



FEDERATION FOR CHILDREN
WITH SPECIAL NEEDS

Frequently Asked Questions About Individual Education Program (IEP)

Who is eligible for an IEP?

In order to be eligible for an IEP your student must meet several requirements. If you answer “yes” to the following three questions then your student is most likely eligible for special education services through an IEP.

1. Does your child have a disability? What type?
2. Is your child not making effective progress in school due to the disability?
3. Does your child require specialized instruction to make effective progress or require related services in order to access the general curriculum?

Does the IEP have to be written at the beginning of each school year?

No, the IEP can be written anytime during the school year and can be revised at any time during the school year. The IEP Team must meet annually. Typically, Teams will revise and rewrite your student’s IEP at the same time each year.

What does the federal law (IDEA) say about the IEP?

The IEP requirements in IDEA emphasize three core concepts:

- each child with a disability must be involved and progress in the general curriculum, this requires the unique needs that arise out of the child’s disability to be addressed;
- parents and students, together with regular and special education personnel, must be involved in making decisions to support each student’s educational success;
- students with disabilities must prepare for further education opportunities, employment and other post-school activities.

What is the purpose of the IEP?

Every child deserves to have an education driven by high expectations. The Massachusetts Curriculum Frameworks set the standard of expectations for every child with or without disabilities. Also, IDEA states that students with disabilities should work on learning the same curriculum that their non-disabled peers are learning. Therefore the IEP is a tool to plan how your student will learn those standards—the general education curriculum.

A properly written IEP will detail how your student will be part of and learn what all children of the same age are learning. This means the IEP does NOT design a curriculum, rather, the IEP designs the services that your student needs to make effective progress in the general curriculum, and participate in the life of the school as well as prepare for post-school plans

By specifically recording expectations, the IEP document becomes a legal contract to ensure that you and the school district agree on what will be provided to your student through out the school year.

Does the IEP need to be written in the language we speak at home?

Yes, the IEP should be written in your native language.

Who writes the IEP?

The IEP should be developed by the Team at the IEP Team meeting.

Who is on the IEP Team?

Each Team must include:

- You--The parent(s) or guardian(s)
- Your student, if they are age 16-22 or earlier if appropriate
- No less than one of your child's special education teachers and/or providers;
- No less than one of your child's general education teachers;
- A school official who is qualified commit resources;
- An individual qualified to interpret the evaluation results and review what services may be needed
- Other people or agencies that have special expertise or knowledge of your student may also be invited.
- You (parents and/or students) may also invite any person who you feel would be helpful to you at the Team meeting

Can IEP Team members be excused from the Team Meeting?

A member of the IEP Team may be excused from attending an IEP meeting if both you and the district agree in writing that this Team member's area of curriculum or related service is not being modified or discussed at the meeting.

Also, a Team member may be excused from the meeting due to a scheduling conflict only if you and the district agree in writing and that Team member submits written input into the development of the IEP to you and the Team prior to the meeting.

If you believe that the Team member is needed at the meeting, you may ask to reschedule.

Can an IEP be changed without a full IEP Team meeting?

Yes but it is not recommended. IDEA 2004 does provide for changes to the IEP without the full Team's attendance. If your annual IEP has already been written, it is possible for you and the school district to both agree in writing to amend the IEP without calling a Team meeting. Experience suggests that having all the members there to discuss vital educational issues may be crucial.

Remember: Any change to the IEP document requires your written consent.

What is included in an IEP?

The IEP is a logical document; each section builds upon and supports the one before. Therefore it is essential that you express clear expectations from the beginning of the IEP document.

Each part of the IEP deserves special consideration; especially the "Parent/Student Concerns" and "Vision Statement" sections

Can my child's IEP address what will happen after high school?

Yes. In Massachusetts your child's IEP must address "Transition" when your child is 15 years old (or younger if determined appropriate) and then updated annually thereafter. At this point the IEP must also include post secondary goals, objectives and benchmarks. These goals must be based on age-appropriate transition evaluations. Goals can address:

- Training
- Post Secondary Education
- Employment
- Independent living skills
- Transition services, including courses of study to reach goals
- Age of majority information

Do I have to sign the IEP at the Team meeting?

No. It is NOT a good idea to sign the IEP at the Team meeting. Within 3-5 days after the IEP is developed, you will receive a copy of the IEP for your review and signature. You have 30 days to sign and return the IEP to the school. It is important to take some time to review the IEP and consider if it addresses all your student's needs before signing.

What is the difference between the IEP and placement?

The IEP describes what and how support services will be given to your student. Placement describes where those services will be provided.

When do the supports and services listed in the IEP start?

As soon as the school receives an accepted and signed IEP back from you—the parent or guardian—the supports and services will begin.

What should I do if I only agree with part of the IEP?

If you disagree with some sections of the IEP you should check the box indicating you would like changes to portions of the IEP. Next, list each section you would like changed. Once the school receives the signed IEP from you, all supports and services in the IEP will start EXCEPT the portions with which you disagreed.

Often these differences can be remedied by requesting a meeting to discuss your concerns. If you would like to schedule a meeting with your school, it is important to check the box indicating your request for a meeting.

What should I do if I disagree with the IEP in total?

If you disagree with the IEP, you should check the box indicating you reject the IEP as developed.

Important reminder: If this is your child's first IEP you may choose to reject the IEP in full but if you do, no supports or services will be provided until the problem is resolved. In this instance, it is best to accept some portion of the IEP so special education services can begin while your concerns are being resolved.

What happens if I reject parts of the IEP? What happens if I reject the whole IEP?

When you reject any or all of the IEP, the school must inform the Bureau of Special Education Appeals (BSEA) within 5 days of the school's receipt of the rejected IEP—unless you have requested a meeting. Rejected IEPs can also be forwarded to the BSEA by you. The Bureau will mail you an information packet when they receive your rejected IEP.

What can I expect from a meeting with my school to discuss a rejected IEP?

Requesting a meeting offers an opportunity for you to meet with your school to express your concerns. Many times it can be to your advantage to work out problems with the school this way first. If no compromises can be reached at this meeting, the school or you can then forward the rejected IEP to BSEA to start the due process.

What if my school is not providing the supports and services as agreed upon in the IEP?

Contact the Massachusetts Department of Education Program Quality Assurance at 781-338-3700. The Program Quality Assurance Department (PQA) has a liaison for each town who will accept and investigate written concerns within 60 days. When you call, the liaison will send you a form in the mail. From the time you receive the form, you have 30 calendar days to submit it. If the written concern is not submitted within 30 calendar days PQA will assume the problem has been resolved and they will NOT continue the investigation.

If I have a question that is not answered here, what should I do?

Call us and ask for an information specialist at 1-800-331-0688.