Name: Jacob
Date of Birth: 09/09/96

IEP Date: 3/3/12
Grade: 10th

Provider: Ms. Dickerhoff
School: Elmwood High School

PERFORMANCE LEVEL/PROGRESS IN GENERAL EDUCATION/GOALS:

Jacob is eligible as having a Learning Disability in reading. Although Jacob has *Very High cognitive abilities* (psychological from 2007) his basic reading skills are at an early first grade level. To illustrate, he has trouble recognizing words such as “that” “two” “from” and “because”. This severe deficit in his functional reading skills affects his performance in all areas of the curriculum. His math skills are adequate as long as the reading has been removed from the calculation tasks. Jacob has been through a multitude of reading programs since he started receiving intervention while in the first grade. These interventions aimed at improving his reading skills have been unsuccessful. Therefore the focus of Jacob’s special education services have shifted from being intervention focused to accommodation focused. His goal from last year was to be able to pass a full schedule of general education classes, which he did. This goal will continue on into this next IEP year, and will be measured by his quarterly report cards.

PROGRAMS & SERVICES

Jacob will be enrolled in general education for the entire school day. He will meet with the teacher consultant as needed, but not less than once per month for assistance and support in managing his accommodations. The teacher consultant, Ms. Dickerhoff, will work with the teachers in the implementation of these accommodations. Please call her with any questions (x343).

ACCOMODATIONS/SUPLIMENTARY AIDS

Jacob has a tablet computer that he will be allowed to take with him to all classes

Jacob will have a peer note taker in each of his classes. The student who takes these notes will be given the use of a Jacob’s tablet to take notes for both of them. Jacob’s tablet has a text reader, so with earphones he can listen to the notes as a means to study at home.

Jacob will have all test and quizzes either read to him or given to him in a digital format so that he could read and respond to them himself with the help of his text reader.

Most of the school’s text books have an e-text component. Jacob will be able to use his tablet ear phones to have the digital text read to him in class.

If material is required to be read that does not have a digital text option, Jacob will either be given an alternative assignment with digital text, have the text read to him, or be excused from responsibility from that assignment or material.

For writing assignments, Jacob will be allowed to use his speech to text program on his tablet. He will be allowed to turn in work by email.

ASSESSMENTS

Jacob will take the regular assessments but will require the audio version or have the test read to him. He will be able to use his speech to text program for any writing assessments and will be able to take assessments in an alternate setting.

PARTICIPANTS:

IEP START DATE: 3/3/12

Each of the communicative IEPs presented above contain the necessary statements required by IDEA 2004, as well as some additional information that the team may find useful in implementing the program. However, in contrast to the legal IEPs described earlier, these communicative IEPs are free of copied sections of law, administrative statements, protective statements, and over documentation of considerations. There are no boilerplate trappings of legality. This difference markedly reduces the length and increases the readability of the documents. In addition to these differences, the reader will find other aspects of the above examples that may differ from many legal IEPs. For example, time in special education is not reported as a weekly total. Presenting a student's time in special education as 275 minutes per week is not as clear as stating 55 minutes a day, or in the case of a secondary student, one period a day. Also, names of involved staff members and their phone extensions are listed in the documents, so they could be more easily contacted by those who may have questions about the IEP's implementation. To save space, the demographics section is limited only to basic indentifying information. The IEPs contain if/then statements regarding the relationship between student progress and anticipated changes in services to be adapted during the school year. Finally, the document appears as a narrative, it is not broken down into a series of boxes to check and blanks to fill in. This non compartmentalized structure is designed to support the notion that the IEP is a plan to be created, as opposed to a form to be completed.

Potential Advantages of Communicative IEPs

A communicative IEP is constructed from two types of content, what is explicitly required in the federal law and what the team determines to be of practical value to record. This content is presented in the document in a manner thought to have the most communicative value to its primary audience of school staff, parents, and students. The use of this communicative, rather than legal, IEP process should result in more useful IEP documents, which could increase their utility in the classroom as well as result in a significant savings of staff time, which could then be put to better use on tasks related to service delivery.

Turning IEPs into communicative documents could increase their usefulness in the classroom, which could result in them being followed more closely. Consider the following thoughts from Borreca (2011) regarding the relationship between an IEP document's readability and likelihood of implementation:

The end result has been a document incomprehensible to many parents and regular education teachers called upon to implement its terms in the classroom. Lack of clarity and conciseness breeds mistrust and lessens the likelihood of implementation (p. 4)

Therefore, an increase in the communicative value of IEPs could result in teachers reading and referring to them more often throughout the year. This increase in the use of the document would allow for the IEP to better function as a plan should, as instructions to be followed. It is reasonable to assume that a higher frequency of consultation with the IEP document may result in a potential increase in the fidelity of its implementation.

Communicative IEPs may also result in an increase in meeting quality. Limiting the distraction of litigious paperwork would allow the team to remain focused on the creation of the plan rather

than the documentation of compliance. This may result in IEPs that are more effective and individualized, as well as increased levels of parent and student satisfaction with the IEP process.

Lastly, as described earlier, the process of constructing legal IEPs comes at a significant cost of educator's time and resources. It would be a statement of fact that the move to a (possibly one page) communicative IEP would result in an increase in educator's focus towards their primary role of providing direct services to students. This time could then be used for lesson planning, caseload management (actually checking up on the fidelity of IEP implementation and consulting with general education teachers on the progress of the interventions and accommodations), as well as increased parent communication. This has the potential to translate into better teaching, higher fidelity of IEP implementation, and increased parental involvement.

Research Measuring Communicative Value

Investigations of the effects different IEP designs have on their communicative facility is practically nonexistent. This is problematic. Research into this area should be a priority for the future if the field is to develop more useful IEP documents. As of this moment, we lack empirical evidence that the current OSEP model form would result in a more useful document than the Illinois state model form, or how the communicative IEP presented here would fare against either. Without studying the differences between them on outcome measures that directly or indirectly pertain to communicative value we can only hypothesize what the effects would be.

There are numerous dependent measures that could be employed to test the communicative values of different IEP designs against each other. For example, investigators could simply ask secondary students what their IEPs goal are and report on their accuracy. If students cannot recite their goals when asked, it may be that they were not communicated well in the IEP. Researchers could ask general education teachers what are the accommodations of the special education students in their classes. Do they know off hand? If they don't, how could their accommodations be consistently implemented? Researchers could investigate where general education high school teachers keep their IEPs. This may tell much about the communicative value they hold for general education teachers. Are they useful enough to have a copy kept "on hand" in their classroom? How often are they referred to? This may get at the center of whether or a not an IEP design produces documents that function as valuable communicative tools. User rating measures could also be employed. Teachers, parents, and students could simply rate their IEPs for clarity and usefulness. Regardless of the measurement methodology, until a research base regarding the communicative value of IEPs is established, the topic of IEP reform remains a discussion about paperwork reduction, rather than a discussion about increasing the value of IEPs for the benefit of students.

Summary

The current paradigm of legal IEP construction needs rethinking. It was presented that reconceptualizing the IEP as a communicative tool, as opposed to a legal document, would result in more useful written IEPs for teachers, parents, and students. This paradigm shift would also likely create a substantial savings in limited educator resources, which could be more

productively utilized on service delivery. Research into the communicative IEP process presented here is needed in order to better understand the potential advantages and pitfalls of the proposed reconceptualization.

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