

## Statement of Goals and Objectives

### Overview

IDEA 2004 requires each IEP to include a statement of measurable annual goals designed to meet the child's disability-related needs. Because each child's needs are unique, however, the question of whether a particular goal is appropriate often requires a fact-specific inquiry. The following SmartStart addresses the legal requirements for IEP goals and objectives.

### DESCRIPTION OF ANNUAL GOALS

- Each IEP developed for a child with a disability must include a statement of measurable annual goals, including academic and functional goals designed to: 1) meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and 2) meet each of the child's other educational needs that result from the child's disability. 34 CFR 300.320(a)(2)(ii).
- Annual goals are statements that describe what a child with a disability can reasonably be expected to accomplish within a 12-month period, in the child's special education program. *Letter to Butler*, 213 IDELR 118 (OSERS 1988); *Notice of Interpretation*, Appendix A to 34 CFR Part 300, Question 4 (1999 regulations).
- Each IEP goal should have corresponding items of instruction or services identified. Having goals without related programming indicates that the district is not providing FAPE. See, e.g., *Burlington Sch. Dist.*, 20 IDELR 1303 (SEA VT 1994) (although the district's IEP for a teenager with an emotional disturbance contained detailed goals and objectives in the areas of study skills and social and emotional development in school, it did not offer FAPE because it did not include specific related services to address the student's identified needs for social and emotional development in his home or community).
- An IEP that lacks meaningful educational goals is likely to be fatally defective. See, e.g., *Susquentia Sch. Dist. v. Raelee S.*, 25 IDELR 120 (M.D. Pa. 1996) (parents were entitled to two years' reimbursement at a private school because the student's IEP lacked meaningful educational goals and, as a result, also lacked adequate short-term objectives, criteria for measuring progress, and adequate programming or services to address the student's identified problem areas). See also, *Conemaugh Township Sch. Dist.*, 23 IDELR 1233 (SEA PA 1996) (recognizing that no program can appropriately address a student's needs without first defining the goals it is expected to achieve)
- The goals included in a student's IEP must be specific enough for providers and the IEP team to determine whether the student is making progress. IEPs containing vague or immeasurable goals often are found to be deficient. See, e.g., *In re: Student with a Disability*, 50 IDELR 236 (SEA NY 2008) ("some of [the child's] IEP annual goals and short-term objectives are not measurable in that they do not contain evaluative criteria, evaluation procedures and schedules to be used to measure progress"); *Anchorage Sch. Dist.*, 51 IDELR 230 (SEA AK 2008) (because the goals in the child's IEP were expressed in subjective and inexact terms such as "to increase participation," and "to increase compliance,"

the team could not make an objective analysis of whether the child was making progress toward his goals and objectives); *Pueblo Sch. Dist.* 60, 110 LRP 7284 (SEA CO 10/16/09) (noting that a child's annual goals were not measurable because they contained phrases such as "will spontaneously," "with little prompting," "with some attention/supervision," "easy/familiar task," "difficult/novel task," and other undefined terms).

- Districts are not required to include in an IEP annual goals that relate to areas of the general curriculum in which the child's disability does not affect his performance. If a child with a disability needs only modifications or accommodations to progress in an area of the general curriculum, the IEP does not need to include a goal for that area. However, the IEP would have to specify those modifications or accommodations. See *generally* 34 CFR 300.320(a)(4).
- The IDEA does not establish a specific number of goals that must be included in an IEP, as that would contradict the premise that every IEP should be individualized. However, there should be at least one annual goal for each area of need. See, e.g., *Bellflower Unified Sch. Dist.*, 54 IDELR 66 (SEA CA 2010) (finding that a 5-year-old boy's IEP was deficient because it did not contain goals to address his lack of attention in the classroom, his lying down in class, or his inability to participate in classroom activities); *Pennsbury Sch. Dist.*, 48 IDELR 262 (SEA PA 2007) (finding that a high schooler's IEP was deficient because it did not address the student's specific learning disabilities in reading and written expression).

### **SHORT-TERM OBJECTIVES OR BENCHMARKS**

- The IDEA requires districts to develop short-term objectives or benchmarks only for those children with disabilities who take alternate assessments aligned to alternate achievement standards, 34 CFR 300.320(a)(2)(ii). A district still has the option to develop short-term objectives and benchmarks for any child with an IEP.
- Short-term objectives are developed based on a logical breakdown of the major components of the annual goals, and they can serve as milestones for measuring progress toward meeting the goals. *Notice of Interpretation*, Appendix A to 34 CFR Part 300 (1999 regulations). The objectives should be written in a sequential order that reflects a progression through the various skills needed to meet the annual goals and permit monitoring of progress throughout the year. See, e.g., *Pocatello Sch. Dist.* 25, 18 IDELR 83 (SEA ID 1991) (IEP for the student with autism was suspect because the short-term objectives concerning fine motor skill development all had the same start date (the first day of the year) and the same target date (the end of the year), rather than being broken down into smaller, more achievable components that build upon each other over the course of the school year).
- In many cases, the failure to show a progression in the short-term objectives reflects a significant programming problem that implicates FAPE. See, e.g., *Hingham Pub. Schs.*, 508 IDELR 289 (SEA MA 1987) ("the goals and objectives listed in [the IEP] are the same for all four quarters of the year, reflecting either extremely low expectations for [the child's] progress in the program, or poor instructional planning"); *Board of Educ. of Rondout Valley Cent. Sch. Dist.*, 24 IDELR 203 (SEA NY 1996) (finding that a student's IEP goals were too vague to put the student's resource room teacher on notice of the IEP team's expectations, and the short-term objectives were not specific enough to help a teacher to draft instructional plans).

- In some instances, appropriately drafted short-term objectives may compensate for inadequate annual goals. See e.g., *In re: Student with a Disability*, 6 ECLPR 39, 108 LRP 61425 (SEA NY 2008). That said, it is important to remember that benchmarks and short-term objectives are not substitutes for annual IEP goals. A district that develops short-term objectives for a child with a disability without developing annual goals may be found to be in violation of the IDEA. See, e.g., *Edinburg Consol. Indep. Sch. Dist.*, 109 LRP 72776 (SEA TX 04/25/09) (although a student's IEP included 45 short-term objectives in various instructional areas, it did not have any specific corresponding annual goals).

### **GOALS AND OBJECTIVES FOR RELATED SERVICES**

- The IEP is not required to include goals and objectives for related services, unless the student receives instruction during the provision of a related service - in which case the goals and objectives are necessary. See, e.g., *Letter to Hayden*, 22 IDELR 501 (OSEP 1994) (goals and objectives for related services such as air-conditioning or catheterization are not required to be included in an IEP if the service is only necessary to enable the student to attend school and is not intended to provide an educational benefit in itself); accord *Letter to Smith*, 23 IDELR 344 (OSEP 1995) (if the mode of transportation is intended to provide some other benefit related to the student's education, such as enabling the student to increase independence or have increased opportunities for socialization, then goals and objectives relating to independence or socialization must be included for the transportation service, so progress can be monitored and measured).

### **PERIODIC REPORTS TO PARENTS ABOUT MEETING IEP ANNUAL GOALS**

- Each IEP must include a description of
  - (i) How the child's progress toward meeting the annual goals ... will be measured; and
  - (ii) When periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided. 34 CFR 300.320(a)(3).
- The failure to monitor a student's progress toward IEP goals can amount to a denial of FAPE. See, e.g., *Pueblo Sch. Dist. 60*, 110 LRP 7284 (SEA CO 10/16/09) (finding that the district made "no serious attempt" to record or measure the student's progress, and that the IEP did not provide any objective criteria by which progress could be measured). However, a district's failure to provide regular progress reports may be deemed harmless if the parent has sufficient information about the student's progress. See *Twin Rivers Unified Sch. Dist.*, 109 LRP 68050 (SEA CA 10/12/09) (even if the district had an obligation to provide monthly progress reports to the parent, there was no evidence that the parent missed material information in the months that the district failed to send progress reports).

### **RELATIONSHIP BETWEEN ANNUAL GOALS AND PROVISION OF FAPE**

- The standard for determining if a student has received FAPE is whether the IEP was reasonably calculated to provide educational benefit. *Board of Educ. of the Hendrick Hudson Cent. Sch. Dist. v. Rowley*, 553 IDELR 656 (U.S. 1982). Whether an IEP is reasonably calculated to provide educational benefit is determined prospectively. *Fuhrmann v. East Hanover Bd. of Educ.*, 19 IDELR 1065 (3d Cir. 1993); *Adams v. State of Oregon*, 31 IDELR 130 (9th Cir. 1999) (an IEP is evaluated in light of information available at the time it was developed; it is not judged in hindsight); *Roland M. v. Concord Sch. Comm.*, 16 IDELR 1129 (1st Cir. 1990) ("an IEP is a snapshot, not a retrospective").

- A court refused to find an IDEA violation based on the district's failure to have progress reports at IEP meetings, where the parents otherwise fully participated in the development of their child's IEP. *Alexis v. Board of Educ. for Baltimore Pub. Schs.*, 40 IDELR 7 (D. Md. 2003). Nor was it willing to find the district denied the child FAPE because he did not make progress for two quarters in his goal to decode words when he made progress on the majority of his IEP goals.
- The district was not required to revise the student's sixth-grade IEP to include a reading or mathematics goal. *East Whittier City Sch. Dist.*, 106 LRP 49428 (SEA CA 05/22/06). The student's academic needs were effectively met through the accommodations and modifications described in his seventh- and eighth-grade IEPs, he received educational benefit from his programs, and he was provided with FAPE.

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