

# IEP Basics for Parents and Families

Presented by



**United Parents**



# **What are the laws governing Special Education?**



## SECTION 504 OF THE REHABILITATION ACT

**Section 504** is a civil rights law that prohibits discrimination against individuals with disabilities.

Protects all people who have a

- (1) **physical** or **mental** impairment which substantially **limits** one or more **major** life activities (learning is one)
- (2) a record of such an impairment, or
- (3) are regarded as having such an impairment

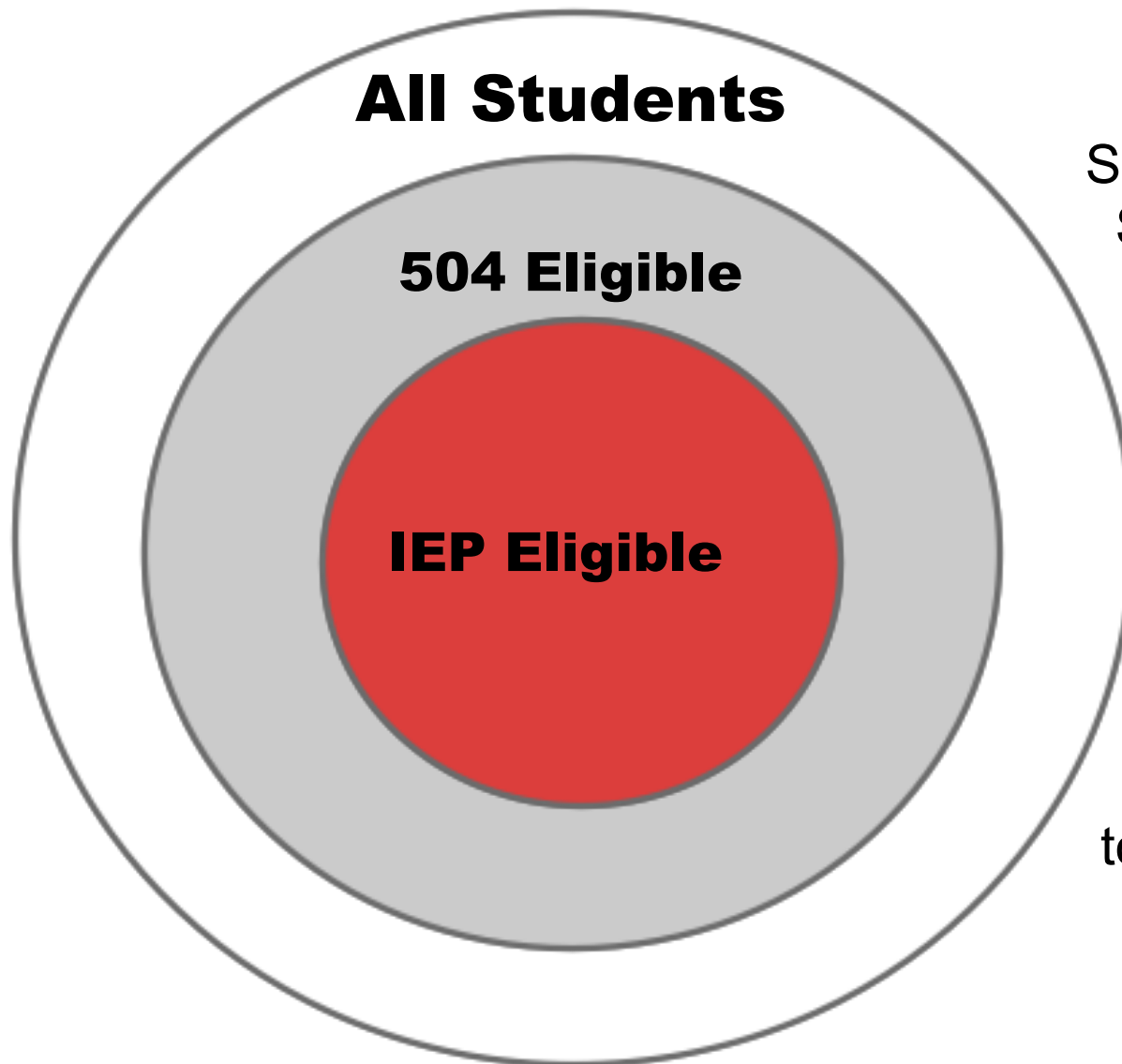
In education, a **504 Plan** removes barriers to learning and opportunities.



## THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)

- A Federal Education Law passed 1975
- For students who fit at least 1 of 13 categories of disability.
- Who also need specialized support and instruction to benefit from education.
- Provides an “IEP”:  
**Individualized Education Program**
  - specialized instruction
  - supportive related services
  - Individualized to meet unique needs.

## 504 & IEP RELATIONSHIP



Students eligible for Special Education under IDEA are protected by **504** and **IDEA**

A Student receiving special education may **also** need accommodations to prevent discrimination

## Individualized Education Program (IEP)

Based on Special Education Law for student's with disabilities

1 or more of 13 disabilities required for IEP eligibility

States receive additional funding

Ends at age 22

Requires written plan

Provides specialized education services, accommodations and related services

## 504 Plan

Based on Federal Anti-Discrimination Law

Qualification based on a record of a mental or physical impairment that limits major life activity

States do not receive additional funding

Follows child after school age

Does not need to be in writing

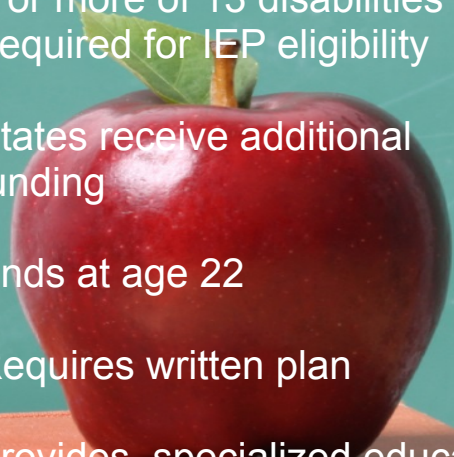
Provides accommodations and modifications

## Some similarities

Based on federal laws

Need parental consent

No cost to parents



A red apple with a single green leaf sits atop a stack of three books. The books have orange, blue, and green covers. The stack is on a light-colored wooden desk. In the background is a large green chalkboard with some faint white marks. The text "Individualized Education Program (IEP)" is written in white, bold, sans-serif font across the middle of the image.

# **Individualized Education Program (IEP)**



## **THE INDIVIDUALIZED EDUCATION PROGRAM (IEP): THINK OF IT THIS WAY**

- Special Education is a **SERVICE**
- brought to the student **through the IEP**
- in order to **close the gap**
- between the student's **Present Level of Performance**
- and the student's **Expected Level of Performance in 1 year.**

# IEP ELIGIBILITY

BIRTH UP TO AGE 22\*

MEETS AT LEAST 1 OF 13 ELIGIBILITY CATEGORIES

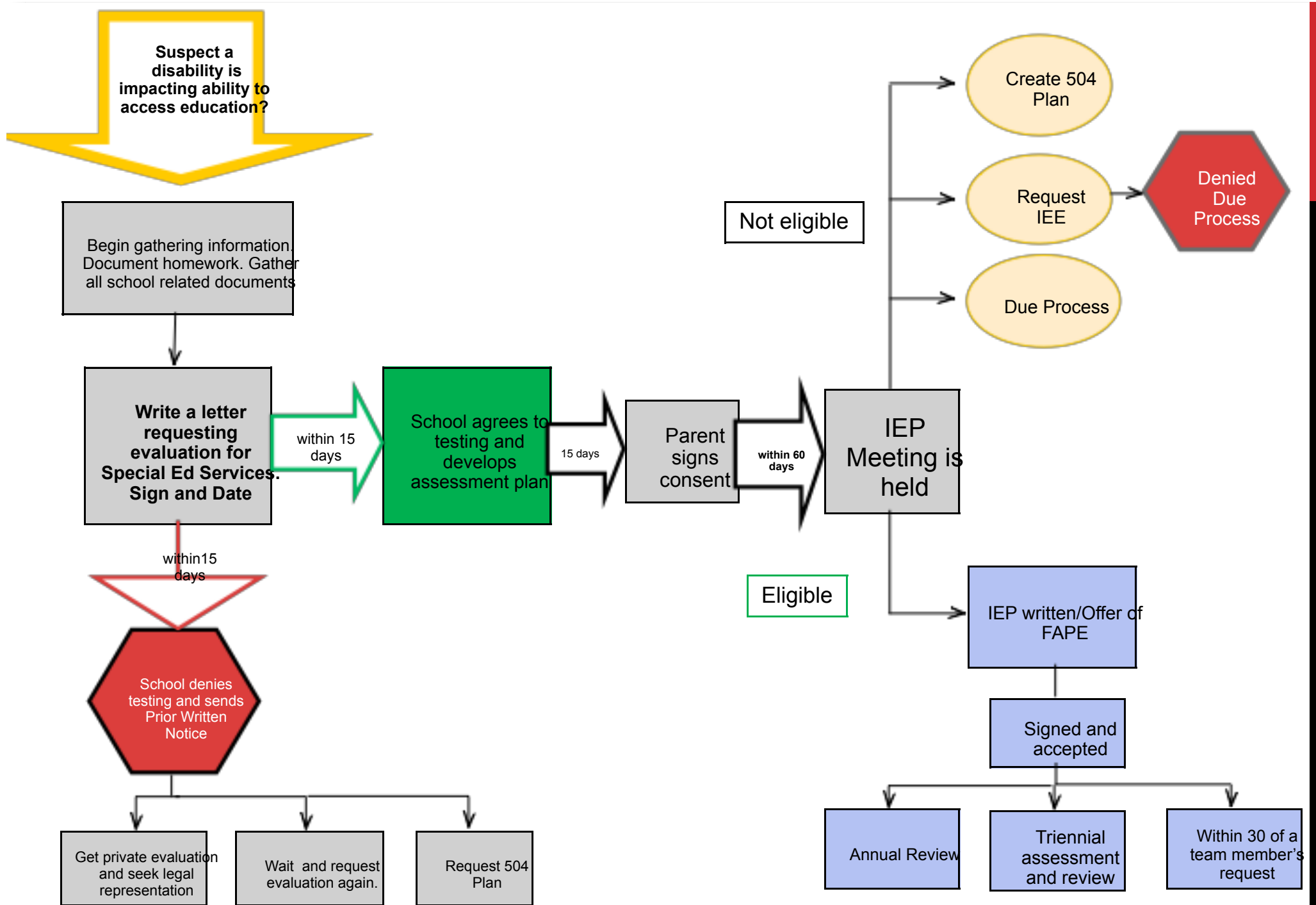
- |                             |                                   |
|-----------------------------|-----------------------------------|
| 1. Autism                   | 1. Other Health Impairment        |
| 2. Deafness / HH            | 2. Serious Emotional Disturbance  |
| 3. Deaf-Blindness           | 3. Specific Learning Disabilities |
| 4. Hearing Impairment       | 4. Speech or Language Impairment  |
| 5. Mental Retardation       | 5. Traumatic Brain Injury         |
| 6. Multiple Disabilities    | 6. Visual Impairment / Blindness  |
| 7. Orthopedic<br>Impairment |                                   |

AND who, by reason of their disability, needs special education and related services in order to benefit from their education.  
**Determined by the assessments!**

\*



or sooner if the student earns a full high school diploma



# Special Education Timeline

# IEP TEAM

## Minimum membership shall include, but not be limited to:

- One or both of the pupil's parents, guardian, education rights holder or a representative selected by the parent.
- Administrator or administrative designee.
- Special education teacher or specialist
- The Student - if 15 or over.
- At least one general education teacher of the student if she/he is, or may be, participating in the general education environment.

## When appropriate, the team shall also include:

- The student.
- Other individuals, at the discretion of the parent, district or county office.
- Persons who have assessed the student or those who can interpret the assessment results.
- For pupils with suspected learning disabilities, a person other than the pupil's regular teacher, who has observed the pupil's educational performance in an appropriate setting.



## **HOW TO PREPARE FOR AN IEP**

### **Before the IEP Meeting:**

- Talk with your child.
- Visit your child's class/talk with the teacher.
- Review the last IEP.
- Have your questions and concerns ready.
- Have a draft list of goals you think are appropriate.

# DURING THE IEP

- Be an active member in the IEP Team meeting.
- Make sure that the services being offered seem appropriate.
- Make sure you understand everything - don't be afraid to ask questions.
- Make sure everything the team agrees upon

# WHAT TO DO IF YOU DO NOT AGREE WITH THE IEP

- Sign that you *attended* the IEP

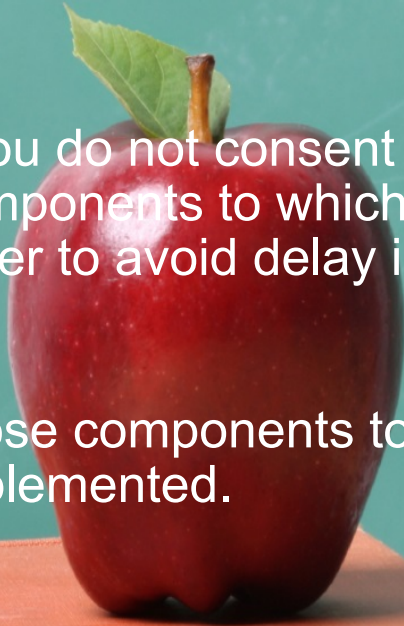
- Indicate the parts that you do agree with, and those you don't agree with. Provide comments as to why you disagree.

- If you do not consent to all the components of the IEP, those components to which you have consented will be implemented in order to avoid delay in providing instruction and services.

- Those components to which you did not agree will not be implemented.

- If the placement is the issue, the child must remain in the current placement during the due process proceedings, unless both parties agree otherwise.

- If you disagree with the assessment, you can make a written request



## **OTHER OPTIONS IF YOU DISAGREE:**

- Write a letter to the Director of Special Education in your District

OR

- If the school district and parents agree, an Alternative Dispute Resolution meeting can be held

OR

- Parents can request mediation

OR

- Parents can file for a formal legal proceeding called Due Process

## **MORE ABOUT DUE PROCESS**

- School agencies and parents have the right to request a hearing to resolve disagreements.
- Issues considered: Identification, assessment, placement, and free and appropriate public education.
- Procedures include: Resolution Session (district level), Mediation conference, and Administrative Hearing (state level).
- Request must be submitted in writing to the Superintendent of Public Instruction.

# Questions?

