# **SUMMARY OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE (SOP)**

**NOTE: The Oregon Department of Education and the Office of Vocational Rehabilitation are currently developing tools to assist educators and rehabilitation counselors to bridge the gap between functional performance and functional limitations. When completed, the tools will be listed the ODE website.**

## **The Issue:**

Due to the economic crisis and budget cuts, School Districts (SD) have cut back on assessment not required by Federal or State law. In other words, SDs are not providing additional assessment other than those necessary to determine special education eligibility. In the past, many SDs completed assessment as a courtesy to families, so that students would have current assessment ready when applying for Vocational Rehabilitation eligibility, Community College requirements, and/or Developmental Disability eligibility.

As an option, school districts may use the Summary of Performance as a tool to assist Vocational Rehabilitation in determining eligibility. The school district must be very clear in describing functional performance, so that Vocational Rehabilitation Counselors can better translate

VOC REHAB SIGNIFICANT FUNCTIONAL BARRIERS TO EMPLOYMENT.

SCHOOL FUNCTIONAL PERFORMANCE

## **FEDERAL REGULATION—1**

**Individuals with Disabilities Education Act** (**IDEA**) **§ 300.305**

As part of an initial evaluation (if appropriate) and as part of any reevaluation under this part, the IEP Team and other qualified professionals, as appropriate, must—

(1) Review existing evaluation data on the child, including—

(i) Evaluations and information provided by the parents of the child;

(ii) Current classroom-based, local, or State assessments, and classroom-based observations; and

(iii) Observations by teachers and related services providers; and

(2) On the basis of that review, and input from the child’s parents, identify what additional data, if any, are needed to determine—

(i)(A) Whether the child is a child with a disability, as defined in § 300.8, and the educational needs of the child; or

(B) In case of a reevaluation of a child, whether the child continues to have such a disability, and the educational needs of the child;

(Authority: 20 U.S.C. 1414(c))

## **Federal Clarification—1**

The Office of Special Education Programs (OSEP) and Rehabilitative Services, US Department of Education does not believe that the regulations should require public agencies to conduct evaluations for children to meet the entrance or eligibility requirements of another institution or agency because to do so would impose a significant cost on public agencies that is not required by the Act. While the requirements for secondary transition are intended to help parents and schools assist children with disabilities transition beyond high school, section 614(c)(5) in the Act does not require a public agency to assess a child with a disability to determine the child’s eligibility to be considered a child with a disability in another agency, such as a vocational rehabilitation program, or a college or other postsecondary setting. The Act also does not require LEAs to provide the postsecondary services that may be included in the summary of the child’s academic achievement and functional performance. OSEP believes it would impose costs on public agencies not contemplated by the Act to include such requirements in the regulations.

It would be inconsistent with the Act to require public agencies to conduct evaluations for children who are exiting the school system because they exceed the age for eligibility under State law. Section 300.305(e)(2), consistent with section 614(c)(5)(B)(i) of the Act, is clear that an evaluation in accordance with §§ 300.304 through 300.311 is not required before the termination of a child’s eligibility under the Act due to graduation from secondary school with a regular diploma or due to exceeding the age eligibility for FAPE under State law.[[1]](#footnote-1)

## **FEDERAL REGULATION—2**

**IDEA Federal Regulations § 300.305(e)(3) Additional requirements for evaluations and reevaluations**

For a child whose eligibility terminates under circumstances described in paragraph (e)(2) of this section, a public agency must provide the child with a summary of the child’s academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child’s postsecondary goals.

(Authority: 20 U.S.C. 1414(c))

## **Federal Clarification—3**

Section 300.305(e)(3), consistent with section 614(c)(5)(B)(ii) of the Act, states that the summary required when a child graduates with a regular diploma or exceeds the age eligibility under State law must include information about the child’s academic achievement and functional performance, as well as recommendations on how to assist the child in meeting the child’s postsecondary goals. The Act does not otherwise specify the information that must be included in the summary and OSEP does not believe that the regulations should include a list of required information. Rather, OSEP believes that

State and local officials should have the flexibility to determine the appropriate content in a child’s summary, based on the child’s individual needs and postsecondary goals.[[2]](#footnote-2)

## **STATE REGULATIONS**

**OAR 581-015-2105**

**Evaluation and Reevaluation Requirements**

 (5) Summary of Achievement and Performance: For a student whose eligibility terminates due to graduation with a regular diploma or exceeding the age of eligibility, a school district must provide the student with a summary of the student's academic achievement and functional performance, including recommendations on how to assist the student in meeting the student's postsecondary goals.

Stat. Auth.: ORS 343.041, 343.157
Stats. Implemented: ORS 343.146, 343.157, 34 CFR 300.301,300.303
Hist.: ODE 10-2007, f. & cert. ef. 4-25-07

**Oregon MINIMAL Compliance Sample Form-- Summary of Academic Achievement and Functional Performance (SOP)**

The Summary of Performance:

1. Provides information to students who are graduating with a regular diploma to assist them in meeting their post-secondary goals; and

b. Provides information to students who are leaving school because they exceed the age of eligibility for a free appropriate public education (end of school year in which they turn 21) to assist them in meeting their postsecondary goals.

The SOP sample form is used to Comply with the requirement for a Summary of Performance in IDEA.

**IDEA 2004 does not explicitly require a Summary of Performance for students who are leaving school before the end of their entitlement period due to graduation with a modified diploma or another diploma or certificate. ODE strongly recommends that school districts provide a Summary of Performance for these students also.**

Citations: 20 USC § 1414(c)(5)(B)(ii); 34 CFR 300.304; OAR 581-015-2105

**Summary of Performance**

Student Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Birth Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Student ID #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attending School \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Case Manager \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Anticipated Exit Date (mm/yy) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Summary of Student’s Academic Achievement and Functional Performance:**
* *How the student’s disability has affected the student’s academic achievement and functional performance;*

*o The student’s academic and functional strengths;*

* *The results of the student’s most recent state or district assessments;*

*o The results of any college entrance examinations (e.g. SAT, ACT);*

* *The results of the most recent special education evaluation of the student;*
* *Whether the student is graduating with a regular diploma, a modified diploma, extended diploma or alternate certificate.*

*o Any honors or special awards the student achieved in high school; and*

*o Any vocational or extracurricular accomplishments of the student.*

* *Any information of functional performance in the following domains*

*Interpersonal Skills Self Direction*

*Mobility Communication*

*Motor Skills Work Tolerance*

*Self Care Work Skills*

1. **Student’s Post-secondary Goals: *(from IEP)***
2. **Recommendations to Assist Student in Meeting Post-secondary Goals:**
* *Write any recommendations for assisting the student in meeting post-secondary goals after the student exits from K-12 education. These recommendations may include:*
	+ *Recommendations for accommodating the student’s disability in the workplace or post-secondary education setting; and,*
	+ *Recommendations for assisting the student to achieve post-secondary goal(s).*
* *Remember: IDEA does not require SDs to provide the postsecondary services that may be included in the summary of the child’s academic achievement and functional performance. OSEP believes it would impose costs on public agencies not contemplated by the Act to include such requirements in the regulations.*

Name/Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

School: \_\_\_\_\_\_\_\_\_\_\_\_\_**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

* ***Enter name and title of teacher or provider completing summary, the name of the school and school district, and a contact phone number for the teacher or provider, and the date of completion of this document.***

# **Eligibility for Vocational Rehabilitation**

## **WHO IS ELIGIBLE FOR VOCATIONAL REHABILITATION SERVICES? *[[3]](#footnote-3)***

**Under** the Rehabilitation Act Amendments of 1998, a person is eligible to receive vocational rehabilitation services if the individual intends to become employed; and

* The individual has a documented physical or mental impairment; **and**
* The impairment constitutes, or results in, at least one substantial impediment to employment which is consistent with his or her abilities and capabilities; **and**
* The individual can benefit in terms of an employment outcome from the provision of vocational rehabilitation services; **and,**
* The individual needs substantial vocational rehabilitation services to prepare for, secure, retain or regain employment which is consistent with strengths, resources, priorities, concerns, abilities, capabilities and informed choice.

Additionally, an individual is considered to be eligible to receive vocational rehabilitation services if:

* He or she is currently receiving and/or is entitled to SSI and/or SSDI benefits for disability or blindness; and he or she intends to become employed.

## **What are VR services that an eligible person might receive?**

All services must focus on an employment outcome and support the individual’s needs for employment. Such services can be:

* An assessment for determining eligibility and VR needs;
* Vocational counseling, guidance and referral services;
* Physical and mental restoration services;
* Vocational and other training, including on-the-job training;
* Maintenance for additional costs incurred while the indiv9idual is receiving certain vocational rehabilitation services;
* Transportation related to other vocational rehabilitation services;
* Interpreter services for individuals who are deaf;
* Reader services for individuals who are blind;
* Services to assist students with disabilities in their transition from school to work;
* Personal assistance services while an individual receives vocational rehabilitation services;
* Rehabilitation technology services and devices;
* Supported employment services;
* Job placement services; and,
* Rehabilitative technology.

## **What is Functional Performance?**

Functional Performance are life activities or skill areas in which the ability to function is significant to successful independence and/or employment. Eight such areas have been defined by VR for the purposes of identifying functional limitations and determining the severity of an individual’s disability. These areas are:

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| Interpersonal Skills  | Communication |
| Mobility  | Work Tolerance |
| Self Care | Work Skills |
| Self Direction |  |

The following information includes the Division of Vocational Rehabilitation’s definitions of the functional capacity areas. It also includes some questions to consider in identifying the functional performance and limitations of a person with a disability. This information can be incorporated within a variety of special education documents such as Individualized Education Programs (IEPs), psychological reports, or vocational assessment summaries.

**INTERPERSONAL SKILLS:** The ability to establish and maintain positive personal, family and community relationships necessary to work.

* *Is the person able to recognize social cues?*
* *Is the person able to handle constructive criticism?*
* *Is the person able to manage frustration encountered on the job or does he/she overreact or withdraw?*
* *Does the person lack skills necessary for effective social interaction?*
* *Is the person uncomfortable in social situations?*
* *Does the person have unavoidable personal appearance problems that may seem difficult for others to accept, even with familiarity?*
* *Is the person able to separate personal problems from work?*
* *Does the person enjoy being with other people or prefer to be alone?*
* *If the person is deaf or hard-of-hearing, what methods of communication are needed in individual and group interactions?*

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| **INTERPERSONAL SKILLS****EXAMPLE LANGUAGE** |
| **EDUCATIONAL****LANGUAGE** | Does student have friends? Does student like to work on teams?  |
| Does student answer when spoken to?  |
| Does student know when teacher is giving constructive criticism?  |
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| **VOCATIONAL REHABILITATION****LANGUAGE** | Does person enjoy being with other people or prefer to be alone?  |
| Is person able to recognize social cues?  |
| Is person able to handle constructive criticism? |

**MOTOR SKILLS:** The purposeful movement and control of the body and its members to achieve results.

Does the person:

* *Have the use of upper extremities to obtain, control and use objects?*
* *Have partial or total loss of functioning in one or both upper extremities?*
* *Have control and coordination of fine/gross motor movements?*
* *Perform activities of daily living, such as feeding, with or without the use of aids/prosthesis?*
* *Perform tasks at a competitive work pace? At a slow work pace?*
* *Move slower than average? Fatigue easily?*
* *Have involuntary movements that interfere with the ability to control and coordinate muscles?*

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| **MOTOR SKILLS****EXAMPLE LANGUAGE** |
| **EDUCATIONAL****LANGUAGE** | Is student able to write and work with the fine skills of his hands?  |
| Is student able to participate in physical education? Does the student need extra time to complete assignments/tests?  |
| Does student have accommodations /modifications on IEP to assist with lack of energy?  |
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| **VOCATIONAL REHABILITATION****LANGUAGE** | Does person have control and coordination of fine/gross motor movements?  |
| Does person perform tasks at a competitive work pace?  |
| Does the person move slower than average? Fatigue easily?  |

**SELF CARE:** The ability to care for self and living environment.

* *Is the person able to perform activities of daily living?*
* *Is the person able to manage a daily schedule?*
* *Is the person able to adjust to change in routine? Able to transition to new activities?*
* *Is the person able to manage financial responsibilities?*
* *Does the person manage personal hygiene needs?*
* *Does the person have difficulty making decisions?*
* *Does the person lack “common sense” ability?*
* *What adaptations does this person need in their environment to be independent or what level of supervision does the person need?*

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|  **SELF CARE****EXAMPLE LANGUAGE** |
| **EDUCATIONAL****LANGUAGE** | Is student able to get to class on time and organize work for each class?  |
| Does the student have trouble deciding what he wants to do after he completes high school?  |
| Is the student impulsive and/or behave without thought toward consequences?  |
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| **VOCATIONAL REHABILITATION****LANGUAGE** | Is the person able to manage a daily schedule?  |
| Does the person have difficulty making decisions?  |
| Does the person lack “common sense” ability?  |

**SELF DIRECTION:** The ability to regulate behavior in a purposeful and predictable way, taking into account personal goals, environmental conditions, cultural values and expectations.

* *Is the person able to follow directions?*
* *Is the person able to identify logical steps necessary to reach goals?*
* *Is the person able to complete tasks?*
* *Is the person able to locate work stations?*
* *Is the person able to work independently?*
* *Is the person able to ask for assistance when necessary?*
* *Is the person able to use feedback to improve or correct work performance?*
* *Does the person require periodic, frequent or constant supervision?*
* *Does the person initiate work activity?*
* *Does the person give up easily, especially if confronted with a problem or change?*
* *Does the person understand or disregard consequences?*
* *Does the person have realistic or unrealistic job expectations?*

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| **SELF DIRECTION****EXAMPLE LANGUAGE** |
| **EDUCATIONAL****LANGUAGE** | Is student able to read/listen to and follow directions?  |
| Does the student complete homework assignments?  |
| Does the student learn appropriate behavior in the resource room but then cannot generalize that appropriate behavior to her general classes?  |
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| **VOCATIONAL REHABILITATION****LANGUAGE** | Is the person able to follow directions?  |
| Is the person able to complete tasks?  |
| Does the person have difficulty generalizing, transferring and/or assimilating information (written, spoken, receptive or expressive)?  |

**COMMUNICATION:** The ability to give and receive information.

* *Is the person able to speak and understand verbal language?*
* *Is the person able to use lip reading and speech to communicate if hearing impaired?*
* *Does the person use sign language or cued speech?*
* *Is the person’s speech difficult to understand?*
* *Is repetition often necessary?*
* *Does communication occur in single words, short phrases, or simple concepts?*
* *Is the person able to communicate his/her needs effectively?*
* *Are there differences between the levels of receptive/expressive communication?*
* *Is the person able to understand instructions and expectations?*
* *Does the person use large print or Braille?*
* *Does the person have difficulty generalizing, transferring and/or assimilating information (written, spoken, receptive or expressive)?*

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| **COMMUNICATION****EXAMPLE LANGUAGE** |
| **EDUCATIONAL****LANGUAGE** | Is the student able to speak clearly enough to be understood by peers and staff?  |
| Do you often have to ask the student to repeat herself?  |
| Can the student clearly tell the teacher/aide what he needs?  |
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| **VOCATIONAL REHABILITATION****LANGUAGE** | Is the person’s speech difficult to understand?  |
| Is repetition often necessary?  |
| Is the person able to communicate his/her needs effectively?  |

**WORK TOLERANCE:** The capacity to meet the physical and psychological demands of work.

* *Can the person work for an eight hour day?*
* *Can the person work for eight hours if given breaks needed for disability?*
* *Can the person perform work requiring frequent lifting and carrying?*
* *Can the person sit or stand for more than two hours?*
* *Can the person handle the pressure of a work routine?*
* *Is the person able to establish adequate working relationships, especially with co-workers and supervisors?*

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| **WORK TOLERANCE****EXAMPLE LANGUAGE** |
| **EDUCATIONAL****LANGUAGE** | Does the student have a shortened school day?  |
| Can the student sit still for a regular class period?  |
| Does the student get along with teachers, aides, and fellow classmates?  |
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| **VOCATIONAL REHABILITATION****LANGUAGE** | Can the person work for an eight hour day?  |
| Can the person sit or stand for more than two hours?  |
| Is the person able to establish adequate working relationships, especially with co-workers and supervisors?  |

**WORK SKILLS:** The capacity to learn and perform job tasks.

* *Is the person able to maintain attention to a task for a reasonable amount of time?*
* *Is the person able to concentrate on a task amongst distractions of the work place?*
* *Is the person able to follow written instructions? Verbal instructions?*
* *Is the person able to remember directions? Does information need to be repeated frequently?*
* *How is the quality of work production?*
* *Is the person able to tell time and be on time for work?*
* *Is the person able to learn a new task without specialized instruction?*
* *Does the person take initiative or does he/she need cues to perform?*
* *Does the person need frequent reinforcement in order to sustain work activity?*
* *What are the person’s academic levels in reading, math and written language?*
* *Can the person conform to established work rules?*
* *Can the person learn work tasks through modeling, experience, and demonstration?*
* *Is the person able to make simple work-related decisions?*
* *Is the person aware of work safety and work hazards?*
* *If interrupted, can the person re-orient to the job task?*
* *Can the person transfer learning from one job task to another?*

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| **WORK SKILLS** **EXAMPLE LANGUAGE** |
| **EDUCATIONAL****LANGUAGE** | Does the student work on an assignment for a reasonable amount of time? |
| Is the student often tardy for class or school? |
| Can the student start an assignment without being told to start? |
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| **VOCATIONAL REHABILITATION****LANGUAGE** | Is the person able to maintain attention to a task for a reasonable amount of time?  |
| Is the person able to tell time and be on time for work?  |
| Does the person take initiative or does he need cues to perform?  |

## **Functional Assessment Report**

When completing a written evaluation, always include available documentation (e.g., medical diagnosis, previous test results, historical data) of specific physical and/or mental impairments that create a substantial impediment to employment. The following general questions should be answered when providing a functional assessment:

* *What is the person’s level of cognitive functioning? Include a range of ability, standard deviation and/or percentile scores.*
* *Based on formal or informal assessment, what type of learner is the person; Concrete? Abstract? Visual? How does the person seem to learn best?*
* *How does the person communicate? Is sign language or Braille used?*
* *What type of assistive technology devices are needed for personal care, communication and travel independence?*
* *What level of support does the person need in vocational, social, home living, and community environments: Independent? Minimal? Significant?*
* *What types of instructional strategies have been used that have enabled the person to be successful in a variety of different environments such as school, home and/or community? Could these strategies be used to teach new skills in an employment environment*?
* *What type of work experiences has the person had? What jobs or job tasks was he or she most successful doing? What environments seemed to be best?*
* *What types of jobs do you see the person being the most successful doing?*
1. ***Excerpts from* 34 CFR Parts 300 and 301 Federal Register / Vol. 71, No. 156 / Monday, August 14, 2006 / Rules and Regulations: *Analysis of Comments and Changes S*ection** [↑](#footnote-ref-1)
2. ***Excerpts from* 34 CFR Parts 300 and 301 Federal Register / Vol. 71, No. 156 / Monday, August 14, 2006 / Rules and Regulations: *Analysis of Comments and Changes S*ection** [↑](#footnote-ref-2)
3. ***Colorado Department of Education Exceptional Student Services Unit Department of Human Services Division of Vocational Rehabilitation, 2006*** [↑](#footnote-ref-3)