Individualized Education Plans

School Advocacy & Special Education Training
September 22, 2017

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Learning Objectives

• Understand what is an IEP and how it relates to special education services.

• Have a foundational understanding of the components of an IEP and what the law says students legally deserve.

• Know the terms associated with an IEP and special education services.

• Be able to read and understand a psychological evaluation and know how to advocate for your child with special education needs.

• Next steps and resources for students on IEPs.
What does the law say?

- A student (birth through 21) with a disability has the right to instruction specially designed to meet his/her needs.

- Individuals with Disabilities Education Improvement Act (IDEA 2004): A federal law enacted in 2004 to ensure that students with disabilities receive meaningful educations through 12th grade.

- Each state has different age cut offs for how old students can be and still receive services. In Ohio students age out of public schooling at the end of the semester when they turn 22 years old.
Qualifying Disabilities under IDEA:

- Hearing or Visual Impairment
- Autism
- Traumatic Brain Injury
- Orthopedically Impaired
- DD - Developmentally Delayed (only through age 8, then a more specific disability must be identified)
- EBD - Emotionally/Behaviorally Disabled
- Health Impaired (includes ADHD)
- SLD - Specific Learning Disability (difficulty with thinking, reading, writing, spelling or math)
- CD - Communication Disordered (speech and language impairments)
- ID - Intellectual Disability (IQ 70 and below)
Terms to Know:

- IEP
- Case Manager
- Disability
- FAPE
- LRE
- Accommodations/Modifications
Individualized Education Plan

- Reviewed annually (or more often if requested)
- Includes strengths and areas for improvement
- Includes a transition plan
Individualized Education Plan

• Involves school personnel and parents in determining required special education and related services

• Serves as a written contract that requires school district to provide a FAPE

• Commits school to providing specific special education and related services in a good faith effort
By law, certain individuals must be involved in writing a child's Individualized Education Program.
IEP Team Members

Required participants include:
- Parents or guardians
- Special education teacher
- General education teacher
- School district representative that can commit district resources
- Person who can interpret evaluation results

May include:
- Related services providers
- Student - required at age 14
- Transition services personnel
Case Manager

A certified special education teacher who oversees the special education processes and verifies that IEP services are implemented in compliance with federal, state and district regulations.

Roles and Responsibilities:

- Schedule & develop IEPs
- Provide case management services
- Be knowledgeable about student’s educational needs
- Know and implement special education procedures and procedural safeguards
Disability

- A challenging area that impacts your ability to be academically successful.
Free Appropriate Public Education (FAPE) is an educational right of children with disabilities in the United States that is guaranteed by the Rehabilitation Act of 1973 and the Individuals with Disabilities Education Act (IDEA).

At a Glance:
Free and Appropriate Public Education (FAPE)

FAPE stands for free and appropriate public education. It's one of the most important legal terms for you to know. Learn the details behind this powerful acronym.
Least Restrictive Environment

In the U.S. Individuals with Disabilities Education Act (IDEA), least restrictive environment (LRE) means that a student who has a disability should have the opportunity to be educated with non-disabled peers, to the greatest extent appropriate.
Accommodations

Most common:
- Read aloud
- Extended time
- Special seating
- Computer/assistive technology
- Separate room testing
- Multiple test sessions

Any other supports that a student may need to reasonably complete tests, homework, and be successful in the classroom
Accommodation vs. Modification

- Accommodations change *HOW* a student learns the materials.
- Modifications change *WHAT* a student is taught or expected to learn.

A great example is if you have a student that is not tall enough to reach something so you provide them with a chair to stand on so they are able to still reach the book on the shelf they want. They are still getting the book themself, but just need an accommodation to reach it!
IEP Content

Present Level of Academic Achievement and Functional Performance (PLAFP)

- Describes how disability affects student’s participation in general education/appropriate activities

- Includes academic performance; test scores; health; emotional & social development; prevocational/vocational skills
Measurable Annual Goals

- Based on current level of performance
- 1+ goals per identified need(s)
- Short-term objectives no longer required for most students with disabilities
- Includes how and when measure will occur; reporting at least as often as reports for general education
IEP Content
Related Services

- Based on student needs, not availability of services
- Amount, frequency, & duration of services
- Based on peer-reviewed research

**Related Services Include...**
- Transportation
- Speech/language
- Audiological services
- Interpreting services
- Psychological services
- Physical and occupational therapy
- Orientation and mobility
- Health care services
- Vision/vision therapy (CA)
- Recreation, including therapeutic recreation
- Counseling services
- Rehabilitation counseling
- Parent counseling and training
- Medical services (for diagnostic and evaluation purposes only)

(34 C.F.R. §300.34; Ed. Code §56363; Cal. Code. Regs., tit. 5, §§ 3051.1-3051.24)
IEP Content

Participation in Gen Education Classroom/High-Stakes Testing

• Amount of time in/out of general education; placement in least restrictive environment

• Modifications required to participate in general education

• Accommodations required for student to participate in high-stakes testing or alternative assessments to be conducted instead
IEP Content

Time Frame of IEP

• Initiated as soon as written, unless written during school vacation/summer or when short delay required for services to be provided

• Transfer students served within 1 week of transfer

• Must be in place before the student is placed in special education
IEP Content

Transition Services

- Begin at age 14
- Help students prepare for life after school
- Focus on postsecondary education, training, employment, & independent living
- Based on measurable postsecondary goals
IEP Content

Progress Toward Annual Goals

- Measurement criteria & procedures for determining progress towards measurable goals
- How parents will be informed about student progress - “IEP report card”
IEP Content

Special Considerations

• Behavior intervention plan for students with behavior challenges

• Language needs for students with limited English proficiency

• Braille instruction/use of Braille for students with visual impairments, unless deemed inappropriate

• Communication and language needs for students with hearing impairments

• Need for assistive technology devices/services
IEP Changes, Reviews, and Re-evaluations

- Reviews are to be held annually unless the parent and school agree to an extension.
- Changes may be made without an IEP meeting if the parent and school agree in writing.
- Parents have the right to revoke IEP services by stating in writing their wish to withdraw consent for the IEP.
- Complete re-evaluations are conducted every 3 years.
Tips to Advocate

Keep a paper trail and document the needs of your child.

- Build relationships with your child’s teacher and other school staff early on and have open communication.
- Ask a lot of questions!
- Stay calm even if you disagree and bring a list of concerns.
- Know the law or ask if you don’t know.
- Talk to your child-how are they feeling and what do they think they need to be successful.
- Attend meetings regularly and follow-up!
How to Request Special Services
If you believe your child needs special education services

- Parent, social worker, school, or other involved person can refer a student.

- Requests should be made in writing and delivered to the school psychologist, school counselor, general education teacher, special education director and principal.

- Under state law: The school must decide whether or not to evaluate within 30 school days of receiving the referral.

- The decision will be sent in writing to the parent and a decision not to evaluate may be challenged.
Additional Resources

• Wrightslaw: Special Education Law [www.wrightslaw.com]

• IDEA.gov

• National Association of State Directors of Special Education [www.ideapartnership.org]

• Council of Parent Attorneys and Advocates (COPA)

• Ohio Department of Education Special Education [www.education.ohio.gov]

• National PTA SpEd Toolkit [www.pta.org]
Additional Resources

- Disability Rights Ohio [http://www.disabilityrightsohio.org](http://www.disabilityrightsohio.org)
- Albeit Weiker, LLP [http://www.awlawohio.com](http://www.awlawohio.com)
- U.S. Department of Education Office of Special Education and Rehabilitative Services (OSERS) [https://www2.ed.gov/about/offices/list/osers/osep/index.html](https://www2.ed.gov/about/offices/list/osers/osep/index.html)
References


References


Office of Special Education and Rehabilitation Services, Education, 34 CFR § 300.347(b)(1) (1972).


Questions or Comments?
Feel free to contact me for any additional questions!

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I would also be happy to meet with you or discuss any matter over the phone/email.