IEP TEAM MEETINGS: A GUIDE TO PARTICIPATION FOR PARENTS

By Keith Hyatt, PhD
Western Washington University

NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS

A parent's first encounter with the Individualized Education Program—the IEP—can be intimidating. However, participation in special educational planning is critical in assuring positive long-term outcomes for students with disabilities.

Parents and guardians of school-age children with disabilities need to be familiar with relevant regulations and procedures for developing an IEP to fully participate in IEP development and long-term planning. Similarly, students who have attained legal adult status in their state and have assumed responsibility for their own IEP need information to assure informed participation at their IEP meetings.

The IEP is a legal document that describes a student's instructional needs and identifies the special education services the school will provide to meet those needs. Therefore, the IEP is one of the most important components of the educational program for students with disabilities and is developed by a team that includes the parent(s), student (when appropriate), and school personnel. Since the IEP is a legal document, schools are required to comply with the conditions of the IEP; however, the IEP is not a guarantee that a student will achieve all the educational goals targeted.

Laws governing the IEP are revised periodically, and that while federal laws dictate broadly defined procedures, each state has its own set of regulations. Usually these regulations are available from your state department of education. Schools are also obligated to provide you with information about your rights under state law.

The following guide provides an introduction to the IEP process so you will have an idea of what to expect, feel more comfortable in the meeting, and be better able to advocate for your child's (or your own) educational needs.

Procedural Safeguards

You as a parent and your child as the student have rights and protections under federal and state special education laws, even when your child does not yet have an IEP but has been referred for evaluation. These rights include *procedural safeguards* (due process rights that serve as protection against discrimination and assure parent involvement), which include protections (such as timelines for service), assurances of confidentiality, and guarantees of informed parent consent prior to any special education service or placement.

You should always receive a copy of procedural safeguards to read before the IEP meeting. Unfortunately, these safeguards are frequently written in legal terms and can be confusing, even intimidating. However, you need to understand your legal rights to help ensure that your child receives the special education he or she needs. School personnel should review these safeguards at the IEP meeting with you and answer questions about rights and procedures. What follows is an abbreviated listing of the safeguards relevant to the IEP meeting and a brief description of what the safeguards address.

- *Written notice:* This ensures that the school provides you with written notice whenever the school plans to conduct an evaluation or reevaluation, develop an IEP, or change your child's placement (where your child is educated; e.g., general class, resource room).
- *Parental consent:* The school must obtain your informed consent to conduct an initial evaluation or reevaluation, or provide initial special education services.
- *Access to educational records:* You are always entitled to review your child's special education records.
- *Due process hearing:* A due process hearing is a formal, legal procedure, so it is like a mini-trial. You have the right to a hearing when you are not able to resolve a disagreement with the school

regarding your child's services or placement. Parents and schools present their information and a hearing officer makes a decision.

- *Mediation:* A due process hearing is a formal, legal procedure that can be costly and adverserial, so some states have mediation procedures to try to resolve disputes before moving to a formal due process hearing.

There are other due process provisions that are relevant to special education services, including rights to independent evaluations, conditions governing disciplinary actions involving students with disabilities, placements in "interim alternative educational settings," and payment of attorney's fees. Since these safeguards are intended to ensure that your child receives the appropriate special education services, your familiarity with these rights will help you resolve any special education issues that may arise. For more detailed information about these and other due process rights, consult the "Resources" at the end of this handout, and seek out advocates who specialize in special education due process.

IEP Team

At a minimum, the IEP team should include the special education teacher, general education teacher, administrator (or designee), parents, and student if appropriate or required (i.e., if the student were an adult). Since the law requires that a child have access to the general education curriculum, it is critical that at least one of the child's general education teachers be present. The child should be invited to assist with *transition planning,* which addresses educational, vocational, and community-based goals after high school beginning at age 14, or younger if requested by the IEP team. When the child reaches age 16, representatives of other agencies involved with providing transition services, as well as the child, should be invited to attend. In addition, the parent has the right to invite anyone to the meeting, and the district may invite others if they notify the parent in writing.

Major Contents of the IEP

The IEP is a blueprint of the major educational goals for your child and a description of what the school will do to help your child achieve those goals. The IEP is in effect for a specified period (currently 1 year), but it can be reviewed and revised earlier at your request or the school's.

One key component of an IEP is the requirement that it be *individualized.* There is no one-size-fits-all IEP. The IEP must be based on the unique strengths and needs of the child.

When you attend the IEP meeting it will help to be prepared with a list of concerns regarding your child's education and progress, and an understanding of your child's strengths, whether they are directly related to schooling or not. Sometimes, those nonschool strengths can help the team develop an appropriate IEP.

The Instructional Plan

The instructional plan of the IEP should start with a description of your child's *Present Levels of Educational Performance* in each area related to the disability (e.g., math, behavior, or feeding). The Present Levels should be clearly presented and meaningfully describe what your child can do and not just describe how well your child performed on a standardized test. Once the Present Levels have been documented, the team should develop long-term goals and measurable short-term objectives or benchmarks.

Long-term goals are simple descriptions of what the IEP team would like your child to do by the end of the year (or other mandated period), using the Present Levels as a starting point. For example, "Juan will improve his math computation skills."

Each long-term goal should have at least two *short-term objectives* or benchmarks. The objectives should be specific and incorporate the following four criteria:

- State exactly what your child should do: "Juan will answer 40 single-digit addition problems."
- State exactly under what conditions your child should do it: "When given a worksheet."
- State exactly at what level of proficiency your child should do it: "With 90% accuracy."
- State exactly how frequently that level of proficiency should be achieved: "On three consecutive days."

The objective should be specific and should not be open to interpretation. If the objective is clearly written using the above criteria, then the teacher will be able to measure your child's performance and clearly report the progress to you. Additionally, should you move to a different school, your child's new teacher would know exactly what your child was working on.

If your child has many needs, it is helpful for the IEP team to *prioritize* goals and objectives. It is more efficient to concentrate efforts on a few carefully selected objectives than to try and address numerous unrelated objectives. Remember, the IEP must be written at prescribed intervals, but it can always be reviewed or revised at an earlier point if your child achieves his goals, if there is a need to change the goals, or if you or the school requested it.

Special education services. The IEP team should determine what special education services (specially

designed instruction) your child requires. For example, "small group instruction in phonic skills" could be a special education service, but "instruction in a resource room" is not, because this identifies a *placement* and not specially designed *instruction.*

Related services. The IEP should contain a listing of any needed related services; that is, those services required to help your child benefit from special education. Some examples include transportation, physical therapy, and speech therapy. These supports are available to your child at school expense only if necessary to benefit from special education.

Adaptations or modifications. An IEP team must consider whether your child requires adaptations or modifications. Adaptations deal with the physical aspects of the setting. Modifications refer to changes in the way material is presented or in the way children are required to demonstrate their knowledge. An example of an adaptation is providing your child with assistive technology, such as access to a computer to use when completing writing assignments. A modification may consist of providing copies of teacher notes or allowing your child to complete part of a test verbally rather than by writing the answers.

In addition, IEP teams must consider whether any *accommodations* are required to allow your child to participate in district- or state-mandated tests. Accommodations include adaptations or modifications that allow your child to participate fully in the general curriculum, including required standards tests, such as dictating rather than writing a response.

Special Education Placement

The next major task of the IEP team is to determine placement or where your child will receive special education and related services. According to federal law, your child should receive those services in the *Least Restrictive Environment,* which means the general education setting unless, owing to the severity of the disability, your child cannot benefit from special education services provided in the general education setting, even with the use of supplementary aids and services. These aids and services can include related services, such as speech therapy, as well as adaptations and modifications, such as untimed tests and dictated responses.

It is inappropriate for team members to make decisions about placement before the IEP meeting. Whenever children are removed from the general education setting where they would have access to their typically developing peers, the removal must be justified in writing on the IEP. The inconvenience of providing the service or availability of equipment are not justifiable reasons for removal. This is really the last step in the development of the IEP.

Extended School Year

The IEP team should consider whether your child requires extended school year services. This is not the same as summer school, but is a *continuation* of special education services beyond the traditional school year. This decision, and how extended school year services will be provided, must be made on an individual basis by the IEP team, including the parent or guardian.

Additional Tips for Advocacy

There are several additional suggestions to help you participate more meaningfully in the IEP meeting. First, the written IEP document should be completed during the meeting. School personnel should not come to a meeting with a finalized document, but they may have a draft of some items. You are guaranteed the right to participate in the meeting and help *develop* the IEP, so do not be deterred from expressing any of your concerns.

Second, schools are not allowed to set time limits for IEP meetings. If a meeting cannot be completed in the alloted time, then the team can schedule additional time to complete the IEP.

Third, ask questions whenever you need clarification. If you feel overwhelmed by the information, do not feel that you have to make a quick decision about the services offered. Ask for a few days or a week to review the information, consult an advocate if needed, and then schedule a follow-up meeting.

Fourth, if you need further assistance in understanding procedural safeguards, you can always contact the school district, the special education department at a local university, parent advocate organizations, or an attorney who specializes in special education law.

Remember, the development of the IEP is intended to be a *team* process, and you are designated as a key member of the team. If you approach the IEP meeting as a collaborator—one who is seeking to work cooperatively with others toward a common goal of designing an appropriate instructional plan for your child—then you will find the process less intimidating and more likely to enhance your child's school experience.

Resources

Gibb, G. S., & Dyches, T. T. (2000). *Guide to writing quality individualized education programs.* Boston: Allyn & Bacon. ISBN: 0205316921.

Office of Special Education Programs. (2000, July). *A guide to the individualized education program.* Available: *www.ed.gov/offices/OSERS/OSEP/Products/IEP_Guide*

Notices for District Website under **Special Education link**

***(ATFER THE RELATED SERVICE LOG NOTICE—ALREADY ON SITE_

Interpreter Requests Notice

Interpreters are available for all Eligibility and IEP meeting to parents of children with disabilities. The parent has the right to request that the interpreter serve no other role in the IEP meeting than as interpreter and the district will make every effort to fulfil that request. Parents may request an interpreter and the language required through their child's case manager at the time that the IEP meeting is scheduled. Any questions and/or complaints about interpretation services may be addressed to Anne Krause at 708-388-6958 or akrause@ahsd125.org

Case Managers:

Early Childhood – Michelle Tosch (mtosch@ahsd125.org)

Lawn Manor – Sarah Mackowiak (smackowiak@ahsd125.org)

Meadow Lane – Amy Jones (ajones@ahsd125.org)

Hamlin – Tessa Strzempek (tstrzempek@ahsd125.org)

Draft IEP Documents Notice

The district will ensure that a draft of all reports to be discussed at a child's IEP as well as a draft copies of all Eligibility and/or IEP documents will be made available to parents/guardians three days prior to a student's IEP meeting.