



On IEP Meetings...

THUMBNAIL HISTORY OF THE IDEA

The Individuals with Disabilities Education Act (IDEA), as it is currently known, was originally authorized in 1975 as the Education for All Handicapped Children Act (EHA Public Law 94-142). The EHA required that public schools provide free, appropriate public education (FAPE) to eligible children with disabilities. Since 1975, there have been many amendments to the Act. The most recent amendments occurred in 1997 when the Act was last reauthorized. The amendments of 1997 addressed a number of issues including, but not limited to, discipline, participation of students with disabilities in state- and school-wide assessments, involvement and progress in the general curriculum, and parentally placed children with disabilities in private schools.

The IDEA is currently up for reauthorization. The reauthorization completion date is uncertain.

The information in this document is specific to Part B of IDEA: Assistance for Education for All Children with Disabilities.

WHO IS ELIGIBLE FOR SERVICES UNDER IDEA PART B?

- # A child who has been evaluated according to IDEA's evaluation requirements
- # A child who has been determined through this evaluation to have one or more of the disabilities included in IDEA.
- # And who, because of the disability, needs special education and related services

The disabilities

- Cognitive delay
- Hearing impairment, including deafness
- Speech or language impairment
- Visual impairment, including blindness
- Serious emotional disturbance
- Orthopedic impairment
- Autism
- Traumatic brain injury
- Other health impairment
- Specific learning disability
- Deaf-blindness

Note: In Montana, the term "cognitive delay" is used instead of "mental retardation." Also, children, ages 3 through 5, can be identified under the definition of "Child with Disabilities."

WHAT IS AN IEP?

The term Individualized Education Program (IEP) refers to both the IEP meeting and the IEP document. The whole IEP process is a way the parent and the school can talk about the child's educational needs and create a plan to meet and document those needs.

Appendix A to the IDEA states –

"The IEP meeting serves as a communication vehicle between parents and school personnel, and enables them, as equal participants, to make joint, informed decisions regarding –

The child's needs and appropriate goals;

The extent to which the child will be involved in the general curriculum and participate in the regular education environment and state and district-wide assessments, and

The services needed to support that involvement and participation, and to achieve agreed-upon goals.

Parents are considered equal partners with school personnel (emphasis added) in making these decisions, and the IEP team must consider the parents' concerns and the information that they provide regarding their child..."

SUGGESTIONS FOR PARENTS

- a. Enter into your special education experience with the *belief* that you will be working with skilled school professionals and have an *active role* in your child's education.
- b. *Keep copies* of everything you send to or receive from schools and/or anyone pertaining to your child. Keep your information well organized at home. Three ring binders are excellent tools for organization. Have clear copies. If a copy is not clear, ask for a "copy of the original."
- c. Always *ask questions* if you do not understand something. Do not be afraid to ask questions.
- d. Do your homework. *Read and understand* handouts, manuals and information as provided by schools and organizations. Be like a Boy Scout—Be prepared!
- e. Make and keep *extra copies of vital records* like vaccination records, birth certificates, insurance cards, relevant medical reports etc., and keep these copies in an envelope in the binder. You never know when you might need them!
- f. *Learn* about your child's disability and special needs. You must be your child's best advocate!
- g. *Learn* about the special education law and system and how it pertains to your child.
- h. *Research* information as it pertains to your child and his or her disability or special needs. Become an expert. Be wary of unproven treatments.
- i. Search out and *network* with other parents who might have similar situations. They can offer valuable information and support. PLUK has information on a variety of parent groups.
- j. *Volunteer* to assist organizations, including those at your child's school. Become involved with parent groups, PTAs, Advisory Councils and other groups. Volunteer and be involved.



PLANNING AN IEP MEETING

IDEA is very clear that parents must be given the right to participate in the IEP meeting.

The public agency (school) must notify the parent of the meeting early enough to ensure that the parent(s) have an opportunity to attend; must attempt to schedule the meeting at a mutually agreed on time and place; notify the parent of the purpose, time and location of the meeting; and inform the parent of who will attend the meeting and who is on the IEP team.

Beginning at age 14 (*or younger if appropriate*) the notice must also indicate that a purpose of the meeting will be the development of a statement of the child's transition services needs and indicate that the agency (school) will invite the child.

Beginning at age 16 (*or younger if appropriate*) the notice must indicate that a purpose of the meeting is the consideration of needed transition services for the child, indicate that the agency (school) will invite the child, and indicate any other agency that will be invited to send a representative.

The school shall make reasonable efforts, including providing an interpreter, to ensure that parents understand and are able to participate in any group discussions about the educational placement of their child.

If a parent is unable to attend an meeting, IDEA allows schools to use other methods to ensure parent participation, such as individual or conference telephone calls.

BEFORE AN IEP MEETING

- # Review all information on your child—become familiar with documents you haven't seen for a while.
- # Talk to your child about the upcoming IEP meeting and ask about school: "What things are easy or fun for you in school?" "What things are hard?" "What do you want to accomplish this year?" "What can adults do to help you do better in school?" "What do you do to help yourself?" Also, talk about future plans and goals.
- # Think about your child's participation in the general education classes. What goals can be added or changed to increase academic success? What are your child's strengths and what are areas needing to be strengthened?
- # Remember to explore areas needing improvement, look at strengths and accomplishments and make certain these are included in the IEP.
- # If your child will be attending all or part of the IEP meeting, explain how the process works and answer questions about the process.
- # Brainstorm with others about ideas to consider.
- # Review all material about the IEP process and the safeguards under IDEA
- # If there are areas where you feel there may be disagreement, be prepared to discuss why you disagree and why you feel your recommendations are important to your child's educational progress.

DURING THE MEETING

- # Stay focused
- # Ask questions
- # Be thorough

Although it is hard to listen to discussions of your child's shortcomings, it is best to assume that members of the IEP have your child's best interests at heart. Listen to what others say, comparing it to your experiences. If you have a basis for disagreeing, be sure to speak up. Preface your comment with some expression of agreement, then add information or examples of things you have observed that illustrates why you disagree.

AFTER AN IEP MEETING

Before you leave the meeting, be sure you have the name and telephone number of someone to whom you can address questions, and a copy of the IEP report. Once you are home—the same day, if possible—review the IEP document carefully. As you go over it, jot down anything that puzzles or confuses you. Also make note of anything the IEP report includes or omits that is inconsistent with your recall of important things said and agreements made.

RECOGNIZING A GOOD IEP

- Measurable annual goals are related to meeting the student's needs that result from the disability and to enable him or her to be involved in and progress in the general curriculum.
- Measurable annual goals are measurable, meaningful, able to be monitored, and useful in making decisions.
- Measurable annual goals are statements related to needs identified in the Present Level of Educational Performance (PLEP). The PLEP describes the student's current abilities and how the student's disability affects involvement in the general curriculum.
- Measurable annual goals are statements of anticipated results to be achieved in a year.
- Benchmarks—sometimes called short term instructional objectives—are progress milestones and must be included in each measurable annual goal.
- Goals and short-term objectives/benchmarks must be written so they can pass the "Stranger Test." In other words, they must be written so someone who did not write them could use them to develop appropriate instructional plans and assess student progress.
- Goals must also pass the "So-What Test," meaning that the team considers how valid the goal, short-term objective, or benchmark is. In conducting the "So-What Test" the IEP team must answer the following question, "Is the skill indicated in this goal, short-term objective/benchmark really an important skill for the student to learn?"

WHEN TO REVIEW AN IEP

An IEP meeting must be held within thirty (30) calendar days after a Child Study Team (CST) first determines that the child qualifies under IDEA and needs special education and related services.

The IEP must be reviewed at least annually. As the parents of the child with an IEP, you may request a review or revision of the IEP at any time.

FURTHER RESOURCES

Contact any of PLUK's Family Support Staff at 406.255.0540 or 800.222.7585.

Internet Resources

- http://www.pluk.org/Pubs/PLUK_MT_Parent_Guide_467k.pdf
- <http://www.opi.state.mt.us/PDF/SpecED/guides/IEPGuide.pdf>
- <http://www.ed.gov/parents/needs/speced/iepguide/index.html>
- <http://www.nichcy.org/resources/iepe1.asp>
- <http://www.wrightslaw.com/advoc/articles/iepguidance.html>
- <http://www.reedmartin.com/ieparticlesandresources.htm>