



## GETTING AN APPROPRIATE EDUCATION

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### What is an IEP?

**An Individualized Education Program (IEP) is a written statement for a child with a disability that tells what special education programs and services the child will receive from the public school system.**



An IEP must include all the programs and services necessary to meet your child's individual needs. The IEP team must develop an IEP for a child with a disability within 30 days from the decision that the child needs special education and related services. An IEP must be in effect at the beginning of the school

year and must be reviewed at least once a year to see if your child's educational goals are being met.

### Does my child needs an IEP?

If you think your child is not making progress in school and may need special education services, ask the school give your child a multidisciplinary educational evaluation to see if your child needs special education services under the IDEA.

**(IDEA is a federal law that says your child is entitled to receive a free and appropriate public education.)**

In most cases, within 60 school days of the evaluation request or consent to evaluate, an Evaluation Report is issued and a copy must be given to the child's parents. The Report must state if the child is eligible or continues to be eligible for special education services. If the IEP team decides your child is not eligible for services, it must give you written notice of this decision and explain your right to disagree with the decision and your right to request a hearing (Procedural Safeguard Notice). The IEP "team" approach is to make sure that your child gets a full and complete evaluation and that decisions are not made on the basis of any one test, such as an IQ test.

### Who is on the IEP Team?

The team is made up of the following people: your child's parents, at least one regular education teacher (if your child is or will be in regular education classes), at least one of your child's special education teachers, a person from the school district qualified to provide or supervise special education programs, a person who can interpret the results of the evaluation, the school psychologist who evaluated your child, the student, if over 14, or if you want the student to attend, anyone else you or the school want to attend the meeting including an advocate. If your child's cultural background may affect the evaluation process, someone familiar with your child's culture should also be a part of the team.

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**Continued From Page 1****What's inside an IEP?**

The IEP must state what the goals for your child are in his or her school program, the special instruction that will be used to teach your child, and the ways that your child's program will be watched and measured by teachers and others working with your child.

Every IEP must have:

- The current educational levels of your child;
- Goals and short-term objectives that are clear and measurable every year;
- Specialized instruction to help your child learn and make progress;
- When, how much and what kind of related services are needed;
- How the school will let you know your child is making progress;
- Whether your child will take state and district-wide tests;
- Type of special education support program(s) your child needs: learning, emotional, life skills, sensory, autism support, etc.;
- Number of hours of special education per day for your child;
- Number of hours per day your child spends in regular education classes; if your child does not participate in regular education classes with supports, the IEP must explain why;
- Dates the special education services begin and end for your child;
- Type of educational placement;
- Yearly review of whether Extended School Year Program is needed; and,
- Signatures of the IEP Team members.

If also needed, the IEP must contain behavior programs that include:

- Problem behavior your child has;
- When does it happen and what seems to cause it?
- Why is your child using the behavior? Is there something to gain or avoid?

- What new behavior instruction should the child receive?
- How will the new behavior be taught?
- What will be done if the problem behavior does not stop?
- Request assistance from a Behavior Specialist;
- Wrap-around services from coordinating agencies;
- Assistive Technology Devices;
- Communication programs for language or hearing impairments;
- Adaptive Physical Education;
- Transition services for your child beginning at age 14;
- Vocational program/employment preparation; and,
- Health Concerns requiring special attention.

**Are you ready for an IEP meeting?**

- Read your child's Evaluation Report before you go to the meeting. By law, you must receive a copy of the report at least 10 school days before the IEP Meeting. Make notes about what the evaluation says your child needs help with and things you see your child has trouble with at home or while doing homework. Note any problem area you have seen in your child.
- Read the current IEP and see if your child is making progress toward program goals. If not, do you know what the problem is? How has your child done on district-wide tests?
- Think about what you want your child to learn and make a list to talk about.
- What part of the school day is most frustrating for your child and why?

Get information from the Pennsylvania Training and Technical Assistance Program (PaTTAN) for ideas and examples of goals and special instructions for your child.

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- Contact a parent support group and consider bringing an advocate to the Meeting;
- Make a list of any questions you have for the school and ask the school if there are things to do at home that can help your child meet his or her goals;
- Ask questions about what teaching methods work best with your child, what goals have not been reached and what can be changed to help your child reach them;
- If your child is not making progress and no one seems to know why, you may want to ask for an independent multidisciplinary evaluation of your child at public expense.

**What happens if I want something in the IEP and the school disagrees?**

You have the right to tell the school what you think is needed for your child and the school officials may or may not agree with you. You should always tell school officials what you do or do not want to see in the IEP and explain the reasons why. Take each issue one at a time.

If the school officials don't agree with you, then move on to the next issue. If you think the IEP worked out at the Meeting doesn't meet your child's needs, you have the right to disapprove the IEP and use mediation or ask for a hearing to resolve your concerns.

**Where can I go to get help?**

Education Law Center:

(215) 238-6970 (Philadelphia)

(412) 931-5225 (Pittsburgh)

Parent to Parent: (800) 986-4550

Kidstogether: [www.kidstogether.org](http://www.kidstogether.org)

PaTTAN: (800)360-7282, [www.pattan.k12.pa.us](http://www.pattan.k12.pa.us)

Contact the Pennsylvania Department of Education Consult line at (800) 879-2301 to get your own copies of IDEA Federal Law 1997, IDEA Federal Regulations 1999, and Pennsylvania Special Education Regulations.

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# Bulletin Board

**MIDPENN ATTORNEYS CONTRIBUTE TO CONSTITUTION**

George T. Bisel Co., Inc., has recently published "The Pennsylvania Constitution: A Treatise on Rights and Liberties." Two MidPenn Legal Services attorneys made significant contributions to the book.

[MidPenn Attorney] **Harry Witte** wrote Chapter 5 (pp. 95-110), "Political Powers," dealing with Article I, sec. 2, and Chapter 35 (pp. 847-875), "Amending the Pennsylvania Constitution," dealing with Article XI. [MidPenn Attorney] **Donald**



Harry Witte, Esq.

**Marritz** wrote Chapter 14 (pp. 455-506), "Courts to be Open; Suits Against the Commonwealth," dealing with Article I, sec. 11 [.] which guarantees the right to "open courts" and remedies for injuries to person, property and reputation.

In his foreword, Chief Justice Ralph J. Cappy states that the book "is truly the first of its kind and has set a new benchmark for such scholarship. It should be *the* volume to which anyone who desires an understanding of state constitutional law issue first reaches." [emphasis in original]



Donald Marritz.

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## MidPenn Legal Services Office Directory

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