



COMMUNICATION CONSIDERATIONS A-Z™

The IEP

1. What is the IEP?

The IEP is the individualized education program. It is the process, and document, required by the IDEA, Individuals with Disabilities Education Act, for providing students covered by the IDEA, with a FAPE, free appropriate public education, in the LRE, least restrictive environment.

2. What issues are at the forefront of the IEP?

The issues at the forefront of the IEP are whether a student qualifies under the IDEA to receive a FAPE in the LRE, and, if so, how that FAPE and LRE are to be defined by the IEP.

3. What should every parent and professional know about the IEP?

If it is not in the IEP, the school district is not legally obligated to provide it.

Parents, and where appropriate students, are legally entitled, along with appropriate school district personnel and others, to participate in the creation and revision of the IEP.

Student eligibility for services under the IDEA, and the nature of those services as documented by an IEP, are to be determined by a fair and comprehensive evaluation. If parents and school districts disagree over whether a student qualifies for services under the IDEA, or over what the nature of those services should be, as documented by an IEP, the parents are entitled

to submit their own evaluation information for the school district to consider. The parents are also entitled to request an IEE, independent educational evaluation, to be provided at public expense.

If parents and school districts cannot reach agreement over whether a student qualifies for services under the IDEA, or over what the nature of those services should be, as documented by an IEP, the parents are also entitled to: file an administrative complaint with their state department of education, request a due process hearing through their local school district or special education service provider, or request mediation through their local special education provider or state department of education. All states, as a part of their legal obligations to meet the requirements of IDEA, are required to provide parents with written explanations of these dispute resolution processes, and all other procedural safeguards which the IDEA requires be provided to parents.

4. Where can I go to get more information about the IEP?

- The Law and Special Education, Mitchell L. Yell (2nd. ed. 2006)
- Special Education Dictionary, J.W. Norlin, J.J. Kline, A.E. Slater (2007 ed.) This text can only be obtained directly from the publisher, LRP, at www.shoplrp.com, or 1-800-341-7874.

The Author

Charles M. Masner, J.D., LL.M., Ph.D., is Adjunct Professor of Ethics and Law at the University of Denver's Morgridge College of Education. He has worked as a school psychologist, director of special education, lawyer, and complaints investigator under the IDEA.

Communication Considerations A to Z™ is a series from Hands & Voices that's designed to help families and the professionals working with them access information and further resources to assist them in raising and educating children who are deaf or hard of hearing. We've recruited some of the best in the business to share their insights on the many diverse considerations that play into communication modes & methods, and so many other variables that are part of informed decision making. We hope you find the time to read them all!