



# DEVELOPING THE IEP

## WHAT IS AN IEP?

The IEP is your child's written individualized educational program that is developed, reviewed, and revised in a meeting.

The IEP:

1. Is used to guide the education of your child.
2. Provides the basis on which the IEP team will determine your child's educational placement.
3. Must be written **within 30 calendar days** of the time your child has been declared eligible for special education services.
4. Must be in effect at the beginning of each school year.
5. Is not a binding contract in that agencies or teachers cannot be held accountable if your child does not meet the projected goals. However, teachers and related service professionals are accountable for delivering the services as indicated on the IEP.
6. Must be written in a team meeting which includes the parents. Some team members will have participated in the evaluation and classification process.
7. Must be written prior to your child's placement and the initiation of service.
8. Is developed, reviewed, and revised in accordance with IDEA and the Utah State Special Education Rules.



## What Is The Purpose Of The IEP?

The law requires at least one team meeting resulting in a written IEP document. In the IEP meeting, parents and school personnel jointly make decisions about the educational program of a child with a disability based on the student's needs as determined by the evaluation. The IEP document is a written record of the decisions reached at the meeting.

**The IEP process serves a number of functions and purposes:**

1. The IEP meeting serves as a communication vehicle between parents and school personnel, and enables them, as equal participants, to jointly decide; first, what the child's needs are; second, what goals the child will work to meet, and third, what services will be provided to help the child reach the goals.
2. The IEP process provides an opportunity for resolving any differences between parents and school personnel concerning the special education needs of a child with a disability; first, through the IEP meeting, and second, if necessary, through the procedural protections that are available to the parents and the school.
3. The IEP sets forth in writing a commitment of resources necessary to enable a child with a disability to receive needed special education and related services.
4. The IEP is a management tool to help ensure that each child with a disability is provided special education and related services appropriate to the child's special learning needs.

*If your child has special needs, so do you! We can help!*

230 West 200 South, Suite 1101

Salt Lake City, UT 84101-1337

801-272-1051 or 800-468-1160

[www.utahparentcenter.org](http://www.utahparentcenter.org)

## DEVELOPING THE IEP

5. The IEP is a compliance and monitoring document which may be used by authorized monitoring personnel from each governmental level to determine whether a child with a disability is actually receiving the free, appropriate public education (FAPE) agreed to by the parents and the school.
6. The IEP serves as an evaluation device for use in determining the extent of the child's progress toward meeting the projected outcomes.
7. Teachers and other school personnel are not held accountable if a child with a disability does not achieve the goals and objectives set forth in the IEP, but they are held accountable for providing the services outlined in the IEP.

### Preparing For the IEP Meeting – Tips for Parents

Preparing for the IEP meeting can help parents share better information with the team and participate more appropriately and confidently in the process. Parental participation is an important factor in determining the appropriate services for the child. It may help to think of the IEP as you would a business meeting. You would not go to a business meeting unprepared. Following are some suggestions for preparing for the IEP meeting.

1. Keep a file of all important information related to your child's educational record. Divide the file into sections such as: progress reports, educational testing, medical assessments, outside evaluations (such as psychological, physical therapy and speech language assessments), observations from teachers, personal observations, samples of your child's work, and current and past years' IEPs.
2. Review your child's school records and current IEP if there is one.
3. Gather information to share including medical or other assessments.
4. Ask for and review the school's evaluation data before the IEP meeting. Ask questions about anything you don't understand.
5. Refer to sample profiles and instructions in the appendix to record your thoughts and observations about your child. Completing a profile can help you to develop your list of concerns and priorities and can be a written form for sharing information about your child.
6. List what you see as your child's strengths and needs. Remember that identified needs from the evaluation, including your input, are the basis for the statements of present levels of achievement and functional performance (PLAFFP) upon which the annual goals are based.
7. Write down your priorities and long range goals for your child and share the information with others at the IEP meeting or —even better—exchange information prior to the IEP meeting so all team members can think about possible goals.
8. List services that you believe your child needs to attain the goals you have identified.
9. Based on what is needed to reach goals, list your concerns for enhancing the education of your child and other information you would like to share with the team related to such needs as:
  - progress reports
  - discipline methods (positive behavioral supports - PBS) and a behavior intervention plan (BIP)
  - related services including transportation
  - type and frequency of communications with the school
  - assistive technology
  - accommodations or modifications
  - participation in assessments including alternate assessments
  - extended school year
  - graduation plans
  - transition services
  - supports and training for the parent and for the teacher
  - healthcare plan/medication administration

See Utah State Office of Education's parent booklet on writing health care plans for a sample health care plan. A copy may be requested from the Utah Parent Center. This information is also available at the Medical Home website, [www.utahmedhomeportal.org](http://www.utahmedhomeportal.org)

1. Clarify your thinking by discussing your preparation activity with other family members, friends or advocates who are part of your support system.
2. Make a list of the questions you would like answered.  
**Examples:**
  - I didn't understand the results of the evaluation. Would you please explain it to me in words I can understand?
  - Could you tell me what the assessment showed about my child's reading skills?
3. Prepare 3 to 5 statements that you can use if you encounter any communication blocks and feel you are not being heard or you are being rushed or getting lost in what's being said.  
**Examples:**
  - The IEP meeting is running later than we scheduled and I am feeling rushed to make decisions. I would like to schedule another IEP meeting so I can review the IEP goals we have so far and think about the other proposed goals.
  - I realize that at our last IEP meeting we had trouble communicating our ideas in a positive way. I would like to start this meeting with a 'clean slate'. I know we all want what is best for my child.
4. You may wish to share your ideas about your priorities for your child with the team ahead of time. You may also wish to ask the team to share some of their ideas in writing so you can be thinking about them. Sometimes the school will send you a draft of what they are thinking about for your consideration. Do not assume that the school is leaving you out of the process by writing down possible goals for the IEP. You can also share possible goals with the team ahead of time. This is an excellent practice and often helps everyone to be in a collaborative mode. It can also help save time at the meeting, and there are fewer surprises. Schools that used computerized IEP programs such as Goalview or IEP Pro may fill in the IEP form on the computer. The teacher may be willing to print it out and share it with you ahead of time. Even though it is filled out, it is still just a draft, and changes can be made in the IEP meeting when all of the team members discuss it.
5. Make sure the IEP meeting will be long enough to discuss everything that needs to be discussed. Be reasonable, but if the team runs out of time, you can request that another meeting be scheduled to complete the process.
6. If needed, ask for language translation and to receive the materials in your native language. Also ask for any accommodations that you need to participate such as interpreters or materials in a format that you can access.

### Who Are The Required IEP Team Members?

IDEA is very specific about the required members of the IEP team. The IEP team membership shall include:

1. One or both parents, or a guardian or surrogate parent.
2. Not less than one special education teacher of the student, or where appropriate, not less than one special education provider of the student.
3. At least one regular education teacher of the child, if the child is or may be participating in the general curriculum.
4. The student during transition planning and for younger students, when appropriate.
5. A representative of the Local Education Agency (LEA) who is usually the school administrator or a representative. This person is qualified to provide or to supervise the provision of, special education and is knowledgeable about the general education curriculum. The LEA representative is also

knowledgeable about the availability of resources of the LEA and is authorized to commit the necessary resources, including funding, to provide educational services for your child.

6. An individual who can interpret the instructional implications of the evaluation results. Sometimes this is someone who is already on the team such as a teacher.
7. At the discretion of the parent or the school, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate. The person who does the inviting decides who has expertise.

The parent must receive a notice of meeting which indicates the purpose(s), time, and location of the meeting and who will be in attendance. It must also inform the parents of their right to bring other individuals who have knowledge or special expertise.

The determination of who has knowledge or special expertise is up to the person who is doing the inviting, so parents may invite whomever they think will be helpful. It is important to inform the team ahead of time about additional people that you are inviting.

1. To the extent appropriate with the consent of the parents or a student who has reached age 18 or older, the LEA must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services. More information on this topic is included in the section of this booklet that covers transition.

### **IEP Team Attendance (§300.321)**

Under some conditions it is permissible for a required IEP team member to be excused from an IEP meeting.

A member of the IEP team is not required to attend a particular IEP meeting, in whole or in part, if the parent of a student with a disability and the LEA agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.

A member of the IEP team may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services only if:

- The parent and the LEA both consent to the excusal in writing, and
- The member submits, in writing to the parent and the IEP team, input into the development of the IEP prior to the meeting.

Determination of the need for a member of the IEP team to attend must be made on a meeting by meeting basis.

### **Parent Participation (§300.322)**

The LEA must take steps to ensure that one or both of the parents of a student with a disability are present at each IEP meeting or are given the opportunity to participate, including;

- Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend.
- Scheduling the meeting at a mutually agreed on time and place.

If neither parent can attend, the LEA must use other methods to ensure parent participation, including individual or conference telephone calls. The parent of a student with a disability and an LEA may agree to use alternative means of meeting participation, such as video conferences and conference calls.

A meeting may be conducted without a parent in attendance if the LEA is unable to convince the parents that they should attend. In this case, the LEA must keep a record of its attempts to arrange a mutually agreed on time and place.

The LEA must take whatever action is necessary to ensure that the parent understands the proceedings of the IEP team meeting including arranging for an interpreter for parents with deafness or whose native language is other than English.

## DEVELOPING THE IEP

The parents of a student with a disability are expected to be **equal participants** along with school personnel in developing, reviewing and revising the IEP for their student. This is an active role in which parents:

- Provide critical information regarding the strengths of their student and express their concerns for enhancing the education of their student.
- Participate in the discussion of the student's need for special education and related services, and supplementary aids and services.
- Join with other participants in deciding how the student will be involved and progress in the general curriculum, participate in state and district wide assessments, and what services the LEA will provide to the student and in what setting.

The LEA must give the parent a copy of the student's IEP at no cost to the parent.

### **Notice of Meeting (§300.322)**

The notice of meeting required to be provided to parents must:

- Indicate the purpose, time, and location of the meeting and who will be in attendance.
- Inform the parents of the provision for participation of other individuals who have knowledge or special expertise about the student on the IEP team.
- For children entering pre-school, inform the parents that at their request the Part C service coordinator or other representatives of the Part C system may be invited to participate at the initial IEP team meeting for a student previously served under part C (Early Intervention, ages 0-3)

### **Additional Requirement for the Notice of a Transition IEP Meeting:**

Beginning not later than the first IEP to be in effect when a student turns 16 (the IEP meeting conducted when the student is 15 years old), or younger if determined appropriate by the IEP team, the notice must also:

- Indicate that a purpose of the meeting will be the consideration of the postsecondary goals and transition services for the student
- Indicate that the agency will invite the student.
- Identify any other agency that will be invited, with the consent of the parents or student age 18 or older, to send a representative

When conducting IEP team meetings and placement meetings and carrying out administrative matters, the parent of a student with a disability and an LEA may agree to use alternative means of meeting participation such as video conferences and conference calls.

Children who are placed in the private schools by their parents do not have an individual right to receive some or all of the special education and related services that the student would receive if enrolled in a public school. There are, however, requirements for the school district where the private school is located to locate, identify, and evaluate students with disabilities enrolled in the private school.

The LEA must develop and implement a services plan and provide some funding for each student that has been designated to receive services. For more information on special education in private schools, please see the *Utah Special Education Rules*.

Eligible students at all public schools including charter schools have the right to FAPE (free appropriate public education). §300.320

*This content is taken from the Utah Parent Center handbook: Parents as Partners in the IEP Process Parent Handbook*