



IEP Webinar 2023

Every child deserves to thrive in an inclusive community.

Easterseals DuPage & Fox Valley provides comprehensive pediatric outpatient rehabilitation services to more than 1,000 infants and children with developmental delays and disabilities every week.



MISSION



To ensure that children with disabilities and their families are empowered.



Answering Frequently Asked Questions

- **What exactly is an IEP and why is it important?**
- **What is an IEP from a legal perspective and your rights and protections?**
- **What to know before you begin the IEP process?**
 - Who will be in your IEP meetings?
 - What should I bring to my IEP meeting?
- **Do need an attorney for an IEP meeting?**
- **What are the limits to an IEP?**
- **Can my child receive therapy outside of school, when there is an IEP in place?**
- **What type of classroom environment is best?**
- **IEP provided caregivers, who they are and what they do.**

What happens, *What do I do*, if an evaluation signals a developmental delay or a need for further evaluation for my child?

After examination of the results of the evaluations, the school team could recommend that a child would be eligible for and benefit from an Individualized Education Plan, or an IEP. A meeting will be scheduled to review the team's recommendations and how outcomes will be achieved.

Normalizing IEP

An IEP helps families make the most of the educational process

- Your IEP team are the most experienced in providing tailored educational plans.
- IEP teams are caring team that will look after your child & help them meet their goals.
- IEP team will have tailored goals and a rubric plan with which to measure them.
- IEP team provides an inclusive education for your child.
- Team approach to achievement and routine bring successful outcomes.
- Children with IEPs are often given more individualized personal attention and frequent check-ins.

I am not comfortable with my child being labeled as having a “disability”.

An IEP does not create a label nor provide a diagnosis of a disability.

To qualify for an IEP, a student’s needs must align with one or more of these criteria to be eligible:

- The student needs must require special education and related services
- A condition or disability must have an "adverse effect" on the student’s educational performance
- The student has one or more of these IDEA-recognized “disabilities”
 - Autism
 - Emotional disturbance
 - Developmental delay
 - Hearing impairment
 - Deafness
 - Deaf-blindness
 - Intellectual disability
 - Multiple disabilities
 - Other health impairment
 - Orthopedic impairment
 - Specific learning disability
 - Speech or language impairment
 - Traumatic brain injury
 - Visual impairment

How did the IEP come to exist?

- The Education for All Handicapped Children Act of 1975 (PL 94-142) and subsequent iterations of the law, (today it's referred to as IDEA) have codified the legal requirements for school districts to provide a **free and appropriate public education** (FAPE) for students with disabilities.

What is FAPE?

“Free and Appropriate Public Education”

- *FAPE is the foundation for special education and is developed for each student with a disability who qualifies for special education services.*
 - Are provided at public expense, under public supervision and direction without charge
 - Meet standards of the state educational agency
 - Include an appropriate preschool, elementary, or secondary school education in the state involved
 - Are provided in conformity with the individualized education program (IEP)

How does the school prove that they are following and meeting the IEP Goals?

FAPE and IDEA protocols outline strict rules that every school district must follow.

These are the minimally required components of an IEP:

- **A statement of the Student's present levels of academic achievement and functional performance** including how the disability(ies) affects the student's involvement in the general education curriculum/appropriate activities.
- **A statement of measurable annual goals** (*IEP during year student turns 14 in Illinois, must include post-secondary goals/transition services based on appropriate transition assessments*).
- **A description of how the student's progress toward meeting the annual goals will be measured.**
- **A statement of the special education and related services** and supplementary aids and services based on peer-reviewed research.
- **A statement of the program modifications and supports for school personnel.**
- An explanation to the **extent, if any, to which the student will not participate without students with disabilities.**
- **A statement of appropriate individual accommodations** necessary to measure academic achievement and functional performance on state & district wide assessments or Alternative Assessments (AA)
- **The projected date for the beginning of services** and required modifications including anticipated frequency, location & duration.

(300 C.F.R. 300.320 Definition of Individualized Education Program (minimally required components))

How does “Free and Appropriate Public Education” work?

FAPE created a series of procedural constructs that demonstrate and memorialize goals and outcomes through the Individual Education Plan (IEP), which is targeted toward meeting each student’s unique educational needs and must be designed to confer educational benefit.

(Teaching Exceptional Children: IEP’s Policy to Practice May-June 2020 Volume 52 Issue 5 Pg. 289)

There are eight steps that must be considered if “educational benefit” is to be conferred:

- 1) Adhere to the IDEA’s procedures.
- 2) Ensure meaningful parental involvement when developing the IEP.
- 3) Conduct meaningful & relevant assessments that address all needs.
- 4) Develop ambitious and measurable annual IEP goals.
- 5) Provide specialized programming based on peer-reviewed research, reasonably calculated to enable the student to make progress in light of the student’s circumstances.
- 6) Systematically monitor progress and report to parents.
- 7) Make instructional changes when data indicates little to no progress on goals.
- 8) Be able to defend why a student’s IEP will enable him/her to make progress.

IEP's are legally-binding documents for school districts.

Implementation of these documents is mandatory not discretionary or optional.

An IEP meeting seems like a lot of parts, what can I expect it to be at its core?

IEPs, are a two-part process that begins with determining eligibility and then developing the goals for the IEP that are tailored to support your child's progress.

Part 1: Determining Eligibility

- **Everyone involved in evaluating your child will attend or send a report.**
- **Your district is required to provide copies of the evaluation reports** at least 3 days prior to this meeting.
- This is your opportunity to **review their reports and make notes on points** you would like to address or have questions about.
- **After reports, it will be determined if your child has a disability under the IDEA** and is eligible for special education services. If so, you will move onto the second part of the meeting.

Part 2: Develop the Individual Education Plan (IEP)

- The IEP is the written plan, which minimally includes:
 - Goals
 - Objectives
 - Educational placement and if determined to be needed, related services such as speech/language, occupational and physical therapy, social work

Work with and be a player on your team!

- School personnel and parents need to consider these key elements to be good team members and achieve the desired/planned results for a student:
 - **Communication, Participation, and Understanding** the regulations guiding school districts
 - **School personnel need to communicate efficiently and in a timely manner** on all matters but particularly those involving student progress or concerns.
 - **School personnel need to share data to support any impending or planned changes** to a child's programming even if it is based on successfully accomplishing a benchmark or objective (i.e., moving forward).
 - **Parents need to communicate efficiently** as well and recall that the teacher may be responsible for up to 14 other families (many more for the school-based therapists) who require/desire regular communication. Be realistic/patient when it comes to frequency but maintain high expectations when it comes to content.

What is my role in the IEP process?

Do I get a say in what happens before, during and after?

- ✓ **Check the date, time and place**, if you have a conflict notify the school promptly to reschedule.
- ✓ It is important that **you and your partner attend if possible** and that proper attire is worn.
- ✓ **Contact the school if you have new medical information** or other information to share.
 - ✓ *Send this in advance of the meeting to the primary contact person you have been working with.*
- ✓ **Make a list of strengths and needs and review it during the meeting** to ensure the other team members understand all the things that are important to you regarding your child's success in school.
- ✓ **Make a list of questions and ask them** no matter how simple they might seem to you.
- ✓ **Parents have the right to see proposed educational environments prior to giving consent.** You can ask your team for an opportunity to view any classroom/program your team is recommending.
- ✓ **Do not bring your child to this meeting.** You want to be able to fully participate and listen to what is being discussed.
- ✓ You will get plenty of advice from your family, friends, and therapists. **Remember every child is different and every experience is unique to that family!**

Should I be thinking about my child's behaviors and how our history could help create the best IEP outcomes?

You have a wealth of information about your child, the school personnel can benefit from your knowledge. It can be difficult to get those thoughts out effectively in the highly structured IEP meeting process.

- **What familial situations may affect my student's performance in the classroom or therapy settings?**
- **Communicating/allowing for communication with outside providers is essential**
- **Give proper attention and communicate timely and effectively regarding your child's strengths *and* limitations**
- **Participation in the entirety of your child's educational program is beneficial for staff and families**
- **Trying to change or modify components after the fact is more challenging for the school team members.**

We have a lot of information, and our doctor told us to get an IEP. Is an IEP guaranteed if the information comes from our doctors?

A physician's diagnosis and input about a child's medical condition is important and bears on the IEP team's informed determination of the child's needs.

A physician and/or therapist make *suggestions* not recommendations

A physician, however, *cannot* simply prescribe special education; rather, it is **the child's IEP team that must make the eligibility decision.**

What is an actual meeting like?

How do I know that I am attending an IEP meeting?

A **staffing** is held to share information that has been collected through interview, observation and evaluation of your child.

- The “Team” includes the people who evaluated your child and others who represent your school district. Most meetings have at least 5 – 6 people in attendance and sometimes there are more.
- **You may bring anyone you like to support you in this situation.**
 - therapists, a parent liaison, friend or relative. Please let your school district know how many people will be coming so that proper accommodations can be made.
- At the **staffing**, each member of the school team will discuss their report/findings
 - Each **report will cover strengths and weakness** in each area evaluated. Any additional evaluations that you have made available are also discussed.
 - A district has the obligation to “consider” outside evaluations/documents but can legally base their decisions solely on the information that the school-based team, with parental input, has gathered.

What happens at an IEP meeting?

1. **After the reports are discussed, eligibility for special education is determined.** Everyone participates in this decision – including you!
2. **Be aware that there are specific criteria for the distinct disabilities covered under special education regulations** IDEA and the team is required to look at these regardless of the previous services your child has received in other eligibility or services in Early Childhood programs and services.
3. **The school team will come to the meeting with a “draft”** of the goals and objectives. It is just a draft and things can be added or changed
4. Especially in Early Childhood, **your choices are limited, and everyone has a good sense of how the child can be served** – but it is at this time in the meeting that placement becomes formalized.

What happens at an IEP meeting? (cont'd)

5. The IEP will include:

- goals and objectives/benchmarks for each area of need.
- should also address, in writing, all additional needs such as:
 - transportation
 - equipment
 - how the program will communicate with you
 - a behavior plan, if necessary,
 - the number of minutes for speech, occupational and/or physical therapies
 - need for augmentative communication devices or any other special equipment or needs your child has

Keep in mind, you have 10 days to sign for placement – you do not have to sign before you leave the meeting. Some people say never waiver your ten days. However, if you are in total agreement, then go ahead.

This seems to be a lot going on in a short amount of time. Are there any breaks?

School personnel know how stressful this can be for families, they also know there are key conversations that are legally required and therefore can “inadvertently” seem like they are on a track and won’t slow down.

Please let them know in the moment that it’s moving too fast/you have questions/you don’t understand something/ you need a moment

Meetings can run long - If at any time you begin to feel overwhelmed or just need a break, ask to take 5 minutes and find the restroom to just breathe and regroup.

Who is required to attend a school IEP meeting?

- **A local educational agency (“LEA”) representative**--i.e., a representative of the school district who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities.
 - The LEA rep. should also be knowledgeable about the general curriculum; the availability of district resources; and be authorized to make commitments for the provision of resources and able to ensure that the services in the IEP will be implemented.
- **At least one regular education teacher** (if the student is, or may be, participating in a regular education Pre School environment):
 - The regular education teacher must be a teacher who is, or may be, responsible for implementing a portion of the IEP, so that the teacher can participate in discussions about how best to instruct the child. (For a children age, 3 through 5 years old, the teacher must be qualified to teach pre-school children without disabilities.)
- **At least one special education teacher**
 - If the student is receiving only speech and language services, the SLP will fulfill the role of the special education teacher.

Who else is required to attend a school IEP meeting?

- **An individual who is qualified to interpret the instructional implications** of evaluation results.
- **Other individuals who have knowledge or special expertise** regarding the child, for example;
 - Related services personnel
 - Staff from a cooperative or private program
 - Consulting evaluators/specialists
- **Parents**
 - **The school must take whatever action is necessary to ensure that the parent participates and understands the proceedings** of the IEP meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.
 - **A procedural violation will constitute a denial of FAPE** (Free and Appropriate Public Education) if the violation significantly impedes the parent's opportunity to participate in the decision-making process regarding the provision of FAPE.



IEP Webinar: Part 2

“Let’s just slow down here.”

Where does the IEP team begin in preparing a plan for my child?

The team preparing the IEP will always consider the following factors in this order:

1. The student’s strengths
2. The concerns of the parents for enhancing the student’s education
3. The results of the initial or most recent evaluation of the student (which includes any private evaluation or IEE)
4. The academic, developmental, and functional needs of the child

“Let’s just slow down here.”

Where does the IEP team begin in preparing a plan for my child? (cont’d)

5. The IEP must include the student’s Present Levels of Academic Achievement and Functional Performance, (PLAAFP) including:

- **Academic achievement generally refers to a child’s performance in academic areas** (e.g., reading or language arts, math, science, and history). The definition could vary depending on Early Childhood/Preschool level skills
- **Functional Performance is a term that is generally understood to refer to skills or activities that are not considered academic or related to a child’s academic achievement**
 - Functional needs of a student can include, as appropriate, the student’s need to develop skills in the areas of socialization, independent living, and orientation and mobility.
- **The PLAAFP also addresses how the disability affects the child’s involvement and progress in the general education curriculum** (i.e., the same curriculum as for nondisabled children); (for preschool children, as appropriate, how the disability affects the child’s participation in appropriate activities)



More Considerations for the IEP

- **The IEP must include measurable Annual Goals** that reflect consideration of the State Goals for Learning and Illinois Learning Standards (and Common Core State Standards)
 - including academic and functional goals designed to meet the student’s needs that result from the disability to enable the student to be involved and progress in the general education curriculum
 - Goals must be **SMART**:
 - **S**trategic and Specific
 - **M**easurable
 - **A**ttainable, Use Action Verbs
 - **R**ealistic, Rigorous
 - **T**ime-bound
- **Meet each of the student’s other educational needs** that result from the disability
- **Benchmarks or short-term objectives** developed in accordance with the student’s present levels of educational performance.
- **The IEP must include** a description of Progress Monitoring:
 - How progress towards meeting the annual goals will be measured; and
 - When periodic reports of IEP goal progress will be provided.



Should my child's IEP goals change every year, or remain the same?

The law requires schools to update goals at least annually.

The goals may have been achieved and therefore need to be changed (extended) or terminated.

There are also key *transition* points in public schools which typically require significant changes to the entire IEP including the goals.

These align with the milestones of moving from:

- EC to Elementary programming
- Elementary to Middle School
- Middle School to High School
- Transition Planning from Age 14 and up

Supplementary Aides and Services

The IEP must include **Special Education and Related Services and Supplementary Aids and Services**, (based on peer-reviewed research to the extent practicable), to be provided to the student or on behalf of the student, and **a statement of the program modifications or supports for school personnel** that will be provided to enable the student to:

- **Advance appropriately** towards attaining annual goals;
- **Be involved and make progress in the general education curriculum** and to participate in extracurricular and other non-academic activities; and
- **Be educated and participate with other students** with and without disabilities.
- **Related services** include 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 (but is not limited to):
 - 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,
 - Social work, counseling services, including rehabilitation counseling,
 - orientation and mobility services,
 - medical services for diagnostic or evaluation purposes,
 - school health services and school nurse services,
 - parent counseling and training.

Is adaptive equipment or devices something that are included in an IEP?

The IEP must include Special Education, Supplementary aids and related services means:

- **aids, services, and other supports that are provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings**
- The IEP must include **statements regarding participation in regular education classes and activities (e.g., placement):**
 - An explanation of the extent, if any, to which the student will not participate with non-disabled students in the regular class, extracurricular, or other nonacademic activities.
- A placement determination (including a student's eligibility for other educational programs and services such as bilingual education, career and technical education, gifted education, and Title I programs).

I know that an IEP addresses my child's "Educational Goals", but how can they help with *other* skills that he needs help with?

- **This focus can often result in what appears to be "limitations" on what services/supports the school district will provide.** This is often most challenging to families in the areas of functional skills or activities of daily living.
- Another consideration is that school districts may not have the same equipment or people trained in specific therapeutic models as a family has with its private provider. **The districts are responsible for providing a researched based system of instruction and intervention - it may not be the exact same one as a family has received privately.**
- **Families should consider the benefit to the individual student of maintaining outside services once school-based services have begun.** As long as the parent provides a release for school based and private therapists to communicate, there is no prohibition on the sharing of information and progress.

Can Easterseals help with the school IEP process and the other therapies that our child might need, not covered in the IEP?

- **We collaborate with a child's school therapist to help with repetition of school goals** helps children progress faster and allows them more time to understand concepts.
- **Clinics offer co-treat sessions with multiple disciplines simultaneously.** For example, the physical therapist can assist the speech pathologist with body positioning/posture to achieve the best voice possible for a child with motor deficits. We often have multiple disciplines work together to get a holistic picture of a child's needs.
- **We consult and involve all medical professionals and school therapists** that work with a child, to review goals and achieve maximal outcomes.

I've heard the term "Paraprofessional" being used. Who is that, and what do they do?



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- Paraprofessional roles vary in each district.
- They can be assigned to individual students based on the severity/intensity of needs of the student.
- They can be assigned to a special education classroom to assist the teacher with daily routines and supervised instructional tasks.
- They can be assigned to general education environments to work with students with disabilities within those settings.
- They are not typically licensed teachers and regardless of that background, provide all functions under the supervision of a licensed staff member.



Will my child be excluded from the normal classroom environment? How can it be more inclusive?

The school district will make every accommodation so a student can learn in a GenEd setting, among their peers

- **GenEd Classroom:**
 - A traditional classroom setting that includes children with IEP's.
- **Self Contained or Specialized Classroom:**
 - All children in the classroom will have IEP's
 - An Early Childhood classroom that serves a majority of students with disabilities/IEPs would be considered a self-contained environment.

What exactly is an inclusive classroom?

A typical GenEd classroom is an inclusive classroom.

- Schools are required to place a child in the **least restrictive environment** (the **least amount of support** necessary for the child to be successful)
- **Inclusion refers to the amount of time a student spends in non-specialized environments** (i.e., typical academic settings) with non-disabled peers.
- **A child may not qualify for a particular service they receive privately because it is determined that it is not needed to access the academic environment.**

Will the school district do everything in their power to have my child in class with his friends?

A school district must ensure, to the maximum extent appropriate, that children with disabilities are educated with children who are nondisabled; and special classes, separate schooling, or other removal of students with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

What happens if I don't agree with the school, or the process seemed below my standards?

- You will receive a copy of the IEP at the end of the staffing along with a copy of The Educational Rights of Students with Disabilities in condensed form.
- It's highly recommended to go to the Illinois State Board of Educations' website and download the full version of this document.
- IEPs are legally-binding documents, and implementation of these documents is mandatory
 - not discretionary or optional
 - [Link to Illinois State Board of Education \(ISBE\) IEP format](#) and [website for additional information and rights](#)



What is due process?

Due process is a dispute resolution procedure under the IDEA for special education disputes.

Due process is a formal complaint process

- It starts when you file a written complaint against the school.
- After the filing, a resolution session will be scheduled.
- A resolution session is a meeting where both sides try to reach an agreement before going further into the legal proceeding of a Due Process.
- You and the school district may agree (in writing) to waive this meeting, or to try mediation.

When do I to ask for due process?

Under IDEA, you can only file a due process complaint for a dispute related to “identification, evaluation, or educational placement of [a child with a disability], or the provision of a free appropriate public education [FAPE].”

If after a resolution session no agreement has been reached, (or if mediation is not agreed upon) there is a due process hearing:

- This hearing is a formal proceeding.
- Evidence is presented, and witnesses speak in front of a hearing officer who acts like a judge.
- The hearing officer decides about the case based on state and federal regulations as well as precedents set in other court decisions and due process hearings.
- You can attempt to proceed through this process by yourself, but most families seek legal counsel if they move to this level of dispute resolution.



This seems like its already a long and controversial process.

Disagreements between parents and school districts can occur. **Solutions and compromises can always be found. Parents and the IEP team must communicate** to explore the best solution available.

Can I or Will I need legal representation?

If a parent believes that despite their best efforts, **the district is not responding effectively and/or no longer effectively communicating regarding the student's educational programming, they may engage an advocate or legal representative** to facilitate the problem-solving process.

Do lawyers do this kind of work?

Legal representation or educational advocates can help by providing a thorough understanding of the IEP process and its intent.

How to Monitor the IEP Process?

- **In the first few weeks of school, be sure to contact the teacher to see how things are going.** Waiting until the end of the quarter or until the teacher calls, can make little problems big ones.
- Use a **communication notebook** to share information or ask questions.
- **Every year you will attend an annual review.** At this review, your **child's progress** will be discussed and new or **updated IEP goals** and objectives will be written. This is in addition to the typical parent teacher conference.
- However, **if at any time in the school year, you believe that changes to the IEP should be considered, you can call for the IEP team to re-meet.**
- **Every three years a new case study evaluation is done** on your child. If you feel your child needs one sooner, all you need to do is request one in writing.



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What questions should I ask my IEP team?

- Based on what you see in the classroom/eval what are your concerns? Identified areas of strengths?
- Based on what you see in the classroom/eval what skills (goals) do you think need to be targeted? How can I continue to support these goals at home?
- What kinds of programs does the classroom use? What kind of classroom do you suggest for my child?
 - How many students? Teachers? Aides?
- How does this placement meet LRE?
- In this setting what will be my child's opportunities to interact with prosocial peers?
- What will be taken into consideration to determine if/when/how my child will change placement?
- What eligibility categories did you consider?
- I share my concerns that maybe my child didn't show during the evaluation to make sure my child will have supports for those needs as well
- I share my hopes for my child's school experience.
- What happens if I decline enrollment in public settings? Is my child eligible to receive SPED services through their private school? (the answer can be yes)

Helpful Resources

- Illinois State Board of Education www.isbe.net The parent section of the ISBE website is listed under special education and is very helpful.
- Illinois Life Span Project www.illinoislifespan.org
 - ILSP is a statewide information, referral and advocacy resource for people with developmental disabilities and their families.
- Wrightslaw - Enews www.wrightslaw.com
 - A comprehensive website full of helpful information
- National Dissemination Center for Children with Disabilities www.nichcy.org
- NICHCY serves the nation as a central source of information on disabilities in children.
- Your Care Coordinator, Social Worker or Psychologist at Easterseals DuPage & Fox Valley are always available to help and support you through the process.
- Family Resource Center on Disabilities (FRCD)

IEPs specific to Autism*, CP*, DS* Medically Fragile*

- The components of these IEPs would essentially be the same as all IEPs but would additionally include those services/supports required for the individual student with that disability.
 - For example; not all students with Autism require behavior intervention plans but all would typically need communication/socialization goals)
- It is the “criteria” used for the determination of the specific disability (i.e. disability category) that varies most significantly.



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Next Steps & Thank You

For specific questions and additional IEP support:

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