

# IDEA's Purposes

To ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living. 42 U.S.C. § 1400(d)(1)(A).

To ensure that the rights of children with disabilities and parents of such children are protected. 42 U.S.C. § 1400(d)(1)(B).

# A Child is a Child First not a Disability



# FAPE

- Part B of the IDEA guarantees that *all* students with disabilities age 3 through 21 have the right to a “free appropriate public education” (FAPE). 20 U.S.C. §§ 1401(9), 1412(a)(1).
- School districts deliver FAPE by providing “**special education services**” and “**related services.**”

# FAPE

## § 300.39 Special Education

- The term special education means specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability, including:
  - Instruction conducted in the classroom, in the home and institutions, and in other settings.
  - Instruction in physical education.

# FAPE

## **§ 300.34 Related Services**

- Related services means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, early identification and assessment of disabilities in children, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services for diagnostic or evaluation purposes. The term also includes school health services, social work services in schools, and parent counseling and training.

# The IEP Meeting

- Who is invited to the IEP Meeting?
- Parents/Guardians - a parent can also choose to bring a friend, an advocate, a therapist, or anyone who can be of help to them during the IEP meeting
- Principal
- Special education teacher
- General Education teacher
- Diagnostician
- Occupational Therapist /Physical Therapist
- Speech Therapist

# Introductions

- Participants in the ARD meeting introduce themselves and describe their role at the meeting for the record.
- IEP meeting minutes are written down as a record of the meeting.
- Parents can also bring a recorder to record the meeting, they have to inform the school they are recording the meeting.

# PURPOSE OF The IEP MEETING

- Initial IEP meetings establish eligibility for special education
- The IEP meeting is also held yearly to formulate an educational plan for the next school year.
- The IEP meeting can be held to discuss placement, to request an evaluation, to go over an evaluation, or to dismiss a student from special education.
- Parents or school staff can request an IEP meeting at anytime
- The law requires a parent be given a 5 day notice before the IEP meeting is to take place, if the parent agrees to a shorter period of notice, they can sign a waiver dismissing the 5 day notice.

# Review of Evaluations and Other Data

- Full and Individual Evaluation and present levels of performance.
- Other Evaluations (Consider need for additional evaluation)
- Vocational Assessment
- Transition Planning assessment and information
- Parent Information, including your concerns
- School Personnel Information
- Other Professional Information (including other agencies)

# Importance of Evaluations

- There are 2 types of Evaluations
- Formal assessments using standardized tests that measure educational status (reading, writing, comprehension, math, cognitive ability, need for various services like speech therapy (language, articulation, pragmatic language, assistive technology, social skills, and communication skills, behavior, occupational therapy looking at fine motor skills, gross motor skills, sensory profile, physical therapy, and adaptive physical education.

# Importance of Evaluations

- Second type of evaluations is called a REED:
- This stands for Review of Existing Evaluation Data
- Review of current work samples, tests, teacher notes
- Observation
- Informal assessments such as district assessments, classroom based assessments (CBA)

# Importance of Evaluation

- IDEA law requires that every student in special education receive a Full Individual Evaluation(FIE) initially to find out if determine eligibility for special education and once every 3 years to determine if a student continues to be eligible for special education.
- The ARD committee including the parent can agree to a REED without any new evaluations or they can waive only part of the evaluation, and keep some assessments.

# Evaluations Cont'd

- It's very important to make sure that your child is being assessed in educational and cognitive areas.
- Understanding how to design and modify curriculum to your child's mode of learning is key to successful learning. Without a formal assessment measuring how your child learns, his strengths and deficit areas, it's impossible to design a specific program that will suit his needs.

# Evaluations Cont'd

- School might choose to perform a REED or informal evaluation rather than formal assessments.
- It's a parent's job to be aware of this and request formal testing in educational and functional areas if they see the need for it.
- Designing goals and objectives for the following year depend heavily on your child's present levels of performance, and their formal and/ or informal testing.

# IEP Annual Goals Review

- Review previous IEPs and progress (Link to the Present Levels)
- Discuss proposed IEPs
- Discuss proposed modifications and accommodations
- Discuss how progress will be measured and reported to the parents.

# Behavior Intervention Plan

- Functional Behavior Assessment
- Who should do this?
- What needs to be in the plan
- Positive Behavioral Supports
- Measuring progress

# Goals/Accommodations

- What goals need to be carried over to the new annual IEP (look at the progress report, which goals have not been mastered?)
- What new goals need to be developed to help with next steps in progress
- What new goals are needed to address identified deficits
- What does the child need to help him learn
- Who will be responsible for implementing the goals and delivering accommodations

# Testing and Services and Placement

- What District tests will the child take
- What services will the child receive (schedule of Services)
- Amount of time for each service (schedule of Services)
- Where will the child receive their education ( where will these services be provided)
- Least Restrictive Environment (LRE)

# What Happens if the Parent and School Disagree With...

- Evaluation results - IEE
- Any other part of the IEP
- Continuation ARD
- Sign Disagree
- Request a TEA Facilitator
- 10 day recess
- Reconvene IEP
- Mediation
- Due Process Hearing

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# Prior Written Notice (PWN)

- Law states that before school districts make any changes in services, placement, educational program or if they deny any services, educational programs, changes in placement, evaluations requested by the parent they have to provide the parent with PWN stating the changes, or denied services and the reason for it.

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