

## Advocating for Your Child's IEP

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Welcome to our back-to-school series. Depending on where you live, your kids may have just started school or are preparing to head back in a week or two. Things might feel a little out of control right now with decisions about whether your kids will return to school in person or continue with some version of virtual education. If you have kids with learning challenges, the start of this school year may feel even more stressful, especially if you need to obtain or change accommodations. Here's where we can help. Hopefully you read our post on 5/26/2020, *That's A Wrap* and completed the *Observations from the School Year* printable. That information is going to come in handy as you prep for this school year, especially if your child needs accommodations or supports at school.



As provided by the Individuals with Disabilities Education Act (IDEA) of 2004, kids with an identified learning disability or condition that interferes with their learning or access to the curriculum qualify for an Individualized Education Program (IEP). As the name suggests, an IEP is a program that provides supports and accommodations for students with special education needs. This includes learning disabilities (e.g., Specific Learning Disorders) as well as sensory impairments.\* Programs are tailored to meet the needs of the individual student. The program is outlined in an Individualized Education Plan (also referred to as an IEP), which is a legally binding document that outlines the learning goals for the student as well as the supports and accommodations that will be provided. The individuals responsible for any interventions and for monitoring the student's progress are also included in the plan. The IEP is required to be reviewed annually to make any needed updates or changes. However, you can request updates

to the IEP at any time if you're concerned that the goals are not being met, if new learning challenges arise, or if new accommodations might be helpful.

Keep in mind that the IEP only applies for students in public school. Students in private schools do not receive IEPs. Instead, they may receive a support plan. The type of plan and the supports provided will be up to the individual school. Private schools are not legally required to provide the same level of intervention or support as are public schools.

At this point, you're probably wondering how you get an IEP for your child. The process can seem mystifying, but there are lots of resources out there if you know where to look. The first thing that often stumps parents is how to even request an IEP. In some cases, teachers recognize a learning challenge and start the process from their end by referring the child for evaluation or for classroom interventions. What many parents do not know is that you can also request that your child be evaluated for an IEP. I've heard many stories from parents over the years about their difficulties having their request for an IEP answered. ***The key is to put the request in writing and send it to the school's special education coordinator and the principal.*** The school then has a designated number of days to respond to your request. The amount of time varies from state to state, so check with your state's Department of Education for the timeline. Many parents make this request to the school guidance counselor. However, in most cases, the guidance counselor is not the special education coordinator, so this adds an unnecessary step that slows down the process. One thing to keep in mind is that this is just a request for consideration for an IEP- your child may not qualify. If that is the case, you can ask your school's special education coordinator or principal to put their reasoning in writing and to explain it to you so that you understand why your request is being denied.

If your request is approved, you may need to sign a form granting permission for your child to be evaluated through the school. Once you have signed that, a comprehensive evaluation will be scheduled. Again, the school has a certain amount of time to complete the evaluation- check with your state's Department of Education for that information. The evaluation should include



standardized testing to assess your child's particular strengths and learning deficits. It should also include information from various sources, including yourself, teachers, and school records. Once the evaluation is complete, the determination will be made about your child's eligibility for an IEP. In some cases, parents decide to have their child evaluated by an independent licensed provider and share the results with the school. This may speed up the process but is an out-of-pocket expense that may not be covered by insurance. Schools are not required to accept the results of outside testing and, on occasion, still want to complete their own testing.

If your child is eligible, you will be invited to attend an IEP meeting, where you and school staff will create your child's IEP. Older children are encouraged to attend IEP meetings and give their input on their progress, learning style and needed accommodations/supports. Staff varies according to your child's particular needs, but classroom teachers and the special education coordinator are typically present. Others that *may* be present include, but are not limited to, service providers (reading or math specialist, physical therapist, speech therapist, occupational therapist, school psychologist), principal, and guidance counselor. Usually, parents attend the meeting in person. If you can't get to the meeting, you can elect to participate by phone. With COVID-19 precautions, you may participate in a video meeting.

You may feel unsure how important your presence is at the IEP meetings. ***You are a critical part of your child's team.*** The school personnel know the system and the academic requirements, but you are the expert on your child. The IEP meeting is where you'll really advocate for your child. You know what works and what doesn't work to motivate your child and help them learn. Having just done homeschooling for the last few months of the school year, you now also have firsthand knowledge about your child's approach to learning. So, go back to your *Observations from the School Year* printable, and review what you wrote about the areas where your child struggled and where they excelled. Pay attention to what motivated your child and what made learning more difficult. These are critical observations that you can share at an IEP meeting. The most important thing to remember is that you have the right to advocate for your child. Everything you ask for may not be approved by the rest of the team, but you'd be surprised by



how comprehensive an IEP can be when you're not afraid to advocate for what your child needs. When you can relate specific observations about your child's learning, you can request more effective interventions, supports, and accommodations.

Once the team, yourself included, agrees on the goals and interventions outlined in the IEP, all team members will sign the plan and it will be implemented. Over the course of the school year, you will likely need to continue to advocate for your child to make sure the interventions are being implemented as outlined in the IEP. Remember, your child's teacher will have many students in class, several of whom will likely have an IEP or 504 Plan (more on that below). So, sometimes things may get forgotten or missed. This is a particular challenge for middle and high school students who have multiple teachers. It is important to keep track of what interventions/supports are supposed to occur in what classes. In addition, for kids of all ages, it's important for them to understand the kinds of accommodations they are supposed to receive and teach them to appropriately advocate for themselves. If they're headed back to school, you won't be with them throughout their school day to see how supports are being implemented. Even you are continuing with virtual school, they will still have interactions with their teachers, and they will have schoolwork to complete that will require the supports outlined in the IEP.

Not all students with learning challenges will qualify for an IEP. Remember, an IEP covers particular diagnoses or conditions. However, students who have other conditions that impair learning, including but not limited to a medical condition, a mental health diagnosis, or ADHD, are eligible for a 504 Plan, which was provided for by Section 504 of the Rehabilitation Act of 1973. The 504 Plan is less specific in terms of goals and expected outcomes than the IEP, but like the IEP, it outlines accommodations and supports that will be provided to aid the student's learning. As part of the 504 Plan process, a comprehensive evaluation is not conducted, although you may have your child evaluated by a licensed provider in the community. The team for the 504 Plan may not include as many school staff as the IEP team, but that will depend on the nature of your child's difficulties and needed interventions.

Many parents have questions throughout the IEP process, and it can be difficult to find answers. The Individuals with Disabilities Act (IDEA) of 2004 required states to create Parent Training and Information Centers (PTIs) and Community Parent Resource Centers (CPRCs) that provide information and resources for parents of children with disabilities, including help understanding the IEP or 504 process. For more information and to find the center(s) in your state, visit the Center for Parent Information and Resources at <https://www.parentcenterhub.org/find-your-center/>.

\*Conditions that qualify for an IEP according to IDEA 2004:

Autism	Multiple Disabilities
Deaf-blindness	Orthopedic Impairment
Deafness	Other Health Impairment (OHI_
Developmental delay	Specific Learning Disability
Emotional Disturbance	Speech/Language Impairment
Hearing Impairment	Traumatic Brain Injury (TBI)
Intellectual Disability	Visual Impairment (including blindness)