

PFA Tips

Top Ten Rules to Develop an Appropriate IEP

The Individualized Education Program (IEP) is a legal document that obligates the local school system to commit specified resources for the student's education and is the foundation for your child's education. The IEP is both a process and a document to be written. It is a comprehensive statement of a student's educational needs and the specially designed instruction, supports, and related services to meet those needs. IEPs should be revised and updated at least annually. Here are ten things to keep in mind when developing an IEP.

1. Start early

Don't expect to develop a proper IEP by beginning your preparation on the day of the IEP meeting. A comprehensive evaluation is an essential component in developing a proper IEP. If the Local Educational Agency (LEA) (the school district, charter school, or other public educational agency serving the child) has not completed a truly comprehensive Evaluation Report, including assessment of cognitive skills, achievement levels in all areas of the student's strengths and weaknesses, social functioning, emotional issues, and behavioral functioning, the parent should request an Independent Educational Evaluation or demand that the LEA conduct a complete evaluation. Only by knowing a student's true needs – in a concrete, specific, and documented fashion – can a proper IEP be created.

2. Accurately identify the student's Present Educational Levels (PELs) in every area

Identify the student's PELs to include academic, emotional, behavioral, social, and physical which impact the creation of a proper IEP. These PELs should address not only weaknesses, but also strengths of the child, so that those

strengths can be used to develop strategies to address areas of weakness.

3. Identify goals

Identify goals for each area in which the child needs Specially Designed Instruction or Related Services. The goals must identify a specific, measurable result for the child to achieve at the end of the IEP period (with the assistance of the educational team).

4. Monitor progress

Most children with special needs require progress monitoring more often than quarterly report cards. Frequent progress monitoring – at least every few weeks – is essential in assessing areas of a student's weaknesses. The IEP should also reflect that whenever the student is not making adequate progress toward a specified grade (such as a "B"), the parents should be notified within 48 hours of that deficiency. Significantly, research shows that frequent progress monitoring has a positive impact in allowing a child to achieve meaningful benefit, as such monitoring allows the student, teachers, and parents to adjust instruction or programming which is not effective, and also provides an incentive to students and instructors to achieve measurable progress.



5. Review Specially Designed Instruction

Students are entitled to Specially Designed Instruction based upon peer-reviewed research wherever practicable. Such instruction must be designed to allow the child to make meaningful educational progress in the least restrictive environment i.e., a placement involving the maximum level of integration with non-disabled students in which the child can receive appropriate instruction. This right to a "Free Appropriate Public Education" is the cornerstone of the Individuals With Disabilities Education Act and Section 504 of the Rehabilitation Act. Where the frequency and intensity of research-based instruction is critical to the efficacy of the research-based instruction, the IEP should include a statement of that frequency and intensity as well as a basic description of the research-based instruction.

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6. Discuss Related Services

As with Specially Designed Instruction, IDEA requires that Related Services be based upon peer-reviewed research wherever practicable. These Related Services may include not only the typical services seen in many IEPs, i.e., occupational therapy, physical therapy, speech-language therapy and counseling – but also, where necessary for a child to receive FAPE, psychological services, parent training, recreational therapy, and any other unique form of intervention necessary to allow the student to make meaningful educational progress, such as music therapy, recreation therapy, or art therapy. Because Related Services must be based upon peer-reviewed research, these services (including psychological services, social work services, and counseling) should consider interventions such as Cognitive Behavioral Therapy or Applied Behavioral Analysis with a track record of proven efficacy in treating disabilities such as ADHD, Obsessive Compulsive Disorder, Autism, Depression, and Anxiety.

7. Include supports for school personnel where appropriate

These supports may include training for teachers and aides, the use of a therapeutic support staff or other aide, a personal care assistant, itinerant

teacher support in the regular education classroom, and distribution of IEPs and Evaluation Reports to all school personnel.

8. Determine if Extended School Year is applicable

Although some school districts assert that an extended school year (or an extended school day) is only available to prevent regression by students over summer months, it is also available under IDEA for students who fail to make adequate progress during the school year or the school day, and is especially relevant for students with severe disabilities.

9. Explore placement options

As noted above, a child's placement must be in the Least Restrictive Environment in which the child can make meaningful educational progress, and a full continuum of services must be available to ensure that the placement necessary to allow a child to make appropriate progress will be available. IDEA specifically notes that special education may occur not only in classrooms, but also in hospitals, residential programs, mental health facilities, homes, and juvenile facilities.

10. Plan transition services

IDEA now requires that transition

services be based upon appropriate assessments which are designed to determine a student's transition needs, and that the IEP include appropriate annual goals to meet the transition needs of every student who will be age 14 or older during the term of the IEP. In the past, transition services were the “poor stepchild” of IEPs, but recent changes in IDEA mandate that transition is intended to be a robust program to provide a meaningful stepping stone from school to adulthood, and from the classroom to community-based programming. It is noteworthy that when parents can obtain a local business or organization to provide a work-study program to a student during transition years, school districts must seriously consider and generally support such a community-based program, especially during the last stage of a student's special education entitlement in the public schools.

Additional Resources

Learn About the Special Education Process and IEPs

<https://pathfindersforautism.org/articles/education/learn-about-the-special-education-process-and-ieps-2/>

State Resources for Assistance with School Issues, IEP Development, School Resources

<https://pathfindersforautism.org/articles/education/state-resources-for-assistance-with-school-issues-iep-development-school-resources/>

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