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Foundational Issues in Individualized Education Programs (IEPs)

Introduction

One of the major responsibilities of special education is the development and writing of the individualized education program (IEP) for a student with a disability. The IEP is a required legal document that outlines and defines the school district's goals, supports, and services for any student who has been classified as having a disability and is receiving special education services. Being classified as a student with a disability requires a series of steps, often referred to as the special education process. This process

- Identifies the student as being suspected of having a disability
- Assesses and evaluates the student to determine the severity and types of problems that he or she may be encountering that prevents him or her from succeeding in school
- Determines the specific type of disability that the student may have (that is, specific learning disabilities, autism)

- Identifies the least restrictive environment for the student's disability
- Defines the types of support services the student may need to achieve his or her best performance (that is, speech and language services, counseling, occupational therapy services)
- Determines the modifications that best fit the student's needs (changes or techniques that assist the student in learning, that is, extended time on tests, extra examples, having tests read aloud)
- Establishes the types of accommodations the student may need in order to assist him or her in school (that is, filters in fluorescent lights for a student with Crohn's disease, wider doors to accommodate wheelchairs)

Once these factors are determined, they are put together in the IEP document. It is this document that is developed, modified, and coordinated with parents and professionals who will be working with the student. As a result, a thorough understanding of the IEP process is a very important responsibility.

In this book we will take you through a step-by-step process of IEP development

Purpose of an IEP

The IEP is a written record of the decisions reached by team members at the IEP meeting. The IEP serves many purposes:

- The IEP is the heart of IDEA 2004. It is a written statement that is developed, reviewed, and revised in an IEP meeting and serves as a communication vehicle between a parent and the school district.
- The IEP meeting serves as a communication vehicle between parents and school personnel and enables them, as equal participants, to jointly decide what the student's needs are, what services will be provided to meet those needs, and what outcomes may be anticipated.
- The IEP process provides an opportunity for resolving any differences between the parents and the agency over the special education needs of a student with a disability: first, through the IEP meeting, and second, if necessary, through the procedural protections that are available to the parents.

- The IEP sets forth the necessary steps necessary to enable the child to achieve special education goals.
- The IEP is a major document for a student with a disability, and it outlines the services appropriate to the child's needs.
- The IEP is a contract used by the school and the parent to ensure that the child's educational level is actually receiving the services that the parent is requesting.
- The IEP serves as a guide to the extent of the child's projected outcomes.
- The IEP defines the role of the parents and school in the student's education, and it is the product of collaboration through full and open communication of a student with those needs.
- The IEP is not a contract and the school is not bound to it. At the same time, it is set forth in the law and is required to make the child's education his or her own.

The IEP can be revised as the student's special education needs change. Parents and educators must periodically re-evaluate and modify the student's needs and what the anticipated outcomes will be. The IEP should be revised as the need arises. The IEP is a living document in writing of the res. The IEP is a periodic review of the IEP. The IEP is a tool toward meeting the needs of the student. The IEP serves as the focal point for the IEP. The IEP is made by parents, teachers, and the student. The IEP is the special education.

- The IEP sets forth in writing a commitment of resources necessary to enable a student with a disability to receive needed special education and **related services**.
- The IEP is a management tool that is used to ensure that each student with a disability is provided special education and related services appropriate to the student's special learning needs.
- The IEP is a compliance and monitoring document that may be used by authorized monitoring personnel from each governmental level to determine whether a student with a disability is actually receiving the free appropriate public education (FAPE) that the parents and the school have agreed to.
- The IEP serves as an evaluation device for use in determining the extent of the student's progress toward meeting the projected outcomes.
- The IEP defines and mandates an effective *process* that engages parents and school personnel in a meaningful discussion of the student's educational needs. The completed IEP should be the product of collaboration between parents and educators who, through full and equal participation, identify the unique needs of a student with a disability and plan the services to meet those needs.
- The IEP is not a performance contract or a guarantee by the district and the teacher that a student will progress at a specified rate. At the same time, the district must ensure that all services set forth in the student's IEP are provided, and it is also obligated to make good-faith efforts to assist the student in achieving his or her IEP goals and objectives.

The IEP can be more than an outline and management tool of the student's special education program. It should be an opportunity for parents and educators to work together as equal participants to identify the student's needs, what will be provided to meet those needs, and what the anticipated outcomes may be. It is a document that is revised as the needs of the student change. The IEP is a commitment in writing of the resources the school agrees to provide. Also, the periodic review of the IEP serves as an evaluation of the student's progress toward meeting the educational goals and objectives. Finally, the IEP serves as the focal point for clarifying issues and cooperative decision making by parents, the student, and school personnel in the best interests of the student. For all these reasons, the IEP is the cornerstone of special education.

13 Principles of IEP Collaboration

1. IDEA Emphasizes a Collaborative Approach

The IEP requirements under IDEA emphasize the importance of working cooperatively as a team. The law expects school districts to bring together parents, students, general educators, related service providers, and special educators to make important educational decisions for serving students with disabilities. With the combined knowledge and resources of these individuals, students will be assured greater support and subsequent success.

2. Parents Are Equal Partners in the Team Process

The team process should be a collaborative process between parents or guardians, school staff members, and other professionals. Parents have a unique and critically important perspective on their child's learning style, strengths, and needs. The school staff should ensure that parents feel welcomed and comfortable when communicating with school staff and at all meetings.

Parents have the right to be involved in meetings that discuss the identification, evaluation, IEP development, and educational placement of their child. The law ensures that parents and school personnel are equal partners in all steps during the team process.

Every effort should be made to resolve differences between parents and school staff through informal measures:

- Respect parents' right to disagree while looking for common goals and interests in a parent's requests and the school's position.
- Make sure you listen carefully to all proposals and understand the major issues.
- Brainstorm alternative solutions and offer reasonable compromises, keeping the needs of the student central to the discussions and the negotiated agreements.

The team should always work toward consensus. Nevertheless, school personnel ultimately have the responsibility to ensure that the IEP includes the services that the student needs. School districts are, by law, obligated to make a proposal to the parent. If agreement cannot be reached, the school district cannot delay in proposing the services that it believes are the best services to ensure that the student receives an effective education.

3. Student Participation and, at Times, Release

Students should also participate in IEP meetings. As students grow older, they become more active within team meetings. Student participation is essential for determining the effectiveness of services in the IEP. Supportive team processes assist students in developing the skills necessary in adulthood.

School districts must ensure that students have the right to attend team meetings and assume responsibilities. Students younger than 18 years old may be younger if the purpose of the IEP is to prepare the student for life after high school. If the student does not attend, the school must take steps to ensure that the student is informed. For example, this involves the student and guidance counselor.

Some states decide when students can make decisions. For example, Massachusetts requires a majority. At that age, students make their own decisions, including decisions about the IEP. Therefore, the school district must be in the absence of any court order. The student to continue to attend the IEP. Students for assuming the transfer of rights at 18 years of age.

4. General Educators

With all students, general educators are involved in the development and revision of the IEP. Their knowledge of the student's strengths and needs is vital to ensuring that the student's environment and the curriculum are appropriate.

The general educator may be participating in the IEP process. The general educator may need to attend even if the general educator is not an educator in the decision-making process.

3. Student Participation Is Important and, at Times, Required

Students should also be considered important members of team meetings. As students get older, they should become more and more active within team meetings and advance their interests and preferences for determining the direction for the identified goals and services in the IEP. Supporting active student participation in the team process assists students in developing self-determination skills. Such skills are necessary in adult life.

School districts must explain to students their rights, including their right to attend team meetings and the importance of the corresponding responsibilities. Students are invited to attend from the age of 14—younger if the purpose of the meeting is to discuss transitional services. If the student does not attend the meeting, the district must take other steps to ensure that the student's preferences and interests are considered. For example, this would include individual meetings between the student and guidance counselors, staff, or school psychologists.

Some states decide when students are able to make their own decisions. For example, Massachusetts law establishes age 18 as the age of majority. At that age, students are adults and competent to make their own decisions, including decisions about special education services. Therefore, the school district at the student's 18th birthday and in the absence of any court action to the contrary must seek the consent of the student to continue the special education program. To prepare students for assuming their own decision making, teams must discuss the transfer of rights at least one year before students turn 18.

4. General Educators Play a Central Role

With all students accessing the general education curriculum, general educators are vital participants in the development, review, and revision of the IEP. As the experts on the general curriculum, their knowledge of the curriculum and how to modify the curriculum is vital to ensuring that a student participates in the general education environment and that the student makes progress in the general curriculum.

The general educator participates in the team if the student is or may be participating in the general education environment. Although the general educator may not need to stay for the entire team meeting or need to attend every team meeting, IDEA clearly includes general educators in the decision-making process.

5. IEP Development Is a Student-Driven Process

Once a student has been found eligible for special education services, an IEP must be developed. The IEP must address the unique needs of the student and, therefore, must be tailored to the individual student needs as determined during the evaluation. Good IEPs will be responsive to parents' concerns and the student's vision and will assist the student as much as possible in moving toward independence. The IEP is intended to be a useful document that helps educators to understand the student and how best to work with that student. In other words, the IEP should describe how the student learns, how the student best demonstrates that learning, and how the school staff and student will work together to help the student learn better. The IEP is not intended to be a daily, weekly, or monthly lesson plan but should provide a clear picture of the student's current abilities and needs and should identify key goals and objectives that provide a direction and focus for the student's learning over the next IEP period. If carefully and thoughtfully written, the IEP will serve as a vehicle for improving the educational experience and results for a student with disabilities. Although IEP development is a student-driven, individual process, there are some central concepts that the team should adhere to during a well-managed team meeting.

A well-managed team meeting will

- Obtain parent and student input
- Think about the student's future dreams and goals
- Understand how the student's disability(ies) affect the student's learning
- Know how the student performs today
- Address only the areas that are affected by the disability(ies)
- Provide a focus for the student's learning during the designated IEP period
- Reflect high expectations for the student
- Stay as close as appropriate to what the student's peers are learning and doing
- Identify supports and services the student needs for success

The IEP forms the basis for the placement decision. Therefore, the IEP must be developed in its entirety before placement is decided. The placement decision must be based on a careful reflection of the IEP, including the services that the team has identified as necessary and the impact of the disability on the student's learning. Finally, the team must be mindful of the requirements for placement

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6. The IEP Is Written The Placement

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7. Team Meeting as a Community

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in the least restrictive environment. Teams need to remember that removal from the classroom solely because of needed program modifications is not permissible (34 CFR 300.550(b)(2)). Only after the needs of the student and the types of services have been discussed by the team and agreed to in an IEP can the team effectively choose the placement.

6. The IEP Is Written to Fit the Student. The Placement Is Chosen to Fit the IEP.

The IEP under no circumstances should be written "to fit" a particular placement. Teams must remember this critical dictate when moving through the team process to ensure that the IEP is written to address the unique needs of the student.

7. Team Meetings Should Be Used as a Communication Vehicle

During an IEP meeting, team members share information and discuss the needs of the student. All members should listen carefully and share information that brings about a better understanding of the student. The discussion should connect one IEP element to the next and ensure internal consistency within the produced document. A team meeting works better if

- The meeting is small and focused on the student
- Its members are knowledgeable about the district, special education law, and the student
- Parents are respected participants, giving and receiving information that will assist everyone in making informed decisions

All team members should be treated as equal partners in the process. An atmosphere of mutual respect opens the lines of communication and builds a strong base for ongoing cooperation between parents, school district personnel, and other team members. School systems that routinely send evaluation reports to parents in advance of a meeting find that the team discussion is more focused and can immediately start with a common base of information rather than a lengthy recitation of evaluation results. This strategy allows for more time to brainstorm and to write the IEP itself. Parents then leave the meeting with a more solid understanding of their child and how the school system plans to help their child improve.

8. The IEP Is a Contract Between the School District and the Parent

The IEP should reflect the decisions made at the team meeting and should serve as a contract between the school system and parents. For that reason, the document must clearly communicate to parents the needs of their child, the steps the school district will take to address those needs, and the progress their child is expected to make during the period covered by the IEP at hand. The IEP must also be written in generally understandable language and free of educational jargon. The IEP does not serve as a guarantee of progress. Nevertheless, school districts must be aware that IDEA clearly states that a school district must make a good-faith effort to assist the student in making progress toward the IEP goals.

9. Each Team Meeting Is Unique

A team meeting is a group process and an individual inquiry process that makes no two team meetings alike as each group at each meeting considers what is best for each distinctive student. The team process will be affected by the differences among the individuals attending the meeting, by the differences among schools and school districts, by the differences among the types of evaluation data being considered, and by multiple other factors. Each group will arrive at different answers, ideas, and services to address a student's needs and will write the IEP in a different manner. All these differences should be expected and encouraged, as there is no single correct way to serve a student or to write an IEP. At times, team members are hesitant to make a recommendation for fear of setting a precedent. This fear is ungrounded, because no precedents can be set when the team responds to the unique and individual needs of an eligible student.

10. The IEP Should Serve to Focus the Special Education Services

The IEP will better serve the student if it focuses on what will make the biggest difference for that student and not on every aspect of every school day. The IEP should concentrate on offsetting or reducing the problems resulting from the student's disability that interfere with learning and educational performance. Therefore, team members need to narrow their focus as they discuss the contents of

the IEP. The IEP elements are developed by the team in developing

11. Parents and Students Should Be Given Input

Parent and student input is a key element of the IEP focus. The process is deliberate and planned. Parent input in IDEA. Parents' concerns and their hopes and expectations from a unique perspective is unique. Without exception, however, it is indicated by even experienced

12. Teams Should Consider Individual Attributes

The team must consider each member's personal attributes, evaluation results in writing the IEP. Team members in which individual team will want to keep strengths to the best period. When developing the team should always begin developing a plan updated as needed progression of learning clearly show a step-by-step plan. Also, if necessary, and addressed.

13. The Vision Statement Should Be the Team's A

The vision statement is for the student. The team should take a long-range perspective of the future. Develop a plan between the immediate

the IEP. The IEP elements in the opening pages of the document assist the team in developing a focused IEP.

11. Parents and Students Need to Give Input Into IEP Development

Parent and student input becomes the first indicator for defining the IEP focus. The placement of their input as the first order of business is deliberate and in keeping with the importance given to parent input in IDEA. Parents need to be asked to share their biggest concerns and their hopes for their child's accomplishments, as the parent's perspective is unique and important to the team's work. Parents, without exception, have a view of the student that cannot be duplicated by even experienced evaluators.

12. Teams Should Keep a Whole-Student Perspective

The team must next review the student's strengths, interests, personal attributes, and personal accomplishments as well as key evaluation results in order to keep a whole-student perspective when writing the IEP. Teams should avoid a segmented look at the student in which individual skills or problems are identified in isolation. The team will want to keep the big picture in mind and use the student's strengths to the best advantage in planning steps for the next IEP period. When developing an IEP for a student with an existing IEP, the team should always review the content of the existing IEP as they begin developing a new IEP. The new IEP should be revised and updated as needed to shift goals and services and to demonstrate a progression of learning. Each year's measurable annual goals should clearly show a step-by-step increase in a student's learning outcomes. Also, if necessary, any lack of expected progress needs to be discussed and addressed.

13. The Vision Statement Directs the Team's Attention Toward the Future

The vision statement focuses the team on the future of the student. The team steps back from the here and now to take a broader, long-range perspective as it looks to where this student is headed in the future. Developing the vision statement helps the team balance between the immediate concerns and the hopes and dreams for the

future. Knowing where the student is headed makes it easier for the team to eventually determine what progress needs to be made this year. Teams must remember the ultimate goal for all students with disabilities is independence and productive lives. The team needs to look one to five years in the future—the timeline will depend on the student's age at the time of writing—when writing the vision statement. As the student becomes older and more involved in transition planning, the vision statement becomes the hopes and dreams of the student and not the parent and team. Also, the statement for older students must conform to federal regulations and be based on the student's preference and interests and include desired outcomes in adult living and postsecondary and work environments. For younger students, the team might want to project over a shorter span of time and concentrate on times when the student might be making a transition from preschool to elementary school, elementary school to middle school, or from a more restrictive environment to a less restrictive environment. For these younger students, the adults take the more active role in developing the vision statement.

IEP

Preparation Before

Several steps must be taken before a student is receiving special education services. For example, occupational therapists are involved in identifying and planning a student's needs. The following checklist has been developed to help the team prepare for the IEP meeting.

- Educators work with the student (and the parent) to try, and document, the concerns that led to the IEP.
- Decide whether the student needs a written consent to be evaluated.
- Evaluate the student's strengths, needs, and information about the suspected disability.
- Have the multidisciplinary team complete the comprehensive evaluation of the suspected disability. The student meets with the team to discuss the evaluation results.