

# IEP Components Series

## Present Levels

IDEA requires that each IEP must include a statement of the child’s present levels of academic achievement and functional performance. That’s why this part of the IEP is commonly referred to as the “present levels statement.” For short, we’re just going to call it “present levels.” The focus of this issue of **NASET’s IEP Components Series** is to address present levels of academic achievement and functional performance. Information covered will include:

- IDEA’s exact words
- A closer look at “present levels”
- Examples
- Where does the information come from?
- “Present levels” for preschoolers
- Summary

## IDEA’S EXACT WORDS

It’s always helpful to know exactly what the IDEA says. So here’s the verbatim requirement for this component of the IEP, with the lead-in that...

## EACH CHILD’S IEP MUST CONTAIN...

- (1) A statement of the child’s present levels of academic achievement and functional performance, including—
- (i) How the child’s disability affects the child’s involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or
  - (ii) For preschool children, as appropriate, how the disability affects the child’s participation in appropriate activities...

And what does this *mean*—present levels of academic achievement and functional performance? Let’s take a closer look, because a lot of the other information in the IEP will rise out of this “present levels” statement.

## A CLOSER LOOK AT “PRESENT LEVELS”

The “present levels” statement is crafted by considering the areas of development in which a child with a disability may need support. These is roughly divided into the two areas of development: academic and functional. Neither of these terms—academic achievement, functional performance—is defined in IDEA. However, both are discussed by the Department of Education as follows.

**Academic achievement.** According to the Department:

“Academic achievement” generally refers to a child’s performance in academic areas (e.g., reading or language arts, math, science, and history). We believe the definition could vary depending on a child’s circumstance or situation, and therefore, we do not believe a definition of “academic achievement” should be included in these regulations. (71 Fed. Reg. at 46662)

Thus, when we’re talking about “academic achievement,” we’re talking about the academic subjects a child studies in school and the skills the student is expected to master in each: reading and language arts, writing, math and the various skills expected there, science, history, and so on.

Children’s circumstances will vary, as the Department notes, which means that the examination of the child’s academic achievement and performance is an individualized consideration. Where does that child stand academically, and—a critical question—how does the child’s disability affect his or her involvement and progress in the general education curriculum? The “present levels” statement must contain a description that answers these questions.

**Functional performance.** With respect to the meaning of “functional performance,” the Department of Education points to how the term is generally understood as referring to “skills or activities that are not considered academic or related to a child’s academic achievement.” This term “is often used in the context of routine activities of everyday living.” The reason that examples of functional skills were not included in IDEA was because “the range of functional skills is as varied as the individual needs of children with disabilities” (71 Fed. Reg. at 46661). But we can understand that “routine activities of everyday living” refer to skills and activities of daily living skills such as:

- dressing, eating, going to the bathroom;
- social skills such as making friends and communicating with others;
- behavior skills, such as knowing how to behave across a range of settings; and
- mobility skills, such as walking, getting around, going up and down stairs.

All of these types of skills are important to consider when writing the child’s “present levels” statement, asking questions such as: Where does the child stand in terms of functional performance? How does the child’s disability affect functional performance and, from there, his or her involvement and progress in the general education curriculum?

As with academic achievement, consideration of a child’s functional performance is highly individualized.

You also won’t find a description in IDEA of how functional skills are measured, “because this is a decision that is best left to public agencies, based on the needs of their children.” (*Id.*) However, the Department goes on to note that:

[T]he evaluation procedures used to measure a child’s functional skills must meet the same standards as all other evaluation procedures [described in IDEA at §300.304(c)(1)]. (71 Fed. Reg. at 46661)

When all is said and done, then, the IEP Team must talk about the impact of the child’s disability on his or her ability to learn and do the kinds of things that typical, nondisabled children learn and do. This is the information that is then included in the IEP as the “present levels” statement.

## EXAMPLES

Examples can be very illustrative, so we have included several below. None is a complete “present levels” statement, of course. These snippets are provided to suggest the range of information and detail you might find in a “present levels” statement.

- Elise is essentially non-verbal and uses many ways to communicate including: gestures, facial expression, eye gaze, vocalizations, word approximations, head nods for yes, head shakes for no, and use of a Dynavox 3100 augmentative communication device which she accesses with a head switch.
- Lawrence needs a quiet, separate place to do individual work.
- Terri learns quickly when working in a small group.
- Zung understands and remembers what he hears about a subject. Learning by reading or looking at pictures is difficult for him and doesn’t work as well.
- Kim imitates other children and learns from them.
- Results of standardized testing using the Woodcock-Johnson Revised (WJ-R) show Mario’s basic reading skills are at a beginning-4th grade level (standard score = 89). His basic writing skills are at a 3.7 grade level (standard score = 81).
- David’s performance in basic reading and writing is significantly below his ability. David makes errors when he reads and has trouble decoding long words, but his comprehension skills are strong. He uses context cues and picture cues to help him understand what he is reading.

## WHERE DOES THE INFORMATION FOR A CHILD’S PRESENT LEVELS OF PERFORMANCE COME FROM?

If the child is new to special education, the information used to craft the “present levels” statement will come from the tests and observations done during the child’s evaluation for eligibility. If the child’s IEP is being revised, the information may come from evaluations done during the year (by the school or from an Independent Educational Evaluation or IEE. Teachers and others who work with the child may offer information gained during the child’s day-to-day school routine. Parents also share information that help shape the child’s “present levels” statement.

## “PRESENT LEVELS” FOR PRESCHOOLERS

Oh, and one more thing about the “present levels” statement. If we’re talking about a preschool child, the statement will be a bit different. In this circumstance, “present levels” won’t be talking about how the preschooler’s disability affects his or her participation in the general education curriculum. For preschoolers, the statement needs to talk about how the disability affects the child’s participation in appropriate activities—meaning preschool activities. Those are often different than what school-age children are involved in and include things like learning basic skills such as using scissors, coloring, grouping things, learning your letters, playing children’s games, and so on. So the “present levels” statement for a preschooler will describe how the child’s disability affects his or her participation and success in the preschool environment.

Here are two examples:

- Dayton prefers to play in isolation and becomes upset (e.g., cries and hits others) when another child comes too close. As a result his peer interactions at playtime are limited. [1]
- Damien’s attention problems result in failure to follow the teacher’s directions, talking out of turn and responding inappropriately during group activities.[2]

## **SUMMARY**

The “present levels” statement is intended to comprehensively describe a child’s abilities, performance, strengths, and needs. It is based on, and arises out of, all the information and data previously collected and known about the child, most especially the full and individual evaluation of the child that must be conducted in accordance with IDEA’s evaluation/eligibility provisions of §§300.301 through 300.311. A well-written present level will describe:

- the child’s strengths and weaknesses,
- what helps the child learn,
- what limits or interferes with the child’s learning,
- objective data from current evaluations of the child, and
- how the child’s disability affects his or her ability to be involved and progress in the general curriculum.

A fully developed, well-written “present levels” is the foundation upon which the rest of the IEP can be developed to specify appropriate goals, services, supports, accommodations, and placement for the child.

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Sources for the examples of “present levels” come from:

Anderson, W., Chitwood, S., & Hayden, D. (1997). *Negotiating the special education maze: A guide for parents and teachers* (3rd ed.). Bethesda, MD: Woodbine House.

Rebhorn, T. (2009). Developing your child’s IEP. *A Parent’s Guide*, 12, 1-28. Available online at: <http://www.nichcy.org/publications/pa12>

New York State Education Department. (2005, December). *Sample individualized education program (IEP) and guidance document*. Retrieved December 11, 2007, from <http://www.vesid.nysed.gov/specialed/publications/policy/iep/presentlevels>

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