

Special Needs Planning Newsletter: Review Your Child's Individualized Education Program

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If you have a child with a disability, the beginning of a new school year is a good time to review your child's Individualized Education Program (IEP). The Individuals with Disabilities Education Act (IDEA) requires schools to provide a 'free appropriate public education' to students with disabilities and provides funding to assist schools in educating these students. A major component of the IDEA is the development of an IEP for each student with a disability. An IEP is a program of specially designed instruction for students with disabilities. It should describe the child's level of academic achievement and performance and the effect of the disability on the child's performance, set measurable goals, and specify the special education services to be provided. These plans are developed by the school with the input of the parents, and an IEP should be in place by the beginning of the school year.

If your child has an IEP, you should have a copy. If you were not provided a copy or have misplaced it, contact your school district to obtain a copy. Here are some things to consider when you review the IEP:

1. Does the IEP have incorrect or outdated information?
2. Does the IEP state appropriate goals based on your child's current situation?
3. Has your child already met some of the goals in the IEP?
4. Does your child seem to be making enough progress toward the goals in the IEP?
5. Are the supports and services stated clearly?
6. Do you think your child needs more services or different services to make progress?
7. Is your child receiving a service that is no longer needed?
8. Has your child experienced a major change that should be accounted for in the IEP?

After reviewing the IEP, if you believe it needs to be corrected or is inappropriate, you can request changes by contacting your case manager in writing. Your case manager's name should be listed on the IEP. Your letter should list the changes you are requesting and explain why you believe they are necessary. Minor changes may be made with your consent without a meeting, but you will need to request a meeting for significant changes like changing a placement.

If the case manager does not agree to your changes, then you should write a formal letter explaining the changes you requested and indicating your disagreement. The school district may request reevaluation, and you may want to request one if you think your child needs different services or should be moved to a different program. If you believe the school district has not responded appropriately, you have the right to file a Due Process Complaint and request an impartial hearing to resolve the dispute. A trained and certified Impartial Hearing Officer not employed by the school district will conduct a hearing and issue a decision. It is important to act relatively quickly as there are time limitations for bringing a Due Process Complaint.