

How to Read the IEP:

Understanding an
important legal document



Disability Rights Education & Defense Fund

Disability Rights Education &
Defense Fund (DREDF)

www.dredf.org

Zoom Tips

- Have your most recent IEP close to you. We will be referring to specific pages.
- Questions? Please type your questions by using the Chat feature. We will TRY to answer all of your questions throughout the presentation.
- Evaluations! We very much value and need your feedback! During the presentation there will be poll questions--they won't take much time to complete. These questions help us improve our trainings and fulfill requirements set by the U.S. Dept. of Education.

We very much appreciate your feedback!

For individual questions please contact us at 510-644-2555 x 5227 or IEPhelp@dredf.org



Disability Rights Education & Defense Fund

- Unique alliance of people with disabilities and parents of children with disabilities.
- National law and policy center dedicated to protecting and advancing disability civil and human rights.
- Envisions a just world where all people, with and without disabilities, live full and independent lives free of discrimination.
- Disability rights are civil rights.
- Information is power.

DREDF is a Federally Funded Parent Training and Information Center (PTI) (Serving 30 Counties in Northern CA!)

There is a PTI center in every state and territory. Please call us and we will direct you to yours or check: [Find Your Parent Center](#)

What is a PTI?: The US Department of Education funds these centers to:

- **Work** with families of infants, toddlers, children, and youth with disabilities, birth- 26
- **Help** parents participate effectively in their children's education and development and learn about opportunities to improve the system for all children with disabilities
- **Partner** with professionals and policy makers to improve outcomes for all children with disabilities

Why it Matters: Children with disabilities who have consistent, knowledgeable advocates are most likely to receive appropriate services & supports.

Learning Objectives--What we Want you to Takeaway:

- The importance of the IEP document and how it “delivers” an individualized education program to your child with a disability.
- Value of reviewing an IEP carefully
- Why it matters that you UNDERSTAND and agree to the IEP **before** you SIGN it
- Learn to ask the “right” questions when you don’t understand or agree
- Understand whether the IEP document is
 - Accurate
 - Complete
 - Appropriate
 - Legally Compliant-follows federal and state law
 - Portable (can follow your child to new school/district)
- Prepare for an IEP meeting by understanding current and proposed program
- Learn how to use IEP to track your child’s services and program and ensure it is being delivered appropriately

**Let's start at the beginning:
What IS an IEP and WHY is it
understanding it so important?**


What Is an IEP (3 minutes)

The “Big Picture”.

Where is Student GOING?

THINK OF THE IEP AS A MAP FOR A JOURNEY

- Where is the student now? (Present Levels)
- Where is the student going? (Goals-short term and long term)
- What fuel is needed to get there? (services, supports, specialized instruction)
- What other help does student need to get there? Accommodations, modifications, technology)
- Who will student travel with? (Who are the helpers? Peers?)
- Did student arrive? If not, why not? How can we help them get there?



IEP SECTIONS: WHAT THEY MEAN AND HOW TO REVIEW THEM

(Not every IEP will look same, but all should have these general sections)

Information and Eligibility

WHO IS THIS CHILD?

- Student Name, Birthdate, Parent info, Contact info--double check!
- IEP Meeting Date, Date first eligible for Special Education, Date of last Evaluation, When Evaluation is next due, date of last annual IEP meeting, Type of Meeting (annual, triannual, parent requested, placement, etc).
- Disability Info (Understanding disability category is important!) See [IDEA Disability Categories](#)
- **How disability impacts educational progress--be careful! This matters!**
- Referral Info--who referred child for evaluation? Date they were referred.
- Race/ethnicity

CHECK FOR ACCURACY

Present Levels of Academic Achievement and Functional Performance

HOW IS THIS CHILD DOING RIGHT NOW?

- How does the disability child's educational performance in **ALL areas of need**?
- **Parent input and concerns related to educational performance (not just academics)?**
 - Tip: (you can bring your own statement and read/share with team).
- Child strengths, preferences, wishes? (Bring child, photo, statement or video)
- State testing (SBAC in CA) results (if applicable)
- Teacher Input
- Grades/Credits if applicable
- Basic (communication, functional, social emotional, fine/gross motor, adaptive/daily living skills, health)

This gives us a snapshot of where the child is starting from!

Look for measurable, accurate data. EVALUATION is where to find this!

IMPORTANT: For student to receive educational benefit, goals will be written to address the following areas of need. Pay attention. Are all areas of need identified? This drives GOAL development.

Statewide Assessment

IDEA requires that students with disabilities take part in *state or district-wide assessments*. Students with disabilities are expected to participate to measure how DISTRICT or CHARTER is doing helping students master state standards.

The IEP team must decide if the student needs accommodations in testing or another type of assessment entirely. In this component of the IEP, the team documents how the student will participate. How can student show what they know without BARRIERS?

Examples:

- Extra time
- Different Setting (distraction free)
- Computer use
- Large print

Important: For the SAT, ACT, Advanced Placement, students needing accommodations must get approval from the College Board. This requires a request and verification that student has a disability and has needed such help in high school. High school counselors often submit but sometimes it is parents. Takes time! Ask in advance.(2-3 months)

Special Factors

SPECIAL FACTORS:

- **Assistive Technology?** (software apps, technology, equipment, training, consult--is assessment needed?). OFTEN PRE CHECKED “NO”. Should be discussion!
- **Low Incidence Needs?** Does student need low incidence services, equipment and/or materials to meet educational goals?
- **Deaf/Hard of Hearing or Blind/Visually impaired?**
- **English Language learner?**
- **Behavior needs:** Does behavior interfere with learning of child or others?
 - Behavior Goals and Behavior Intervention Plan (BIP)? Behavior Goal ONLY OR BIP?
 - Is this based on a Functional Behavior Assessment (FBA)? Informal data collection? Remember: DATA. EVIDENCE. EXAMPLES. Beware “Attention, Escape” as only reasons. WHY does child need to do this?

What NEED is behavior meeting? How can we help child meet need more appropriately? Does BIP emphasize Positive Behavior Intervention and Supports (PBIS) is evidence based effective approach. TEACHING, not PUNISHING. Remember to connect behavior to learning needs. Focus not just on **COMPLIANCE**. Focus on **LEARNING, REDIRECTING, SOOTHING, COPING**.

Special Education is **INDIVIDUALIZED** to unique needs of the student.

An IEP delivers a program to the student appropriate to their circumstances, strengths, needs. It individualizes the educational program for the student.

IMPORTANT: US Supreme Court “Endrew F.” decision:

“...an educational program providing 'merely more than de minimis' [trivial] progress from year to year can hardly be said to have been offered an education at all.”

Remember:

- Meaningful educational benefit.
- Appropriately ambitious goals
- Least Restrictive Environment (LRE)
- Prepare for future education, employment, community living

Annual Goals and Objectives

WHERE DO WE WANT CHILD TO BE IN A YEAR?

Describe what the child is expected to do or learn within a 12-month period.
Remember: DATA driven. Starting line is present level, finish line is goal.
IEP goals should be :

SMART: Specific, Measurable, Appropriate, Realistic, Time limited.

Look for: **BASELINE (DATA). PROGRESS (HOW MEASURED?), GOAL MET?
PERSON RESPONSIBLE (watch out for STUDENT being responsible!)**

Beware carrying same goals over year after year. That is not meaningful progress!

- **Benchmarks or Short-Term Objectives:** Required only for children with disabilities who take alternate assessments aligned to alternate achievement standards.

Goals need to be written in ALL areas of need. Academics, Behavior, Mental Health, Social Skills, Communication, etc.--driven by **NEEDS** not **DISABILITY**

Offer of FAPE - Services

Explains exactly what help/services will be available to student.

- **SUPPLEMENTARY AIDS & SERVICES AND OTHER SUPPORTS FOR SCHOOL PERSONNEL, OR FOR STUDENT, OR ON BEHALF OF THE STUDENT:** Program modifications or **supports for school personnel or student** needed to ensure **equal access/participation in education**--changes in environment, staff training, consultation. **Classroom accommodations** are generally listed here.
- **SPECIAL EDUCATION AND RELATED SERVICES:** Describes what special education and related services the child will receive, how often and in what setting (group, individual, direct, consult, push in, pull out). Look for CLEAR Information--how could you know exactly HOW these were being provided? **CHECK THE MATH! Frequent calculation errors. "Up to" is problem! Watch out for START and END dates.**
 - **SPECIALIZED ACADEMIC INSTRUCTION/SPECIALLY DESIGNED INSTRUCTION:** Help provided by a qualified teacher or paraeducator directly supervised by teacher to teach material differently
 - **RELATED SERVICES:** Specialized help such as communicating, writing, coping or moving. Occupational or speech therapy, mental health support, adaptive physical education, behavior, assistive technology services, etc.
 - **SERVICE DELIVERY:** **When** will services start? **Where?** **How** often? How long will a "session" last? **WHO?** Will help be direct, consult, individual, group, pushed into class, child pulled out for help? How will helpers be TRAINED/What qualifications?

Offer of FAPE - Educational Setting

Where will all this happen? How much time INCLUDED with non-disabled peers?
How much time pulled OUT?

- **LRE/Extent of Nonparticipation**
- Explanation of the extent to which the child will not participate with nondisabled children in the regular class and in other school settings and activities. Why NOT?

Details matter? Pay attention! Do the math!

Example: 80% in special ed settings means 80% without access to nondisabled peers.

Other 20% may be recess and lunch!

Link to PDF

Other things to watch for:

- **EXTENDED SCHOOL YEAR**
- **TRANSPORTATION**

Transition Plan--Students age 16 at LATEST

- **TRANSITION PLAN** Beginning no later than a student's 16th birthday (and younger, if appropriate), the IEP must contain transition-related plans designed to help the student prepare for life after secondary school.
 - What will student do after leaving public school in education, employment, independent living? MEASURABLE
POSTSECONDARY GOALS
 - What goals, supports, services will they need NOW to be ready for these? IEP goals, teaching and services specific to transition.

NEW REQUIREMENT: EMERGENCY PLAN SECTION

Required for all new IEP's after October 1, 2020 and no later than next annual IEP for those already eligible

- How will IEP be delivered in emergencies and schools cannot operate in person instructions or services in physical school for more than 10 days?

IEP Notes and Signatures

- **NOTES:** (REMEMBER, YOU CAN RECORD MEETINGS--24 HOUR NOTICE). Review carefully.
Were agreements described? Concerns? Any areas of disagreement/follow up documented?

Remember: You should get a copy of IEP at or right after a meeting, including notes.

- **Signing Attendance is not Agreement: Did everyone required to be there needed attend? If not, did you excuse? If they left early, is it noted? SIGNATURE Section is IMPORTANT:**
- Be careful not to sign this by itself--it should be attached to entire IEP so you can review!
- TAKE YOUR TIME. GET HELP. GET YOUR QUESTIONS ANSWERED. GET TRANSLATION IF NEEDED.
 - **OPTIONS FOR SIGNING:** You can sign:
 - Agreement/in full
 - Partial Agreement/in part
 - Disagreement--explain why. See DREDF [Sample Letters](#)
 - See [How to Consent to Just Part of an IEP - Understood.org](#)

Reviewing the IEP document:

What to Check Before Signing an IEP

As you review the document, ask:

Is the IEP:

- Accurate?
- Clear?
- Individualized?
- Based on real data and examples?
- Setting clear expectations and what help will assist student to meet goals?
- Transferable-would another school/district know what to do on day 1?
- Can you tell someone what how your child qualifies, what help they will get, how often, from what kind of staff person, etc?

Resources

- [CDE Special Education](#)
- [Disability Rights California](#)
- [DREDF Calendar](#)
- [DREDF “Guide to CA Families: Special Education Due Process and the Resolution Meeting”](#)
- [DREDF “Special Edition](#)
- [OCR U.S. Department of Education](#)
- [OSEP IDEAs That Work](#)
- [Sample Letters and Forms - DREDF](#)
- [Service Delivery Components of the IEP](#)
- [Special Education Resources](#)
- [Special Education Rights and Responsibilities \(SERR\)](#)
- [Wrightslaw](#)

Resources - COVID-19

- [CDE Coronavirus Response and School Reopening Guidance](#)
- [Coronavirus - Education - Timelines - DRC](#)
- [Coronavirus K-12 Education - DRC](#)
- [COVID-19 Parent Resources - NCLD](#)
- [Educating All Learners](#)
- [IEP Service Tracking Log - DRC](#)
- [Parent Advocacy Tool Kit - NCLD](#)

Where to get help



Disability Rights Education & Defense Fund

DREDF provides information and training to parents/guardians of school-age children with disabilities (up to age 26), and professionals who serve these students and their families. To see the Northern CA areas we serve: [Find Your Parent Center.](#)

Contact us to request help from an **“Education Advocate!”**

Phone:	510.644.2555 ext. 5227
Toll Free:	800.348.4232
Fax/TTY:	510.841.8645
Email:	iephelp@dredf.org
Website:	www.DREDF.org
Facebook:	www.facebook.com/dredf.org