



PHYSICAL EDUCATION AND THE LAW

1990: PL 101-476: Individuals with Disabilities Education Act (IDEA)

Rules and regulations include the same definitions (with only a few exceptions) found in PL 94-142 which provided free and appropriate education, including physical education, for all eligible children ages 3-21. PL 99-457 (EHA Amendments of 1986) Part B was incorporated into IDEA as Part B, Section 619 and provides for educational and related services to 3-5 year-olds.

- **Special Education Definition** (Sec. 1401 (16) - *The term special education means specially designed instruction, at no cost to parents or guardians, to meet the unique needs of a child with a disability, including --*
 - (A) instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and
 - (B) instruction in physical education

- **Physical Education Definition**

(2) Physical education is defined as follows:

(i) The term means the development of:

(A) physical and motor fitness;

(B) fundamental motor skills and patterns; and

(C) skills in aquatics, dance, and individual and group games and sports (including intramural and lifetime sports).

(ii) The term includes special physical education, adapted physical education, movement education, and motor development.

- **Physical Education Requirement** (121a.307)

(a) General. Physical education services, specially designed if necessary, must be made available to every handicapped child receiving a free appropriate public education.

- **Integration in Regular Physical Education**

(b) Regular physical education. Each handicapped child must be afforded the opportunity to participate in the regular physical education program available to nonhandicapped children unless:

(1) the child is enrolled full-time in a separate facility; or

(2) the child needs specially designed physical education, as prescribed in the child's individualized education program.

- **Special Physical Education**

(c) Special physical education. If specially designed physical education is prescribed in a child's individualized education program, the public agency responsible for the education of that child shall provide the service directly, or make arrangements for it to be provided through other public or private programs.



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IEP Documentation of Physical Education

Physical Education: General Modified – describe below Specially designed – requires goal(s)

General – check if:

The student is enrolled in the regular physical education program with his/her regular education peers and needs **no** adaptations or modifications

Modified – check if:

1. The student requires some modifications/adaptations/accommodations but participates in the regular physical education program
The accommodations/modifications needed should be shown on page F.

NOTE: Even though accommodations/modifications have been made, this is not considered an “adapted physical education” program” because the student is participating in a regular education program.

2. The student attends a special school other than a regular school setting such as the Four Oaks, Behavior Learning Center, Life Skills or other off-site programs which conduct their own physical education program. **Check “general” and write below “In a specialized setting.”**
3. The student is enrolled in an early childhood special education (ECSE) program and participates in the regular motor/movement experiences planned for his/her class either by the physical education instructor or the classroom teacher. **Check “general” and write below “ECSE”.**

Specially designed – check if the student participates in a physical education class separate from the regular physical education program. This includes:

1. Physical education in a self-contained special physical education class with other students who have a disability. A class which utilizes reverse mainstreaming or peer tutors, is still considered an adapted physical education class. Special physical education classes for students with behavior disorders are also considered adapted physical education programs. (See GOALS)
2. Physical education in a one-to-one setting: (See GOALS)
Adapted physical education is considered special education and the amount of class time should be reflected in the percentage of time removed from general education on page F of the IEP.

The present level of performance must address the student's deficit area(s) which require specially designed (adapted) instruction in physical education. The current functioning section will provide the skill or area needed compared to peers and the baseline will be specific and measurable for the needed skill.

GOALS

If the student participates in an adapted physical education program, goals and major milestones related to physical education must be included in the IEP on page G. Goals and milestones may relate directly to physical education or may be found in a variety of other goal areas [i.e. motor and mobility (OT, PT) communication, social-emotional, behavior, recreation/leisure]. The physical education instructor should be consulted and listed as a service provider for those objectives (embedded or direct) that will be carried out in the physical education setting.

Physical Education: <input checked="" type="checkbox"/> General <input checked="" type="checkbox"/> Modified – describe below <input checked="" type="checkbox"/> Specially designed – requires goal(s)

Check more than one IF:

Some physical/motor/social needs can be met in the regular physical education program, but the student also has some special needs that require specially designed (adapted) physical education. Goals and objectives must be written for adapted physical education. **The amount of time in both general physical education and in adapted physical education must be listed on page F.**

Two examples of Goals for Physical Education are included on the next two pages for illustration purposes.

Goal #: 1	Goal Area: Physical Health - Other	Goal Code: C3
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Current functioning (Results of the initial or most recent evaluation and results on district-wide assessments relevant to this goal; performance in comparison to general education peers and standards)

Fifi scored at the 10th percentile on the Health Related Fitness Test. Her area of greatest discrepancy is strength where she was in the 5th percentile.

Baseline (Describe individual's current performance in measurable terms): Fifi has just begun using weight machines for increasing physical strength. Her overall strength is below the average performance of her peers (See goal).

Goal: conditions (when and how the individual will perform); **behavior** (what the individual will do); and **criterion** (acceptable level of performance)
 Fifi will increase her strength by at least 20% as measured by maximum lift of 200 lbs. on the leg press, 35 lbs. on knee extension, and 20 lbs on arm curls.

Evaluation Procedures (state how progress will be measured and how often progress will be measured): Fifi will record scores weekly for 16 weeks using a stationary weight machine (Nautilus). Her scores for 4 weeks will be averaged.

State the district standard and benchmark related to this goal: The student will achieve and maintain a health-enhancing level of physical fitness.

Position(s) responsible for services: Physical Educator Paraprofessional

Major milestones or Short term objectives / Dates Expected	Comments / Progress Notes / Dates Achieved
4 week ave. (lbs.) - <u>1st</u> <u>2nd</u> <u>3rd</u> <u>Final</u> Leg Press Knee Extension Arm Curls	

Progress Report

- 1 = This goal has been met.
- 2 = Progress has been made towards the goal. It appears that the goal will be met by the time the IEP is reviewed.
- 3 = Progress has been made towards the goal but the goal may not be met by the time the IEP is reviewed.
- 4 = Progress is not sufficient to meet this goal by the time the IEP is reviewed. Instructional strategies will be changed.
- 5 = Your child did not work on this goal during this reporting period (provide an explanation to the parents).

_____ ○ 1 ○ 2 ○ 3 ○ 4 ○ 5	_____ ○ 1 ○ 2 ○ 3 ○ 4 ○ 5	_____ ○ 1 ○ 2 ○ 3 ○ 4 ○ 5
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Goal #: 2	Goal Area:	Goal Code:
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Current functioning (Results of the initial or most recent evaluation and results on district-wide assessments relevant to this goal; performance in comparison to general education peers and standards)

Frank does not walk independently although he is physically capable of bearing weight and walks with assistance. He is 4 years behind the motor milestone for walking according to the Heartland Gross Motor Scale.

Baseline (Describe individual's current performance in measurable terms): When asked to walk Frank refuses, sits down, and cries.

Goal: conditions (when and how the individual will perform); **behavior** (what the individual will do); and **criterion** (acceptable level of performance): In 36 weeks when given the signal "go", Frank will independently walk down one lane of the track for a distance of 25 meters on 3 out of 4 trials

Evaluation Procedures (state how progress will be measured and how often progress will be measured): Frank's distance walked (Meters) will be measured and graphed on a weekly basis. His level of independence (Alone) will also be noted.

State the district standard and benchmark related to this goal: The student will demonstrate competency in many movement forms and proficiency in a few movement forms.

Position(s) responsible for services: Paraprofessional

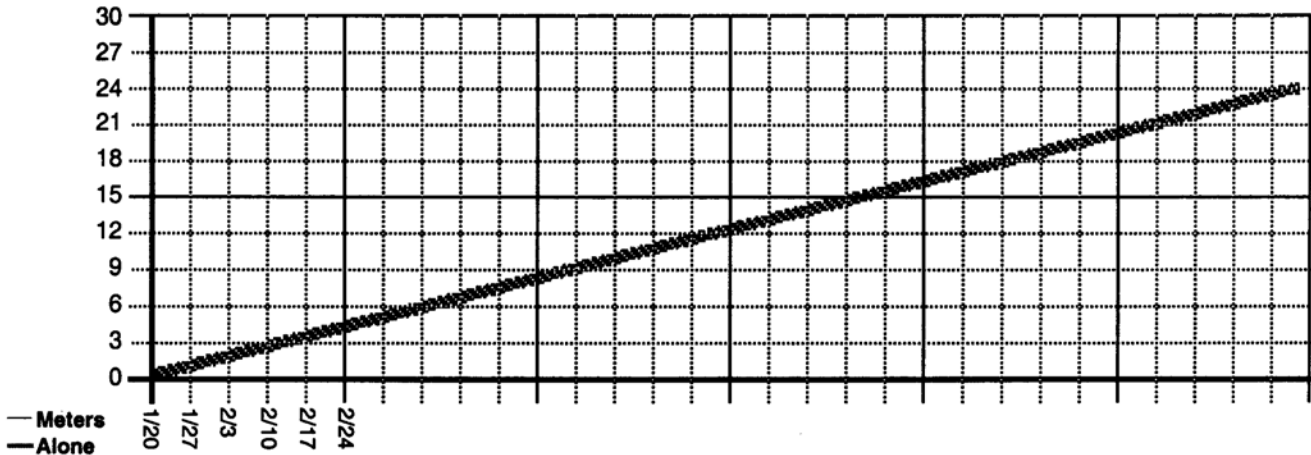
Physical Educator

Major milestones: 1. Walking at the signal "go"

3. Walking 10 meters independently

2. Walking 15 meters with assistance

4. Walking 20 meters independently



Progress Report																																
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