



from Equip for Equality's Legal Advocacy Program

EFE FACT SHEET – Special Education

The IEP Process

The IEP (Individualized Education Program) is the centerpiece of your child's special education services. Understanding what an IEP is, what it should look like and your role as a parent in the process is the first step to being an advocate for your child.

What is an IEP?

An IEP is a plan created to specifically address the needs of your child. As a student with special needs, your child has a right to specialized instruction that allows him or her to make meaningful educational progress. The law requires schools to provide what is appropriate or necessary but not what is best.

Parts of the IEP

Present Levels of Performance: This part of the IEP should summarize the information about how your child is currently doing in a given area. A well-written statement of a present level of performance gives enough detail to make it clear to a new teacher the level your child is functioning at in each particular area.

The statement of present level of performance should be very specific and may include:

- The results of recent evaluations or re-evaluations,
 - This should include the name of the test given to assess the student.
- The results of the most recent state and local testing,
 - This can include informal testing in the classroom, and
 - The name of the test given to assess the student.
- A statement about what the student can do in this specific area,
- A statement about what the student struggles with in this specific area,
- A statement about how the student's disability affects his ability in this specific area,
- A statement about what supports/interventions have been effective and what supports/interventions have not been effective.

At the IEP meeting if you think the statement of a present level of performance is not specific then you can ask the team to discuss each of the above-mentioned points and include them in the IEP. As long as this information is somewhere in the IEP it does not have to be on the goal page, unless the teacher will not be given the complete IEP.

Example of what **NOT** to do

Johnny is below grade level in math and reading.

This does not tell a new teacher where Johnny is starting, what he can do, or what he still needs to learn. Is Johnny at the Kindergarten level or the 8th grade level? No one knows from the above statement.

Example of what **TO** do

Johnny is an eighth grader performing at the fifth grade level in reading comprehension, as shown by his Illinois Standardized Achievement Testing score. He struggles with remembering new vocabulary when reading a story. He does well with identifying characters and plot in stories he reads at the 5th grade level.

Annual Goals: This part of the IEP should be like a roadmap of your child's education for the next year. One way to accomplish this is to use SMART goals.

- **Specific** - address your child's unique needs based on his disability.
- **Measurable** – A person can look at a goal and objectively determine whether it was met. Ex: The child will do ten push-ups in five minutes.
- **Achievable** - Be challenging, yet reasonable, based on your child's abilities and needs
- **Relevant** – Does this goal make sense for your child?
- **Time specific** – The goal should be something that can be reasonably achieved in one year with objectives that should be met throughout the year.

Services: This part of the IEP should discuss what special education, related services, and supplementary aids your child will receive to help him be successful in school. It should include the name of the related service, the type of service, amount of minutes, and the location of service. This is sometimes put into a chart instead of written in a sentence.

Examples:

John will receive speech therapy, direct service, for 60 minutes per week on a pullout basis in a small group of up to four children.

Jane will receive occupational therapy push-in service for 10 minutes per week and consultative services for 15 minutes per month.

Jack will receive social work direct service of individual counseling for 30 minutes per week, 45 minutes per week of social skills training in a small group, and ten minutes per week of consultative services.

Modifications and Accommodations: This part of the IEP should discuss changes to what the school typically does or supports that should be in place for your child so that he can make meaningful educational progress. Look at websites about your child's specific disability to get ideas on the types of modifications and accommodations that may be appropriate for your child.

Some examples of modifications you can ask for are:

- Extended time for assignments
- Small setting for taking tests
- Assistance with taking notes
- Large print books
- Modifications (changes) and Accommodations (supports) can be creative – if you think it will help your child you should ask for it. The school may not do everything you ask but the only way to find out is to ask.

Placement: This part of the IEP should talk about where your child will receive services. The goal is for your child to receive services with his non-disabled peers as much as possible. This is called the **Least Restrictive Environment (LRE)**. Your child's LRE depends on his specific needs.

Transition Planning: Once your child turns 14½, the IEP team should consider transition services that are necessary to help your child transition into adulthood. The goal of transition services is to prepare your child for independent living, employment, and further education.

Other Factors the IEP team should consider:

- If your child exhibits behaviors that affect his learning or the learning of those around him, the team must consider strategies to improve his behavior, such as Positive Behavior Supports. A school can complete a functional behavioral assessment (FBA) and then a behavioral intervention plan (BIP) that will address target behaviors and try to reduce them.
- If your child is Limited English Proficient the team must consider any language needs.
- If your child is blind or visually impaired the team must consider instruction in Braille.
- If your child is deaf or hard of hearing the team must consider his communication needs.
- If your child needs assistive technology to help with his education, then the team must consider his assistive technology needs.

Assistive technology can help many students. It can be something simple like a pencil grip to something high tech like a voice output communication device. If you think your child may need assistive technology to benefit from his education then request an assistive technology assessment.

The IEP Team

Each person on the IEP team has a special role in creating the IEP:

- **Parents:** You know your child better than any other member of the team. You also know what you want for your child.
- Your job is to:
 - Tell the team about your child at home and in other non-school settings,
 - Tell the team what your vision is for your child,
 - Tell the team what concerns you have about your child,
 - Work with the team to create an IEP that will meet your child's needs.
- **Student:** It is up to you and your child whether he should be at the IEP meeting. Your child does not have to be at the meeting, but it can be very helpful to have the student speak for himself. If your child cannot attend the meeting, you should talk to him about these things so that you can speak for him at the meeting. If your child attends the meeting, his job is to:
 - Tell the team what he enjoys doing and what he thinks he is good at,
 - Tell the team what is hard for him in school,
 - Tell the team what will help him in school, if he knows, and
 - Work with the team to create an appropriate IEP.
- **Special Education Teacher:** The job of the special education teacher is to:
 - Talk about what services are currently being provided,
 - Talk about the student's current performance levels and areas of need based on the most recent evaluations (both formal and informal),
 - Make recommendations about what services should be added or removed based on the student's current performance levels,
 - Make recommendations for challenging but reachable annual goals based on your child's current performance levels, and
 - Make recommendations for accommodations and modifications that would assist your child in progressing in the general education curriculum.
- **General Education Teacher:** A general education teacher must be at the meeting if your child participates in general education classes or might participate in general education classes. The job of the general education teacher is to:

- Talk about how your child is currently doing in the general education class,
 - Talk about what skills are needed to be successful in the general education class,
 - Make recommendations about what services should be added or removed based on the student's current performance levels,
 - Make recommendations for challenging but reachable annual goals based on your child's current performance levels, and
 - Make recommendations for accommodations and modifications that would assist your child in progressing in the general education curriculum.
- **An administrator** (or other representative of the school): The job of the administrator is to:
 - Talk about what services and resources the school can provide to your child, and
 - Talk about the state and local education standards to which your child should be exposed.
- **Other people who may be at the meeting:**
 - **Evaluator/Psychologist:** If your child was recently evaluated, or if there are questions about an evaluation, the school may ask that an evaluator/psychologist come to the meeting to explain the results of the testing.
 - **Other service providers:** If your child sees other service providers, such as a speech pathologist, a social worker, a physical therapist or any other service provider written into the IEP, that service provider should be at the meeting to talk about your child's progress and recommend new annual goals.
 - **Any other person you or the school chooses to invite:**
 - The school must tell you before the meeting about any person they are inviting to the meeting.
 - As a parent you may bring anyone you like to the meeting. Many parents find it very helpful to bring a friend to the meeting to help them stay on track and to help take notes.
 - Either the school or the parents can invite anyone to the IEP meeting that the invitee believes has "special expertise or knowledge" that will assist the IEP team.

Some key things to remember about your child's IEP

- The IEP should be written based on recent data. If the current evaluations do not identify your child's weaknesses and provide strategies to address those weaknesses, then you should request that more testing be done.
- The IEP should be written to address the unique needs of your child.
- You and your child are both very important parts of the IEP team. If you do not agree with something, say so!

- It may be helpful to prepare for the meeting by filling out the parent and student IEP Preparation sheets so you have a plan about what you want to say and also so your concerns are in writing. You may want to write a parent report to read at the IEP meeting. A parent report is a written document, in which you explain your child's strengths and weaknesses, likes and dislikes, your goals and concerns for your child, and any other information you deem important for the IEP team to know about your child.
- If you do not understand something, ask the IEP team to explain.



DO YOU HAVE A QUESTION?

Contact Equip for Equality's Special Education Clinic Helpline

1-866-KIDS-046 (voice) or 800-610-02779 (TTY)

SpecialED@equipforequality.org

www.equipforequality.org

This resource material is intended as a guide for people with disabilities. Nothing written here shall be understood to be legal advice. For specific legal advice, an attorney should be consulted.

Equip for Equality, an independent nonprofit organization, is the Illinois state Protection & Advocacy System whose mission is to advance the human and civil rights of children and adults with disabilities. The Special Education Helpline seeks to empower parents to advocate effectively. The Special Education Clinic, Helpline, and these publications were made possible by grants from the Chicago Bar Foundation, The Field Foundation, Illinois Bar Foundation, Illinois Equal Justice Foundation, Polk Bros Foundation, and the State of Illinois Department of Human Services. The contents of this publication are the sole responsibility of the authors and do not represent the official views of the grantors.

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