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What's the IDEA* About the Individualized Education Program (IEP)?

If your child is deaf or hard of hearing, she may have an 'individualized education program' or 'IEP.' This is a data driven legal document that outlines your child's special education needs based on evaluation and assessment, educational goals, services to be provided, and placement. The IEP is developed by an IEP Team. As a parent or legal guardian, you have the right to participate in the writing of your child's IEP as a member of that team. Understanding what should go into an IEP will help you become a more effective advocate for your child.

The law sets out a list of items that must be on the IEP.

1. **The IEP must have a statement of the child's present levels of academic achievement and functional performance.** In other words, where is your child now, and how is she doing academically and functionally? This statement should include data, such as your child's reading level and scores on standardized testing. Your child's school should have this information available. Look for statements like:

"Sherry scored at the (Basic/Proficient/Advanced) level on the state math proficiency assessment."

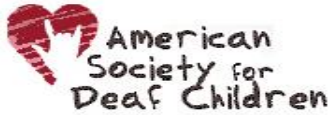
"Claude achieved a 5.8 on the reading comprehension section of the Stanford Achievement Test."

2. **The IEP must have a statement of how the child's disability affects his progress in the general education curriculum.**

For example: "Shira's hearing loss causes her to miss or misunderstand much of what the teacher says. This affects how much information from the general curriculum she receives."

For a preschool child the statement should explain how the disability affects participation in appropriate activities. Appropriate preschool activities are developmental abilities or milestones that non-disabled children of the same age reach, such as milestones related to communication.

*The "What's the IDEA" series describes various sections of the Individuals with Disabilities Education Act. This is educational material, not legal advice. ASDC assumes no liability for this material. © American Society for Deaf Children, 2006.



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For children with disabilities who take “alternative assessments aligned to alternate achievement standards,” the statement should include a description of benchmarks or short-term objectives. This section applies to children with severe cognitive disabilities.

3. The IEP must have a statement of measurable annual goals, including academic and functional goals. Goals should be objectively measurable, such as

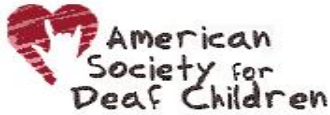
“Adam will score at the 7.0 level on the Woodcock Johnson Reading Mastery Test.” Goals such as “Adam will improve in reading” are not helpful. Based on this goal, if Adam makes one year’s gain in one year’s time, the goal has been met. So far so good. But if Adam makes one month’s gain in one year’s time, the goal has been met, too. Specify where you want the child to be in a year’s time. Your child’s goals also should be designed to meet each of his other educational needs that result from his disability.

Because many deaf children fall behind in reading, this is one area where you may want to pay special attention. All goals should relate to helping the child be involved and make progress in the general education curriculum. Your school should be able to provide you with a copy of the curriculum it uses. You also may be able to access it from a public library or the internet. You should get a copy of the general education curriculum and become familiar with it.

4. The IEP must have a description of how the child’s progress toward meeting the annual goals will be measured. The IEP also must state when periodic reports of progress will be provided. For examples, these reports could be provided along with the child’s report card.

5. The IEP must have a statement of the special education and related services and supplementary aids and services to be provided to the child. Special education is “specially designed instruction” to meet the needs of the child. Related services are services that help a child benefit from special education, such as speech therapy, audiology, interpreting, transportation, and others. Supplementary aids and services help children to be educated with their non-disabled peers, in academic, non-academic, and extracurricular activities. Services can fall into different categories depending on how they are used. For examples, interpreting can be a related service by helping a child benefit from special education, and it can be a supplementary service by helping a child be educated with non-disabled peers.

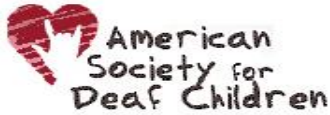
If possible, decisions about special education and related services and supplementary aids and services should be based on “peer-reviewed” research. “Peer-reviewed” means that the research has been examined by professionals in the field of study before it is published. This supports the idea that schools should use educational techniques that have been shown to be effective in special education, general education, or both.



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6. **The IEP must have a statement of the services to be provide don behalf o the child and of the program modifications or supports for school personnel that will be provided.** This could include providing information for the teacher on the effect of hearing loss on a child's education or other types of training to increase teacher or other staff effectiveness. The purposes of these modifications and supports are to help the child meet the annual goals, make progress in the general curriculum and participate in nonacademic activities, and participate with other children.
7. **The IEP must have an explanation of the extend, if any, to which the child will not participate with nondisabled children in the regular class and in academic and nonacademic, including extracurricular, activities.** This can be a simple statement of why the child is not participating with nondisabled children.
8. **A statement of accommodations necessary for the child to take State and districtwide assessments.** Accommodations could include an assistive listening device, extra time for test taking, a sign language interpreter, or other means of making the assessment accessible. Accommodations do not include making changes to the test.
9. **If the IEP Team determines that child will take an alternative assessment instead of regular State or district-wide assessments, a statement of why the child cannot take the regular assessment and why the particular alternative assessment selected is appropriate for the child.** Alternate assessments are used only when the child cannot take the regular assessment.
10. **The IEP must contain the date for the beginning of the services and modifications, and the frequency, location, and duration of those services and modifications.**
11. **For the first IEP in effect once the child turns 16, and updated yearly:**
 1. The IEP must have appropriate measurable goals for the child after she has completed high school. Goals should focus on postsecondary education, vocational and adult education, independent living, and/or community participation.;
 2. The IEP must list the transition services needed to assist the child in reaching those goals; and
 3. One year before the child reaches the age of majority, the IEP must have a statement that the child has been informed of the rights under this title, if any, that will transfer to him upon reaching the age of majority.

IEP Team. We have seen what goes on the IEP. Who writes the IEP? The IEP Team, which consists of members who are familiar with the child and who develop the child's IEP. The IEP Team includes:



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- the parents of the child;
- a regular education teacher of the child;
- a special education teacher or special education provider of the child;
- a representative of the local educational agency (school district);
- an individual who can interpret the evaluation results;
- if the parent or school prefers, other individuals who have knowledge or expertise regarding the child. This could include related services personnel (such as an audiologist); and
- whenever appropriate, the child.

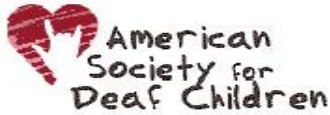
Auxiliary aids and services, such as cued speech transliterators, sign language interpreters, and/or assistive technology should be provided if it is necessary to facilitate communication among IEP Team members.

Development of IEP. Important factors must be examined in developing an IEP. Since parents know the child better than anyone, parents have a unique role in clearly describing some of these factors:

- the strengths of the child;
- the concerns of the parents for enhancing the education of their child;
- the results of the initial evaluation or most recent evaluation of the child; and
- the academic, developmental, and functional needs of the child.

Special factors. The IEP Team is required to consider special factors for children in certain categories. Pay special attention to the special factors regarding children with hearing loss (4 below).

- 1) In the case of a child whose behavior impedes the child's learning or that of others, consider the use of positive behavioral interventions and supports;
- 2) In the case of a child with limited English proficiency, consider the language needs of the child;



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3) In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines that instruction in Braille or the use of Braille is not appropriate for the child;

4) In the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and

5) Consider whether the child needs assistive technology devices and services.

Placement. The law requires that parents are part of the team that determines a child's placement.

IEP development has certain requirements outline by Federal law. Becoming familiar with these requirements will help you advocate for your child to receive an appropriate education.

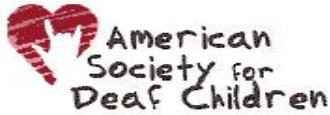
IEP at a Glance

There is a "shorthand" way to look at the IEP process as well. You can think of the IEP development as having four major parts:

- Present levels of performance,
- Goals,
- Services, and
- Placement.

Each step of the IEP development process should fit into one of these categories. These categories correspond to four major questions:

- Where is the child now?



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- What are his goals for the school year?
- What are the services and who are the service providers needed to help the child reach those goals?
- Where will the child receive those educational services?

Good Questions

Where should my child be placed?

IDEA requires that school districts make available placements in a wide range of settings including regular classes, special classes, special schools, home instruction, and hospitals and institutions. Placement must be based on the individual needs of the child, and parents are part of the group that decides placement. Factors you may consider, if appropriate, in determining your child's placement are: Are the teachers in this setting knowledgeable about and experienced in working with children with hearing loss? Does the staff know how to integrate my child into the classroom? Are staff and/or children proficient in my child's communication mode? Does the staff know how to support my child in his use of assistive technology? Is there a critical mass of children with hearing loss in the school?

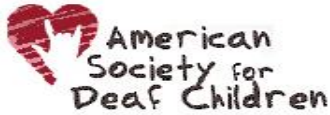
What are supplementary aids and services?

Supplementary aids and services are those that allow a child with a disability to be educated with nondisabled children to the maximum extent appropriate. While the law does not name specific examples, these could include interpreting services, assistive listening devices, paraprofessional services, and other aids and services appropriate for the child.

What are auxiliary aids and services?

Schools are required to provide accessible communication to persons who are deaf or hard of hearing, including students, teachers, parents, and other individuals involved with the school. Schools must provide accessible communication through providing auxiliary aids and services. These include:

- qualified interpreters
- notetakers
- transcription services
- written materials
- telephone handset amplifiers
- assistive listening devices
- assistive listening systems
- telephones compatible with hearing aids
- closed caption decoders
- open and closed captioning



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- telecommunications devices for deaf persons (TDD's)
- videotext displays
- other effective methods of making aurally delivered materials available to individuals with hearing impairments
- and other services or actions.

So, for example, if a signing deaf teacher attends an IEP meeting, a qualified interpreter must be provided to facilitate communication among the members of the IEP Team. Or, if a student who uses communication access realtime translation (CART) attends, CART must be made available. Schools may not charge an individual for these auxiliary aids or services.

10/06