

# Guidelines for Occupational and Physical Therapy in Educational Settings



NORTH DAKOTA DEPARTMENT OF  
**PUBLIC INSTRUCTION**



2019

September 24 – Dickinson

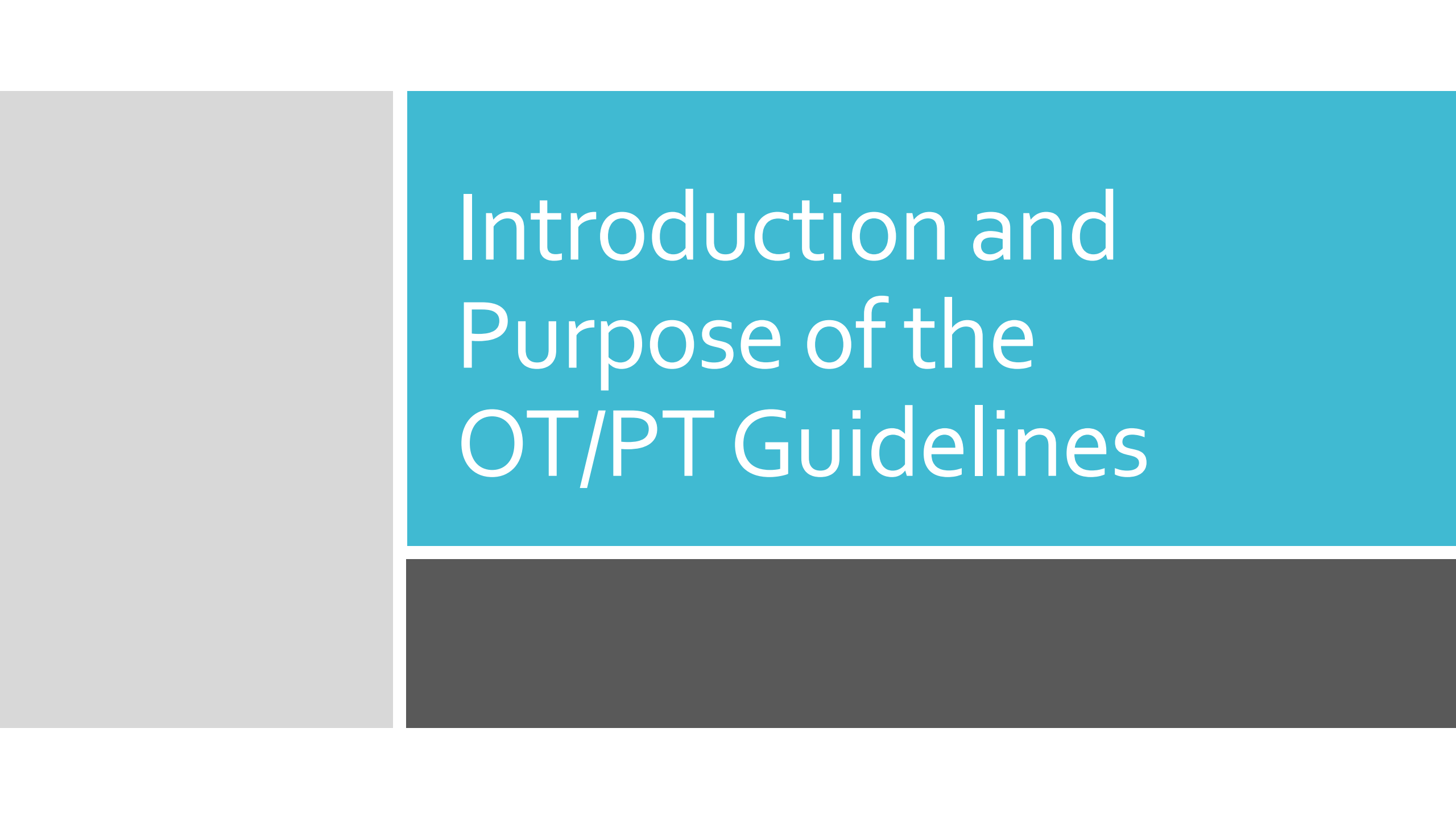
September 25 – Mandan

September 26 - Fargo

# Special Thanks to the OT/PT Guidelines Workgroup

- Kelly Anderson
- Leah Faul
- Brandi Freeman
- Mary Hellman
- Jennifer Neznik
- Jason Hogan
- Marcia Wehe
- Kim Meyers
- Carol Olson
- Bobbi Carrlson
- Lesley Fettig
- Matia Gjellstad
- Julie McCann
- Erika Hanson
- Lisa LaFleur
- Karla Magnuson
- Carrie Odden
- Mary McCarvel-O'Connor

Facilitators: Shauna Crane and Michelle Woodcock



# Introduction and Purpose of the OT/PT Guidelines

# Introduction & Purpose

- These guidelines for occupational therapists and physical therapists define and explain the collaborative process of therapy services within the school environments of North Dakota
- Inform therapists and administrators across the state about related services as stated in federal regulations and state rules. These regulations include the Individuals with Disabilities Education Act (IDEA 2004) and Section 504 of the Rehabilitation Act of 1973.
- Provide information and resources for Evidence Based Practice and team collaboration.

# Audience

---

Occupational Therapists

---

Occupational Therapy Assistants

---

Physical Therapists

---

Physical Therapy Assistants

---

Administrators

# Individuals with Disabilities Education Act (IDEA)

- 300.34 Related services
- (a) General. Related services means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, early identification and assessment of disabilities in children, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services for diagnostic or evaluation purposes. Related services also include school health services and school nurse services, social work services in schools, and parent counseling and training.
- (b) Exception; services that apply to children with surgically implanted devices, including cochlear implants.

# IDEA OT/PT

- 300.324 Development, review, and revision of IEP
- (6) Occupational therapy—
  - (i) Means services provided by a qualified occupational therapist; and
  - (ii) Includes—
    - (A) Improving, developing, or restoring functions impaired or lost through illness, injury, or deprivation;
    - (B) Improving ability to perform tasks for independent functioning if functions are impaired or lost; and
    - (C) Preventing, through early intervention, initial or further impairment or loss of function.
- (9) Physical therapy means services provided by a qualified physical therapist.

# Early Intervention & Screening



# Multi-Tiered System of Supports (MTSS)

## Occupational Therapy

- School mental health (including self-regulation & social participation)
- Fine motor and writing for all
- Activities of daily living
- Sensory and movement
- Educational in-services

## Physical Therapy

- Adapting environments for access and participation
- Educational in-services for staff and parents
- Demonstrate, train, and monitor effectiveness of interventions
- Use assistive technology to increase access to the general education setting and participation in curriculum
- Support safe transportation of students

**Tier 1 -  
Scientifically based core  
classroom instruction**

- Teacher contacts OT/PT about what has been attempted and receive suggestions.
- Classroom teacher and/or parent implements one intervention at a time. It should address the primary concerns (e.g. motor, attention, sensory).
- Provides framework for in-class and home intervention to be implemented by teacher and parents.
- Monitors student progress periodically.

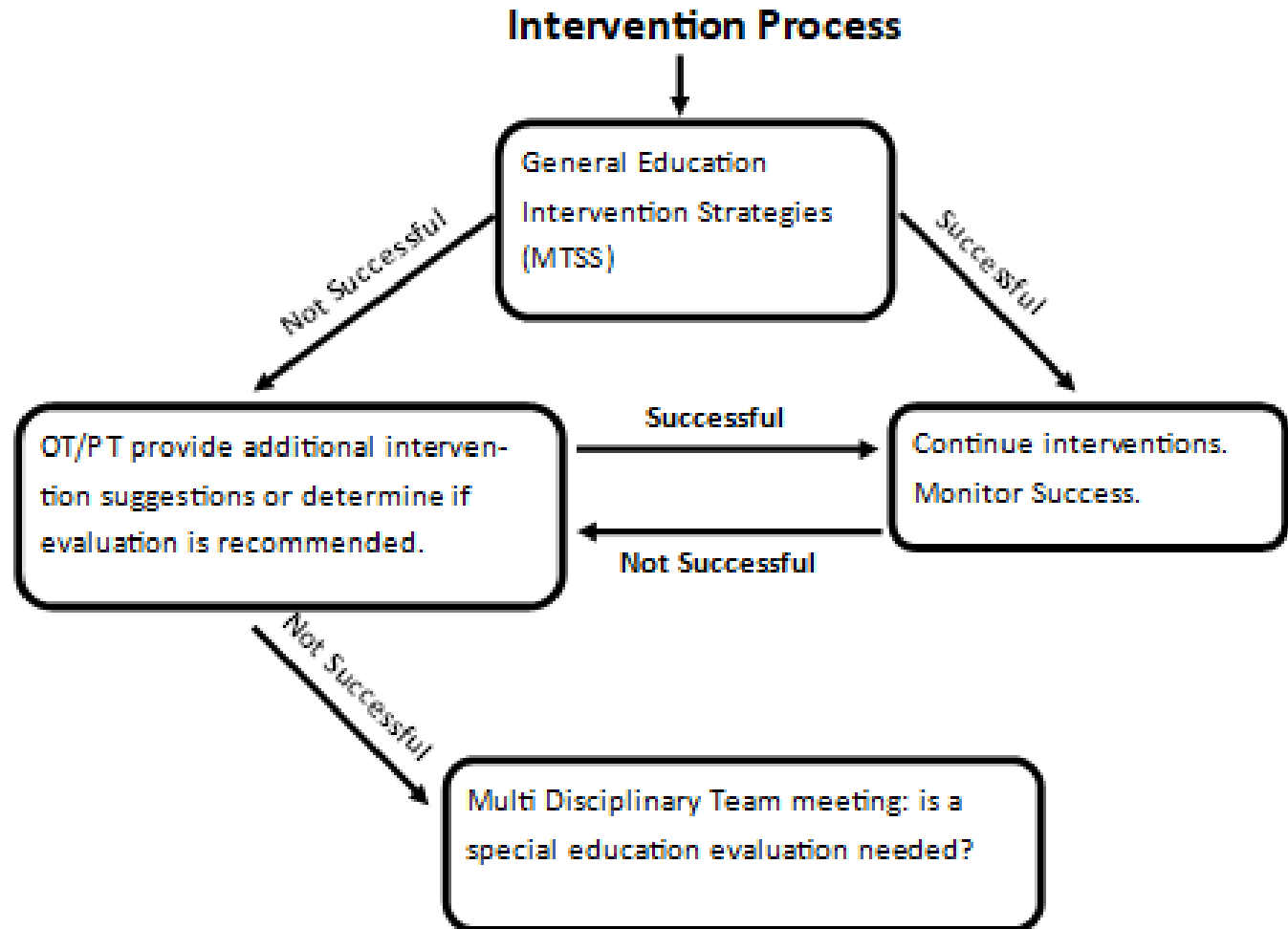
**Tier 2 -  
Targeted intervention and  
small group instruction**

- Teacher requests OT/PT attendance at an MTSS meeting. OT/PT can provide suggestions for the teacher and school staff.
- Provide intervention in small groups.
- Collaborate with parents, teachers and other professionals to monitor OT/PT interventions and provide additional targeted intervention if needed.

**Tier 3 -  
Intensive individual  
intervention**

- Collaborate with others to determine the need for intensive intervention.
- Provide intensive intervention with continuous data analysis to determine next steps.

# Intervention Process



# Screening

- Screening is the systematic collection of information for every student.
- The professional(s) that review the results of the screening need to determine whether the student should be:
  - Screened again at a later time
  - Referred for follow-up services by the school or another agency
  - Referred to special education for a comprehensive evaluation

# Screening? Evaluation?

- Is screening for instructional purposes considered evaluation?

## **300.302 Screening for Instructional Purposes is Not Evaluation**

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services.

- Can a school delay a parents request to evaluate in order to try MTSS first?

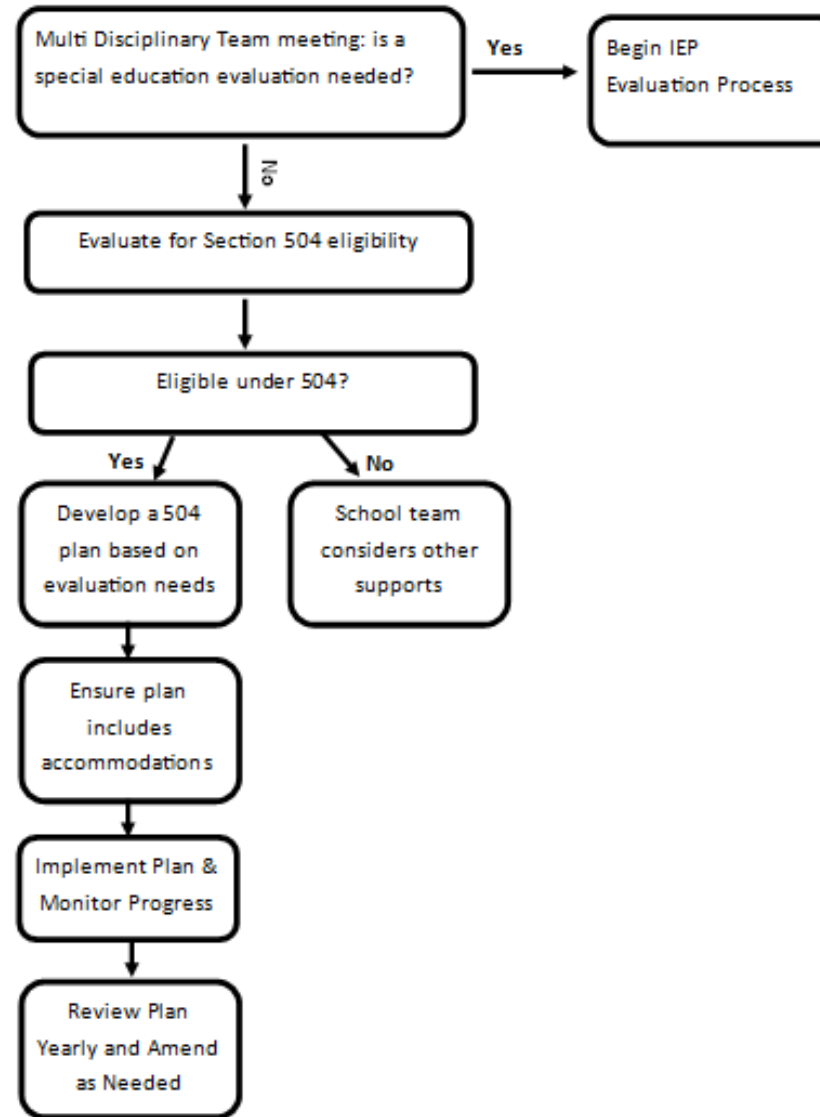
34 CFR §300.301(b) of IDEA allows a parent to request an initial evaluation at any time to determine if their child has a disability.

OSEP Memo 11-07: A Response to Intervention (RTI) Process Cannot Be Used to Delay/Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA).

# Section 504 Process

# 504 Process

## 504 Process

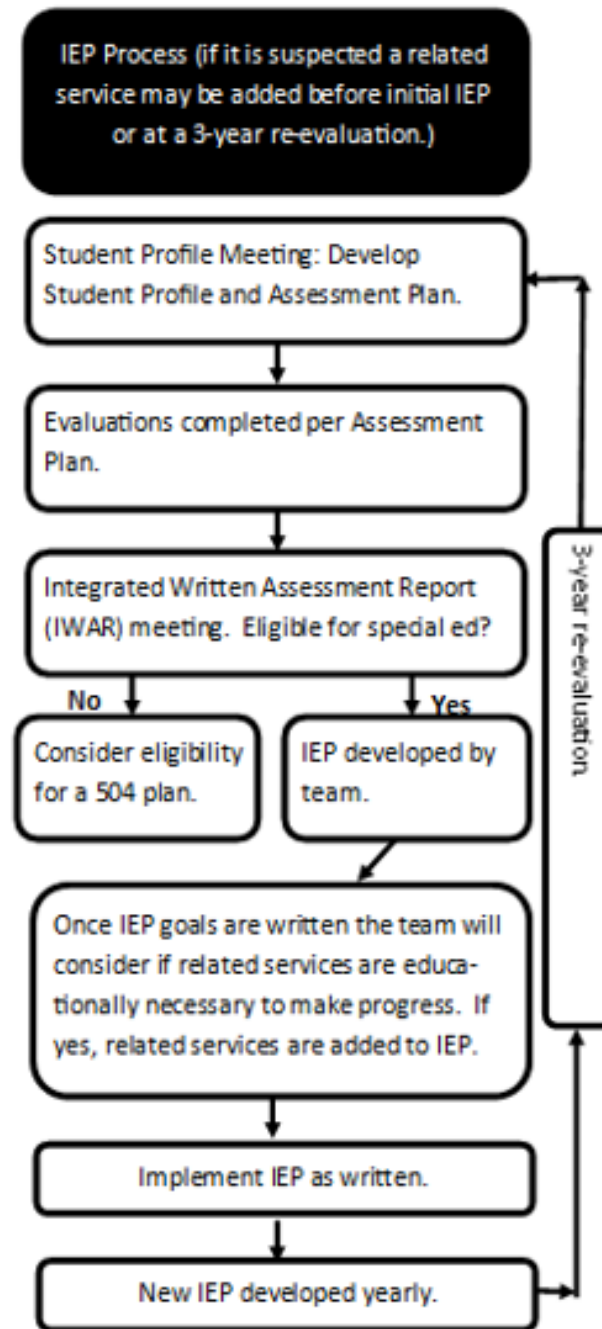




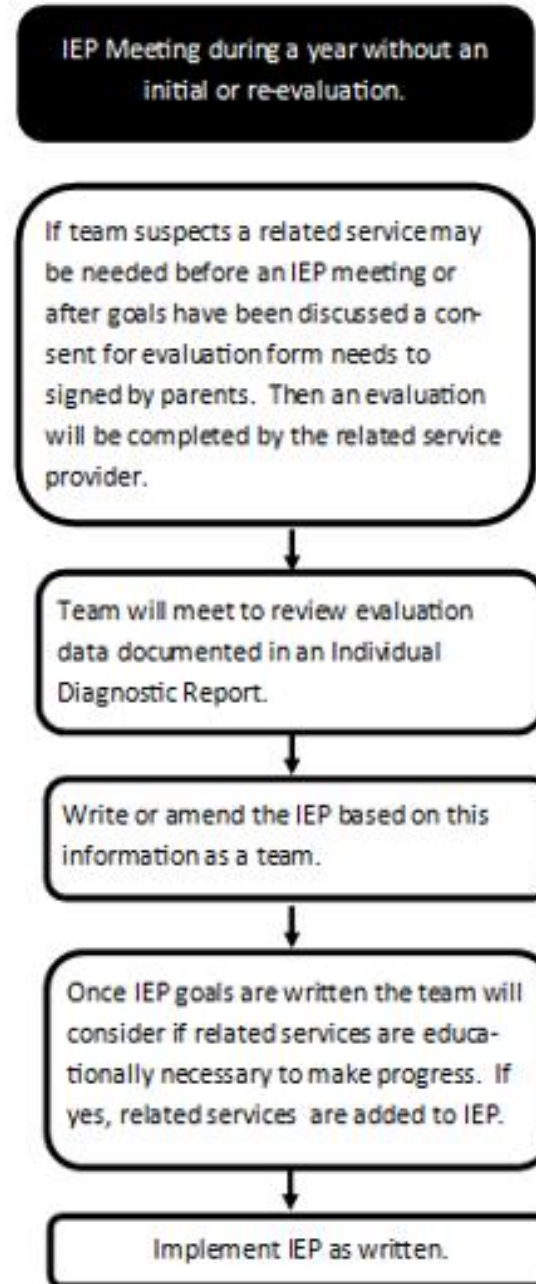
# Individualized Education Program (IEP) Process



# IEP Process Using Evaluation



# IEP Process Not During an Evaluation Year





# Evaluation



Parents



Special Education  
Teacher



Regular Education  
Teacher



Representative of  
the Local Education  
Agency



Individual who can  
interpret the  
instructional  
implications of the  
evaluation results

# MDT Members

## CFR 300.305

Additional requirements for evaluations and reevaluations.

(a) Review of existing evaluation data. As part of an initial evaluation (if appropriate) and as part of any reevaluation under this part, **the IEP Team and other qualified professionals.....**



Job of the Multi-Disciplinary Team is to determine the nature and extent of how the student's suspected disability impacts:



Student's functional school performance



Movement and mobility skills



Self-regulation



Life skills

# Evaluation Includes...



# Multi- disciplinary Team (MDT)

The MDT has the responsibility to:

- Develop a Student Profile: Evaluation
- Develop an Assessment Plan with modifications, as needed
- Carry out the Assessment Plan
- Analyze the findings throughout the process
- Prepare an Integrated Written Assessment Report (IWAR) to summarize pertinent observational data and other relevant assessment results that will determine if the student has a disability that adversely affects education



SIGNED PARENTAL  
CONSENT



PRIOR WRITTEN NOTICE  
(PWN) THAT INCLUDES  
INFORMATION ABOUT  
THE ASSESSMENT  
PLAN



COMPLETE AN  
INDIVIDUAL  
DIAGNOSTIC REPORT  
(IDR) IN TIENET

# Stand Alone Assessment



# Pre-School Transition IDEA C to IDEA B



[This Photo](#) by Unknown Author is licensed under [CC](#)

# Eligibility for Disability

# OT/PT Role in Eligibility Determination

Share professional judgement based on data gathered from evaluation

If a child may be eligible in the category of Non-Categorical Delay (NCD) provide needed evaluation data to make the determination



# IEP Process

# IEP Team

The regulations suggest—at the discretion of the parents and the school district—that individuals who have “*special expertise regarding the child, including related service personnel as appropriate,*” be included on the team. Parents are welcome to invite other individuals with specific expertise or who may have pertinent information about their child.

**34 CFR §300.321**



The PLAAFP is the foundation on which the rest of the IEP is developed.



Answers the question, "What do we know about this student?"

# Present Levels of Academic Achievement and Functional Performance (PLAAFP)



# PLAAFP Includes

- Parent input
- Strengths and concerns
- Student preferences and interests
- How the disability impacts involvement and progress in the general education curriculum
- Description of fine motor, gross motor, and sensory interventions that have been implemented previously and their outcomes



# IEP Goals Should Be...



Functional



Multidisciplinary



Developmentally appropriate (outcome measures should be appropriate to the child's chronological age)



Meaningful



Transferring across a variety of environments



Meeting present and/or future needs





# Goal Components

NDDPI *Individualized Education Program Planning Guidelines* state that they are four primary components of a goal:

- A. The behavior or skill being addressed
- B. The desired ending level of achievement
- C. The intent or purpose for accomplishment
- D. Characteristics of services

## Remember!

OT/PT are related services that should contribute to collaborative team goals for student-centered progress across educational environments. Services are determined by the IEP team after student-centered goals are written.



# Determining Need

Are occupational and/or physical therapy services required to assist the child to benefit from special education?

<p><b>Is the proposed related service educationally relevant?</b> (Circle Yes or No)</p> <ul style="list-style-type: none"> <li>• If NO, the service should not be considered as a related service</li> <li>• If YES, continue...</li> </ul>	YES	NO
<p><b>What purpose does it serve for the student?</b> Check all that apply.</p> <p><input type="checkbox"/> select or maintain equipment, specify:</p> <p><input type="checkbox"/> make adaptations or design support programs, specify:</p> <p><input type="checkbox"/> transfer information or skills to other school staff, specify:</p> <p><input type="checkbox"/> be a resource or support to the family, specify:</p> <p><input type="checkbox"/> provide services or therapies to the student, specify:</p> <p><input type="checkbox"/> other, specify:</p> <p><input type="checkbox"/> other, specify:</p>		
<p><b>Is the service educationally necessary?</b> Circle YES or NO for each question. <i>If the team answers, "yes" to the following question, it is an indication that the service under consideration probably IS educationally necessary:</i></p> <ul style="list-style-type: none"> <li>• Will the absence of the service interfere with the student's access to, or participation in, his or her educational program this year?</li> </ul>	YES	NO
<p><i>If the team answers "yes" to any of the following questions, the service under consideration probably IS NOT educationally necessary:</i></p> <ul style="list-style-type: none"> <li>• Could the proposed service be addressed appropriately by the special educator or classroom teacher?</li> <li>• Could the proposed service be addressed appropriately through core school faculty or staff (e.g., school nurse, guidance counselor, librarian, teachers, administrator, bus drivers, cafeteria staff, or custodians?)</li> <li>• Has the student been benefiting from his or her educational program without the service?</li> <li>• Could the student continue to benefit from his or her educational program without the service?</li> <li>• Could the service be appropriately provided during non-school hours?</li> <li>• Does the proposed service present any undesirable or unnecessary gaps, overlaps, or contradictions with other proposed services?</li> </ul>	YES	NO

# Service Determination

The IEP team determines the amount, frequency, duration and location of the services the student will receive in order to attain the annual goal.

Considerations:

- The amount of therapy must be stated in the IEP so that the level of the agency's commitment of resources is clear to parents and all who are involved in the IEP development and implementation.
- The amount of time per episode/session/day/week/month must be appropriate to the service.
- The amount of therapy should be based upon the student's needs, not the availability of staff.
- The duration of service is considered the length of the IEP unless otherwise stated. When the duration is different than the rest of the IEP, the IEP should show the starting date and duration.

## Who Provides Services

---

Occupational Therapist

---

Occupational Therapist Assistant (OTA)

---

Physical Therapist

---

Physical Therapist Assistant (PTA)

# Service Methods

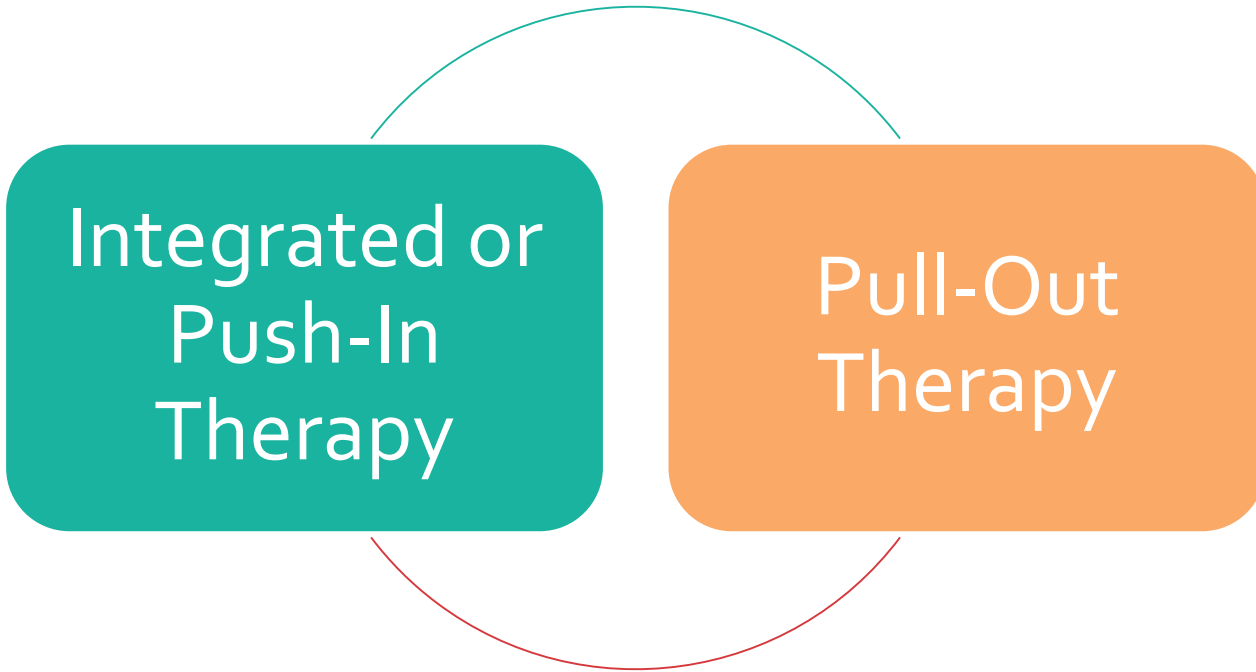
## Direct Services

- Direct services may be offered in a variety of settings (the classroom, the cafeteria, the intervention room or other school settings)

## Indirect Services

- Indirect services, or consultative services, are provided when a student's IEP specifies support for school personnel as a part of the accommodations, modifications, or supplemental support services provided to a teacher on behalf of the student. These services include providing information and demonstrating effective instructional and facilitation procedures

# Types of Direct Services



# Service Types

Direct – Service provider provides services individually or in groups to students.

Indirect – Indirect or consultative services provided through accommodations, modifications, or supplemental support services provided to a teacher, school staff, or parent on a student’s behalf.

https://mw.specialeducation.powerschool.com/templatedoc.aspx?template=79&sec=261&ddoc=1543484&child=0&origin=U&urlaction=release&relsec=254&relchilddoc=0

Home Page > 6-15 Sample (SAMPLE6\_15) > Documents > Draft: IEP Ages 6-15 (2019-20)

→ Educational Environment/Related Services ↘

Done Editing Save, Continue Editing Cancel Editing

To complete this section, fill out the form below and click save above.

Name: 6-15 Sample ID#: SAMPLE6\_15 Meeting

### I. Educational Environment

Use this setting information to check the federal child count code. By selecting one of the eight categories, the IEP team affirms that they have considered the continuum of services and the selected setting is believed to be the most appropriate environment for the student. This information is for the team's decision. The IEP team must document why the options selected in determining the environment setting are the most appropriate and least restrictive:

potential harmful effect to the student with this placement?  Yes  No

### J. Special Education and Related Services

Service	Minutes	Starting Date	Duration	Service Provider (Job Title)	Location of Services
(none)			(none)		
Health Care					
Individualize Instruction					
Individualize Instruction in math					
Individualize Instruction in reading					
Individualize Instruction in science					
Individualize Instruction in social studies					
Individualize Instruction in written language					
Interpreter					
Occupational Therapy					
Instructional Aide					
Physical Therapy					
Adaptive PE					
Social Work					
Small Group Instruction					
Group Instruction					
Speech Language					
Transportation					
Other					

with a disability. Justification for the decision made MUST BE STATED BELOW.

Done Editing Save, Continue Editing Cancel Editing



# Missed Minutes

- In *Letter to Balkman, 23 IDELR 646* (OSEP 1995) and reaffirmed in *Letter to Copenhagen, 108 LRP 33574* (OSEP 03/11/08) the court decided the only reason missed minutes for a student would not be provided is if a student is absent or school is closed (i.e., due to weather). If a student needs these services in order to receive FAPE, they need to be offered or made up if missed.
- Public Agencies are encouraged to consider the impact of a provider's or child's absence on the child's progress and performance and determine how to ensure the continued provision of FAPE in order for the child to continue to progress and meet the annual goals in his or her IEP. (*Letter to Clarke, OSEP 2007*)

## Educational Environment

Regardless of the approach employed to determine the type and level of related services, IDEA 2004 requires that special education services be provided in an environment that is the least restrictive environment appropriate for the child in order to achieve the collaborative goal.

Benefits of push-in therapy include:

- Less stigma, less being singled out
- Less disruption/lost instruction time
- Increased collaboration and consultation with teachers
- Benefits to other students
- More opportunities to practice skills in a natural setting (generalization)
- More effective problem-solving
- Peer modeling. Peers are invaluable assets - demo, modeling, motivation
- Goals and interventions are directly tied to classroom functioning

Least Restrictive  
Environment  
(LRE)

# Evidence- Based Practice

## 3 Components of Evidence-Based Practice

- Best available evidence
- Clinician's knowledge and skills
- Student's wants and needs

# Progress Reports

- Related services are added to a student's IEP to support specific goals. Therefore, it is the responsibility of the related service provider to report progress towards these goals as frequently as progress is reported for their peers (typically each quarter or trimester). **34 CFR §300.320(a)(3).**



**EXTENDED SCHOOL YEAR SERVICE(S)** - The provision of special education and/or related services beyond the normal school year.



**REGRESSION** - A decline to a lower level of functioning demonstrated by a decrease of previously attained skills that occurs as a result of an interruption in educational programming.



**RECOUPMENT** - The ability to **recover or regain** skills at the level demonstrated prior to the interruption of education programming.



**CRITICAL POINT OF INSTRUCTION OR EMERGING SKILL** - The point at which a student has **almost** mastered the skills in an instructional sequence. As the need for ESY service(s) is made, the IEP team must determine that a break in instructional programming would **result in the loss** of significant progress made toward the acquisition of a critical or emerging skill.

# Extended School Year (ESY)

# ESY Key Questions

- Will the learning that occurred during the regular school year be significantly jeopardized in ESY services are not provided?
  - Consider losses in the following areas: social, behavior, academic, communication, and self-sufficiency skills
- What data supports the need for ESY services?
  - Lack of progress in current IEP goals and objectives (progress monitoring)
  - Observation and input from the IEP team in the following areas: performance in the classroom, community based activities, family circumstances, and recent behavioral and/or medical problems

# Evacuation Plans

Evacuation of a person with a disability can be carried out if proper policies and techniques are implemented to:

- Train employees in methods of assisting the student
- Train employees how to effectively communicate during an emergency
- Assign specific tasks during an emergency
- Identify the specific needs of the student
- Provide a facility-specific response plan

The use of a modified evacuation plan should be documented in the adaptation section of the IEP. Train person(s) assisting student and ensure the plan is known within the building.



This Photo by Unknown Author is licensed under [CC BY-SA](#)



# Discontinuation of OT/PT Services

One or more of the following criteria should be met before the discussion to discontinue the student from related services.

- The student has accomplished the IEP goals for which the therapy was necessary, and therapy will no longer have an impact on the child's functioning in special education, i.e., services are no longer necessary to meet the remaining IEP goals.
- The student performs at a standard expected of his or her typical peers.
- The intervention no longer results in measurable benefits, regardless of multiple documented interventions.
- The student continues to make gains but there is no evidence that the related services interventions are related to the gains.
- The identified priority skills are no longer a concern within the student's educational context.
- The student is no longer eligible for special education and therefore no longer eligible for a related service under IDEA 2004.

## Steps for Dismissing a Related Service

- Do not have to conduct a reevaluation
- Document in the IEP the date of dismissal, justification supported by data and plan for recommendations.
- PWN needs to be completed noting the dismissal of the related service and given to the parents.



# Other Topics in the Guidelines

Transition

---

Birth-to-3 to Preschool

---

Preschool to School Age

---

School Age to Secondary

# Telehealth

- OT – can provide services through Telehealth if they determine supervision definitions have been met.
- PT – can only provide consultation services as another PT must be on site with the student (in order to meet direct supervision requirements)

# Medicaid



[This Photo](#) by Unknown Author is licensed under [CC BY-NC](#)

# Daily Notes



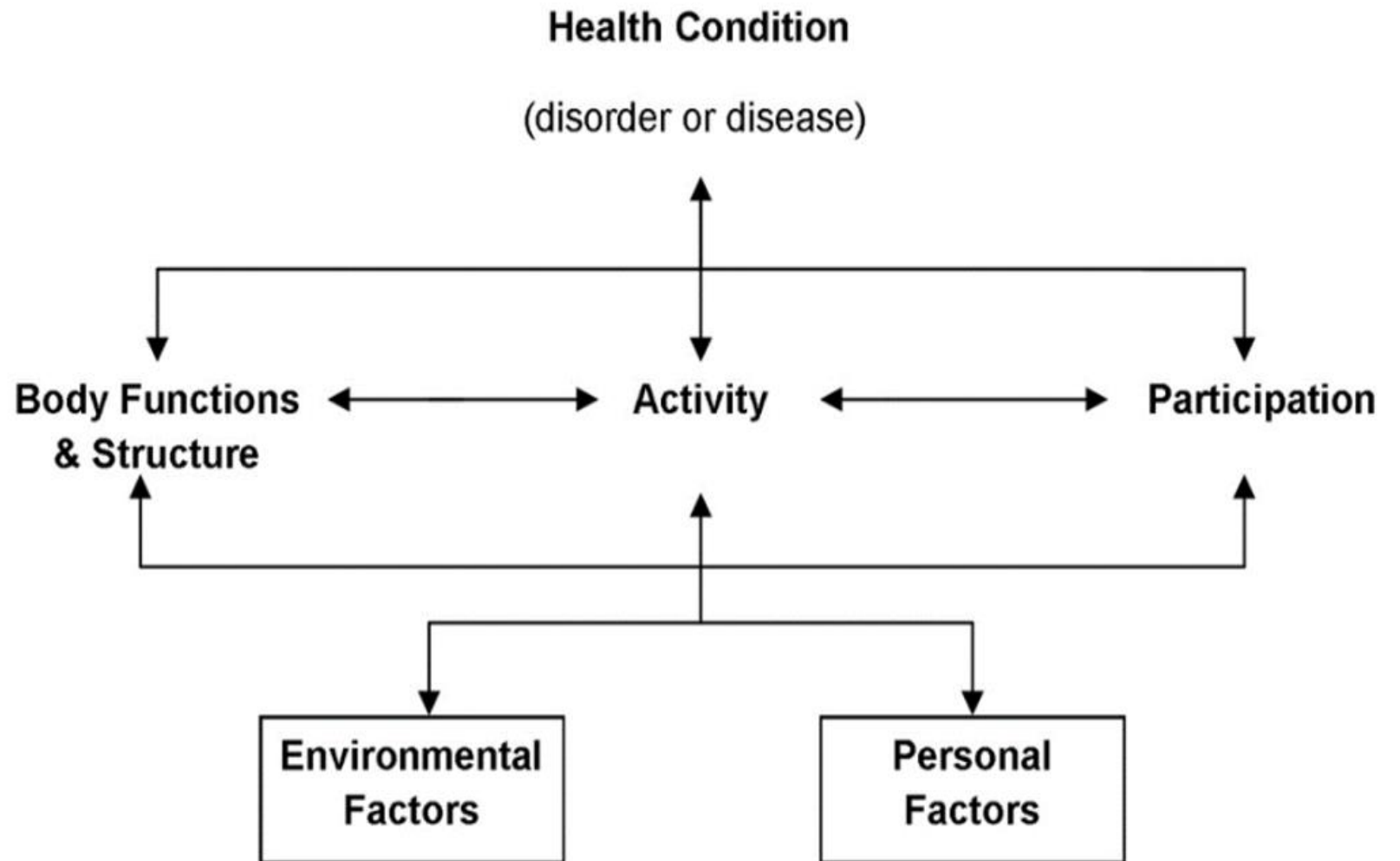
[This Photo](#) by Unknown Author is licensed under [CC BY-ND](#)

# Educational vs. Non-Educational Settings

EDUCATIONAL SETTING	NON-EDUCATIONAL SETTING
<p><b>Who is served by PT/OT?</b></p> <p>Children who qualify for special education services and who require OT/PT:  <b>ECSE</b> – 3 to 5 years  <b>School Age</b> – 5 to 21 years  <b>Transitional</b> – 18-21 years            Students qualifying under Section 504.</p>	<p>All ages without distinction, diagnoses within scope of practice.</p>
<p><b>Who is not served by PT/OT?</b></p> <p>Children with or without disabilities who do not require individual, specially designed instruction, related services or Section 504 accommodations.</p> <p>A medical diagnosis alone is <b>not</b> a criteria for service.</p>	<p>Resource limited per insurance, private pay, or Medicaid/Medicare.</p>
<p><b>What is the focus of service?</b></p> <p><b>EI / ECSE</b> – enhance the development of toddlers with disabilities and maximize independent living</p>	<p>Physical and occupational therapy services are provided to maximize quality of life by promoting health and</p>



# ICF Framework





This Photo by Unknown Author is licensed under CC BY-SA-NC



This Photo by Unknown Author is licensed under CC BY-SA-NC

# Assistive Technology

# Caseload vs. Workload

- Caseload – Number of students on IEPs or 504 plans the therapist works with
- Workload – Other duties a therapist has in addition to working with students. This information should be considered when determining caseload.

Resources:

[Ohio Workload Calculator](#)

[North Carolina Workload Guidance](#)

# Licensure & Certification Requirements

- [North Dakota State Board of Occupational Therapy Practice](http://www.ndotboard.com)
  - <http://www.ndotboard.com>
- [North Dakota Board of Physical Therapy](https://www.ndbpt.org/)
  - <https://www.ndbpt.org/>

# Adapted Physical Education



# State Resources

## [NDDPI State Guidelines](https://www.nd.gov/dpi/education-programs/special-education)

<https://www.nd.gov/dpi/education-programs/special-education>

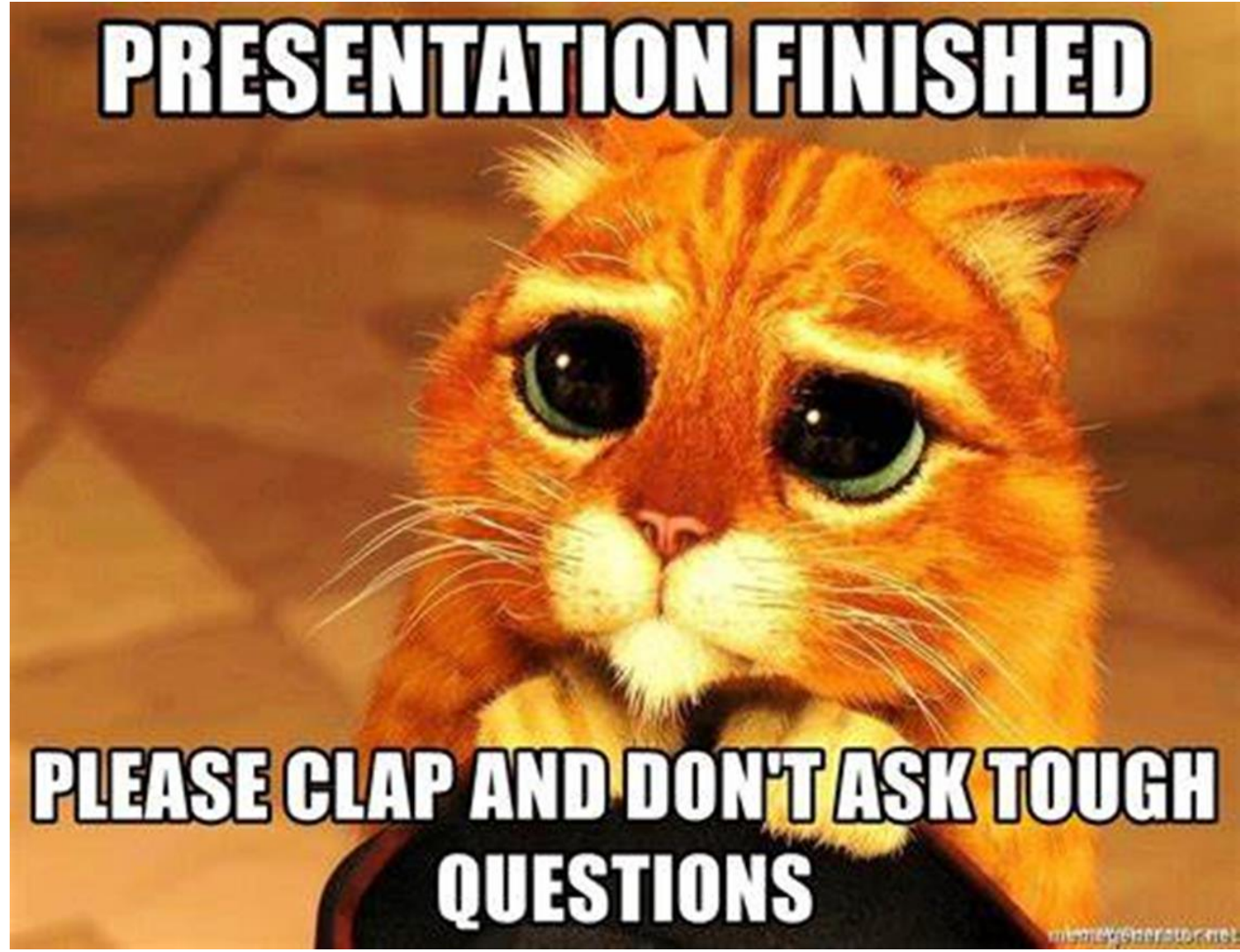
### Special Education State Guidelines

- [Guidelines for Serving Students with Autism Spectrum Disorders in Educational Settings](#)
- [Guidelines for the Provision of Assistive Technology to Students with Disabilities under IDEA Part B](#)
- [Guidelines for Serving Students with Emotional Disturbance in Educational Settings](#)
- [Guidelines: Educational Surrogate Parent](#)
- [Guidelines: Extended School Year \(ESY\) Services](#)
- [Extended School Year \(ESY\) Services - An Educator's Guide Brochure](#)
- [Extended School Year \(ESY\) Services - A Parent's Guide Brochure](#)
- [Evaluation Process](#)
- [Individualized Education Program Planning Process](#)
- [Guidelines: Intellectual Disabilities in Educational Settings](#)
- [Guidelines for Serving Students with Specific Learning Disabilities in Educational Settings](#)
- [NCD Guidelines](#)
- [Parent Guide to Special Education](#)
- [Parental Rights for Public School Students Receiving Special Education Services Notice of Procedural Safeguards](#)
- [Parental Rights for Public School Students Receiving Special Education Services Notice of Procedural Safeguards - Spanish Version](#)
- [Procedural Safeguards - Prior Written Notice & Parental Consent Procedures](#)
- [Guidelines for Gifted Programming](#)
  - [Volume 1: Program Handbook](#)
  - [Volume 2: Planning Handbook](#)

### ND Policy Papers in Education

- [Adapted Physical Education](#) - Question and Answer - January 2019
- [Discipline Regulations Policy Paper](#) - June 2019
- [Grades, Transcripts, Diplomas, and Graduation for Students with Disabilities](#) - January 2019
- [IDEA 2004 Students with Disabilities who Attend Private Schools](#) - April 2018
- [Informational Paper - Applied Behavior Analysis Services](#)
- [Informational Paper - Deaf & Hard of Hearing Students in ND School](#) - February 2010
- [Informational Paper - Dyslexia](#) - November 2018
- [Informational Paper - Students with Visual Impairments in North Dakota Schools](#) - February 2010
- [Informational Paper - Retention and Destruction of Educational Records for Students with Disabilities](#) - April 2019
- [NIMAS Policy Paper](#)
- [Related Services Guidance](#) - August 2019
- [Transportation as a Related Service in the IEP Informational Paper](#)

# Questions



# Contact Information

North Dakota Department of Public  
Instruction

Office of Special Education

701-328-2277



NORTH DAKOTA DEPARTMENT OF  
**PUBLIC INSTRUCTION**