Helping Families Understand the IEP Process

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Objectives: What will be covered?

How are children flagged for an evaluation

Overview of the IEP process

What kind of supports do IEPs provide students?

Eligibility categories: What is looked for when considering an IEP and how kids “fall through the cracks”

How to support families/Attending IEP meetings: Who to contact, what to expect, do, and say

Placement and setting (LRE and FAPE)

The difference between an IEP and a 504 plan

IEPs in Colorado versus other states
Child Find is a mandate under IDEA that requires schools to evaluate all and any children (3-21) who may be eligible for special education - Johns (2016)

If school personnel suspect a student has a disability or know a child has a disability, then they have an obligation to request an evaluation for that student - Johns (2016)

In CO, Child Find is also the name of the evaluation teams through districts for Part C and preschool services under Part B. Referrals most commonly come through community center boards from parents, child care providers, or pediatricians.

When children are of school age, the individual schools usually have special education providers who can determine eligibility

How are children flagged for an evaluation
RtI - Response to Intervention

**INTENSIVE INTERVENTIONS**
Current interventions are continued with greater frequency and in a smaller, more individualized setting. The Campus RtI Team develops a plan for Tier 3 interventions that includes the targeted skill, type of intervention, frequency of intervention, and documentation of student response to the intervention.

**TARGETED GROUP INTERVENTIONS**
The Campus RtI Team develops a plan for Tier 2 small group, high-quality interventions that includes the targeted skill, type of intervention, frequency of intervention, and documentation of student response to the intervention.

**CORE INSTRUCTIONAL INTERVENTIONS**
The classroom teacher provides high-quality instructional and behavioral supports for all students in the general education classroom. Multiple sources of data are monitored by the classroom teacher and universal screening data.

Framework: 3 levels of intensity

Overview of the process; How are children flagged for an evaluation
PBIS - Positive Behavior Interventions and Supports

Overview of the process; How are children flagged for an evaluation
MTSS - Multi-Tiered Systems of Support

What Happened to RTI and PBIS?

- **RtI** (Academic Supports)
- **PBIS** (Behavior Supports)

MTSS

Menu of Evidence-Based Supports

- **Targeted Intensive** (High-risk students) Individual Interventions (3-5% need)
- **Selected** (At-risk Students) Classroom & Small Group Strategies (10-25% of students respond)
- **Universal** (All Students) School/campuswide, Equity & Culturally Relevant & Responsive Systems of Support (75-90% of students respond)

- **Positive Relationships with all students, Progressive Response to Problem Behavior**

Overview of the process; How are children flagged for an evaluation

- FBA-based Behavior Intervention Plan
- Replacement Behavior Training
- Cognitive Behavioral Counselling/Therapy
- Family therapy/Wrap Around/Agencies included

- Behavioral contracting
- Self monitoring
- School-home note
- Mentor-based program
- Differential reinforcement
- Positive Peer Reporting
- Small group SEL or SS training

- Schoolwide PBIS
- SEL curriculum
- Good behavior game
- 17 Proactive classroom management
- Physiology for learning: Diet, Exercise, Sleep hygine, stress management
Main Components of the IEP

Procedural Safeguards

Present Levels of Academic Achievement and Functional Performance (PLAAFP): Strengths, Preferences, and Interests; Educational Performance

Student Needs and Impact of Disability with Parent/Student Input: How disability affects involvement and progress in general curriculum and participation in appropriate activities?

Consideration of Special Factors: limited English proficiency; BIP; blind or visually impaired; deaf or hard of hearing; deaf-blind; unique communication needs; assistive technology; transportation; health care plan
Main Components of the IEP Continued...

**Annual Goals:** Area of need; projected achievement date; ESY; Baseline data point; goal; objectives; standards

**Accommodations and Modifications:** What type if any is/are necessary for the student to access the gen curriculum and/or appropriate activities to make effective progress?

**Extended School Year Determination**

**State and District Assessments**

**Service Delivery Statement:** types and anticipated location of services

**Recommended Placement in the LRE**
Least Restrictive Environment (LRE)

To the maximum extent appropriate, children with disabilities are educated with children without disabilities.
Free and Appropriate Public Education (FAPE)

**FAPE Under 504**

A FAPE that is comparable with the education of other students

**FAPE Under IDEA**

A FAPE that is based on the individualized needs of the student and includes specially designed instruction

The student cannot be discriminated against due to the child’s disability - they cannot have a stricter consequence for a behavior problem than a student without a disability

Johns (2016)
Changes to come in FAPE

Board of Education v Rowley (1982)

- Requires an appropriate educational program reasonably calculated to enable a child to make progress in light of the child’s circumstances

Endrew F. v Douglas County School District (2017)

- Requires an educational program reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances

Bottom Line:

Move away from the check-the-box approach to IEP forms, but instead document that they “reasonably calculated” the child’s potential to make progress based on an appropriately ambitious program and challenging objectives
Eligibility Criteria

Can you guess some?
Eligibility Criteria

Autism Spectrum Disorder
Deaf-Blindness
Developmental Delay
Hearing Impairment, Incl. Deafness
Intellectual Disability
Multiple Disabilities
Orthopedic Impairment

Other Health Impairment
Serious Emotional Disability
Specific Learning Disability
Speech or Language Impairment
Traumatic Brain Injury
Visual Impairment, Incl. Blindness
Three preliminary questions

1. The evaluation is sufficiently comprehensive to appropriately identify all of the child’s special education and related services needs, whether or not commonly linked to the disability category.
2. The child *can* receive reasonable educational benefit from general education alone.
3. The child’s performance: is or is not
   a. Due to a lack of appropriate instruction in reading, including the essential components of reading instruction.
   b. Due to a lack of appropriate instruction in math; and
   c. Due to limited English proficiency.
### IEP (IDEA) Education Funding

**Ages:** 3 - 21 (Specific Disability)

**Compliance:** State and OSEP

Children who have disabilities that result in an adverse impact on their educational performance

Provides specially designed instruction, accommodations, and modifications

Includes special education and related services for the student, including support for school personnel and parent counseling when necessary to provide meaningful benefit the the student

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### 504 Civil Rights (Federal Program)

**Ages:** Birth - Death (Impairment of major life activities)

**Compliance:** Office of Civil Rights

Protects children with disabilities from discrimination because of their special needs

Provides accommodations for those with disabilities who are not eligible for special education

Ex: Diabetes does not adversely affect her educational performance, but needs accommodations so that she can have a special diet and more frequent trips to the bathroom

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*Johns (2016)*

The difference between an IEP and a 504 plan
Section 504 Potential Qualifications

- Chronic Medical Condition (Examples)
  - Cancer (leukemia)
  - Hemophilia
  - Heart Disease
  - Blood Sugar Disorders (hypoglycemia or diabetes)
  - Respiratory Conditions (asthma, severe allergies, environmental poisoning)
  - Chronic Fatigue Syndrome
  - Urinary Conditions Requiring Catheterization
  - Epilepsy
  - Tourette’s Syndrome
  - Pregnancy
  - Broken Limbs
  - Illness

- Attention Deficit Disorder/Attention Deficit Hyperactivity Disorder

- Communicable Diseases
  - AIDS
  - Testing HIV+

- Drug/Alcohol Addiction

- Physical Impairments
  - Arthritis
  - Cerebral Palsy

- Emotional Disorders
  - Depression
  - Post Traumatic Syndrome

Greiert (2017)
Referral Conditions

- Chronic hospitalization
- Chronic homebound
- Homeless, migrant, or other qualified individuals with disabilities, or individuals who are believed to be disabled
- Student is found ineligible for special education
- School concerns
- Parental concerns frequently expressed
- Students reentering school after having been temporarily placed in a private setting
- Students exhibiting a chronic health condition and/or receives medical attention at school
- Suspensions approaching an aggregate of ten (10) instructional days.
- The school district is considering expulsion, exclusion, or retention of a student
- Students suffering the death of someone close or the separation/divorce of their parents.
- Suspicion of abuse in the home
- The student’s attendance record approaches the school district’s limit
- Student is regarded as a potential drop-out or at-risk
- Substance abuse is considered

Greiert (2017)
How to help support families?
<table>
<thead>
<tr>
<th>Federal</th>
<th>State</th>
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<tbody>
<tr>
<td><strong>Who is eligible for special education</strong></td>
<td>IDEA says students who have one of <strong>13 types of disabilities</strong> may qualify for special education. To be eligible, the disability must &quot;adversely affect&quot; their educational performance.</td>
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| **Free appropriate public education (FAPE) and least restrictive environment (LRE)** | IDEA says every child with a disability is entitled to a free and appropriate education. Kids with disabilities must also receive special education in the LRE. There must be a continuum of placements available, from self-contained to inclusion classrooms. | States must provide FAPE, but they have leeway in what instruction or services to provide. For instance, states can decide on the types of educational programs to use. And many different programs could be "appropriate."
States must educate children with disabilities in the LRE. But states can choose how to structure their schools as long as they provide special education in several types of placements. | Rosen (2018) |
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<th>Procedural safeguards</th>
<th>Federal</th>
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<td>It is the area where IDEA is the most detailed. IDEA lays out the process and steps that schools and parents go through for evaluation, IEP meetings and dispute resolution. For example, it requires schools to complete an evaluation within 60 days.</td>
<td></td>
<td>As long as states follow the overall process in IDEA, they have leeway to determine some of the details. One example is time limits. For example, instead of the 60-day time limit for evaluations, Washington state law gives schools just 35 days to complete one after parental consent.</td>
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<td>Early intervention</td>
<td>IDEA provides for early intervention for kids with developmental delays or specific health conditions. But it doesn’t actually define “delay,” state who is eligible or spell out who pays for what.</td>
<td>Each state decides what constitutes a delay, who is eligible for services and who pays for what. Some states are more generous than others. Some pay for physical therapy or family training. Others require parents to cover some costs.</td>
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Rosen (2018)
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<td>Age of eligibility</td>
<td>IDEA says educational services must be provided to students with disabilities who are in school until the age of 21.</td>
<td>States must meet the federal minimum of 21, but they may pass laws that exceed it. Michigan, for instance, provides services until the age of 26.</td>
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<td>Age of transition services</td>
<td>Federal law says schools must start transition planning for after high school at the age of 16.</td>
<td>Some states choose to start earlier. In Massachusetts, for instance, schools must provide transition services starting at age 14.</td>
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Exceptional Children’s Educational Act
Resources

4. Colorado Department of Education Disability Categories and Eligibility Forms: https://www.cde.state.co.us/cdesped/iep_forms#review
References


