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center

topic facts

The Individualized Education Program (IEP)

Parents know their child better than anyone else. The information parents share with their child's team not only helps them get a better picture of the child as a total person, it also helps the team develop an education plan that is based on that child's individual needs.

*The IEP
is at the heart
of your child's
right to a free
appropriate
public education.*

What is an IEP?

The Individualized Education Program (IEP) is a written education plan for your child that describes the special education and related services your child will receive. Each child, ages 3 through 21, who is eligible to receive special education and related services must have an Individualized Education Program (IEP). If a service or accommodation is included in the IEP, your child has the right to receive it.

Your child's first IEP must be written 30 days after he or she qualifies for special education. After the IEP is written, your child's services must be provided as soon as possible. You have the right to receive a copy of your child's IEP, and the IEP must be accessible to each teacher working with your child.

Before your child receives special education and related services for the first time, you must give written consent.

You have the right to revoke your consent for special education services before those services begin.

Who is responsible for developing the IEP?

Your child's IEP is developed by a team that includes

- parents, guardian, or educational surrogate parent
- at least one of your child's regular education teachers
- at least one of your child's special educators or special education service providers
- an individual from the school district who knows about the district's resources, can provide or supervise special education services, and is knowledgeable about regular education. This individual is referred to as the local agency representative (LEA).
- your child whenever appropriate



- other individuals at the your request or at the school's request.

At least one member of the IEP team should also be able to explain evaluation results.

At age 16, your child will be invited to attend IEP meetings when the team discusses transition services.

When does the IEP team meet?

Parents have the right to request an IEP meeting any time they believe the IEP should be changed. The school may either honor or refuse your request. If the school refuses to hold a meeting, it must notify you in writing about its reasons for the refusal and provide information about parents' rights to disagree.

The school is responsible for scheduling IEP meetings at a time and place that is agreed upon by you and the school. If agreement cannot be reached, the school must use other means to ensure your participation in the IEP meeting, such as an individual or conference call or video conferencing. The school can hold an IEP meeting without your participation when it is unable to arrange a meeting.

When can a team member be excused from an IEP meeting?

If you and the school agree in writing, a team member may be excused from attending all or part of your child's IEP meeting when

- their area of the curriculum or related services is not being discussed or changed
- the team member whose curriculum or related service area is being discussed provides written information about IEP services to you or other team members before the meeting.

What should be included on an IEP?

The IEP is a road map of the educational services and support your child will receive.

- On the **first page**, your child's name, date of birth, and grade are included. You will find time frames for IEP services, summer services, if provided, annual review, and reevaluation. A list of IEP team members and their roles also appears on the first page.

- **Section two** of the IEP describes your child's present levels of academic achievement and functional skills. These skills include communication, social skills, self-care skills, motor development, language development, vocational skills, or recreation skills. Information gathered through an evaluation and from you, teachers, and others should be used to complete this section of the IEP.

Information about how your child's disability affects progress in regular education or how your child participates in activities appropriate for a preschooler should also be included on this page.

- The **next section** contains annual goals, short-term objectives, and procedures and dates for evaluating progress. Annual goals and objectives should be written in a way that allows the school to measure progress. IEP goals and objectives should also allow your child to participate in the same curriculum or activities as other children without special needs.
- For students age 16, or younger if appropriate, **section four** addresses goals for the transition from high school to adult life. Information from vocational assessments should be used to develop measurable goals to prepare your teenager for work, further education, and independent living.
- Special education services, related services, and education placement and characteristics are outlined on **section five** of the IEP. Special education is specialized instruction designed to meet your child's individual needs, such as one-to-one instruction in reading or math. Related services help a child benefit from special education. Examples include speech and language help, physical therapy, transportation, and therapeutic recreation. If the team decides that your child needs extended year services during the school year or over the summer, a description of those services is included in this section of the IEP.



Section five of the IEP should describe how often and how long services will be provided, where services will take place, and who will provide them. The school is only required to list the type of provider that will be working with your child not the person's name.

Children receiving special education services are entitled to be educated in the "least restrictive environment" (LRE). LRE means that a child must be included in regular classes, community-based preschools, and in their neighborhood school to the extent that it is appropriate for that child.

The IEP should include accommodations, support, and services to allow the child to be successful in typical educational environments. If your child cannot participate fulltime in the regular education environment, the school must document the reasons on the IEP.

- **Section six** requires information about the percentage of time your child will spend in their educational placement and the type of placement in which he or she will receive services. Early childhood program, special education class, regular education class are some examples of educational placements.

In addition, section six describes how your child will participate in state-level assessments, such as the Developmental Reading Assessment or the New England Common Assessment Program (NECAP). Your child's IEP team will decide whether your child can take regular assessments or will need alternate assessments.

The last section of the IEP describes accommodations, program changes, aids, and support your child will receive as part of special education. Examples include text books on tape or CD Rom, preferential seating, extended time on tests, assistive technology, training of personnel working with a child, and home-school communication log.

In developing the IEP, is there other information the team should consider?

To ensure that all children receive an appropriate education, there are several areas the team should discuss. These areas include

- the language needs of children with limited English proficiency
- instruction in Braille and the use of Braille for children who are blind or visually impaired
- the communication needs of a child who is deaf or hard of hearing
- the child's needs for assistive technology devices and services
- the child's need for instruction and support to learn positive behavior skills.

How often does the team have to review an IEP?

The IEP team must meet at least once a year to review your child's current IEP and develop a new IEP for the coming year. Changes to the IEP should also occur when your child is not making progress towards goals or in the general education curriculum, after a reevaluation is completed, or when there is new information to share about the child.

Can the IEP be changed without a formal meeting?

After the yearly review, you and the school may agree to make changes to the IEP without holding a meeting. Any changes made to the IEP will be in writing and the school should give you a copy of the amendments you agreed upon.

To document the agreement, the school will ask you to sign a consent form agreeing to change your child's IEP through an informal discussion rather than a team meeting. You are entitled to a copy of this written agreement.

What role do parents play on the IEP Team?

Parents should be involved in all steps of the IEP process. You have specific rights, including the right to

- participate in any meetings to develop the IEP
- be notified of IEP meetings early enough to make arrangements to attend
- be notified about the time, place, and purpose of IEP meetings and who will attend
- have meetings at times and places that are convenient for you and the school
- participate in meetings by other means, such as by telephone or videoconferencing if you cannot attend in person
- receive a copy of your child's written evaluation report and review your child's records before IEP meetings

- bring a friend, advocate, or someone else to the meeting who you believe has special knowledge about your child's special education needs.

If my child is not making progress, what can I do to change the IEP?

If you believe that your child's IEP goals or services need to be changed, there are several steps you can take. As a parent, you have the right to request an IEP meeting to discuss your concerns and request changes to the IEP.

You may also request a reevaluation of your child by the school to gather new information about current levels of academic achievement and functional skills, especially in the areas in which you feel your child is not making progress.

If you disagree with the school's evaluation, you have the right to request an independent evaluation at the school's expense. The school must consent to this evaluation or initiate a due process hearing to prove that its evaluation was accurate.

What happens if we cannot resolve a disagreement with the school over our child's IEP?

The special education process provides the following options to resolve disputes between parents and schools. You can

- request mediation with an impartial, trained mediator. Mediation is voluntary and you and the school have to agree to it. The Vermont Department of Education provides mediation services free of charge to parents and schools.
- file an administrative complaint if you believe the school has not complied with special education rules regarding your child's education plan. You must write your

complaint to the Commissioner of Education.

- file a due process complaint against the school with the Commissioner of Education. A hearing will be scheduled by a hearing officer to decide on the complaint unless you and the school resolve your differences at a resolution session or mediation meeting.

You may contact the Vermont Department of Education, 802-828-3136 or <http://education.vermont.gov/>, or the Vermont Parent Information Center, 802-639-7170, for copies of forms and other information to assist you in filing complaints or requesting mediation.

Resources

For help understanding your rights, contact any of the organizations listed below. Also available from VPIC are additional fact sheets about parents' rights.

Vermont Parent Information Center
help for families navigating the education process

(802) 876-5315 • (800) 639-7170
vpic@vtpic.com • www.vtpic.com

Vermont Department of Education
help with special education issues for schools and families

(802) 828-5114 (v/tty)
www.state.vt.us/educ/

Disability Law Project
legal support for special education services

(800) 747-5022 *Burlington/Champlain Valley*

(800) 789-4195 *Central Vermont*
(800) 769-7459 *Addison/Rutland/Bennington Area*

(800) 769-6728 *Northeast Kingdom*
(800) 769-9164 *Windham/Windsor Area*
(800) 889-2047 *Statewide*

All phones (v/tty).



To order copies of this fact sheet, or to learn more about VPIC's materials and services, contact the Vermont Parent Information Center (VPIC), 600 Blair Park, Suite 301, Williston, VT 05495, (802) 876-5315 (v/tty) or toll free 1 (800) 639-7170. You can also contact us via e-mail at vpic@vtpic.com. And don't forget to visit our website at www.vtpic.com.

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