

Understanding Your Child's IEP — Part I

The Essential Building Blocks



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Overview

An IEP is the foundation of a child's special education program, but the document can be difficult to understand. This presentation, which is Part 1 of 2, will help parents identify the essential parts of an IEP, understand the role of each team member, and recognize whether the plan meaningfully addresses their child's individual needs.

Topics We Will Cover

1. What an IEP is — and how it protects FAPE
 - Who qualifies; IEP versus Section 504
 - The IEP team and parent participation
 - The essential sections of an effective IEP
 - Recognizing vague goals or insufficient services
 - Meeting preparation, notice, consent, and disagreement



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What is an IEP?

"IEP" stands for Individualized Education Program

An IEP is a written plan that describes a student's current level of academic achievement and abilities. It also describes measurable annual goals and objectives that the student should be working towards with the help of their District's staff

What an IEP Is – and What it *Is Not*

AN IEP IS

- **Legally enforceable.** It identifies the special education and services the district must provide.
- **Individualized.** It reflects the child's needs, measurable goals, and supports.
- **A roadmap for FAPE.** It describes how progress will be measured and services delivered.

AN IEP IS NOT

- **Just paperwork.** It is a commitment—not merely a completed form.
- **One-size-fits-all.** It cannot be limited to a district's standard menu of programs.
- **Academics only.** It may also address behavioral, social, communication, and functional needs.

An IEP establishes enforceable obligations—not a guarantee of a particular outcome.

The IEP and FAPE

- FAPE = Free Appropriate Public Education
- Under IDEA, eligible children with disabilities have a right to FAPE
- The IEP must be reasonably calculated to enable progress appropriate in light of the child's circumstances



LRE: Least Restrictive Environment

- Educate students with nondisabled peers to the maximum extent appropriate.
- Removal from general education is appropriate only when education there, with supplementary aids and services, cannot be achieved satisfactorily.
- Placement follows the student's individualized needs — not merely the eligibility label.



Brief History

- *The Education for All Handicapped Children Act* (1975) was a landmark law that increased access to public education for students with disabilities
- Its name changed to the *Individuals with Disabilities Education Act* (IDEA) in 1990
- The law has undergone several revisions and reauthorizations
- Now, millions of students with disabilities are included in the public school system or receive a free out-of-district placement

Who qualifies for an IEP?

Eligibility is a two-part question:

1. Does the student meet an IDEA disability category under New Jersey rules?
2. Does the student need special education and related services because of that disability?
 - There is a separate eligibility pathway for speech-language services.
 - A diagnosis alone does not automatically create IEP eligibility.

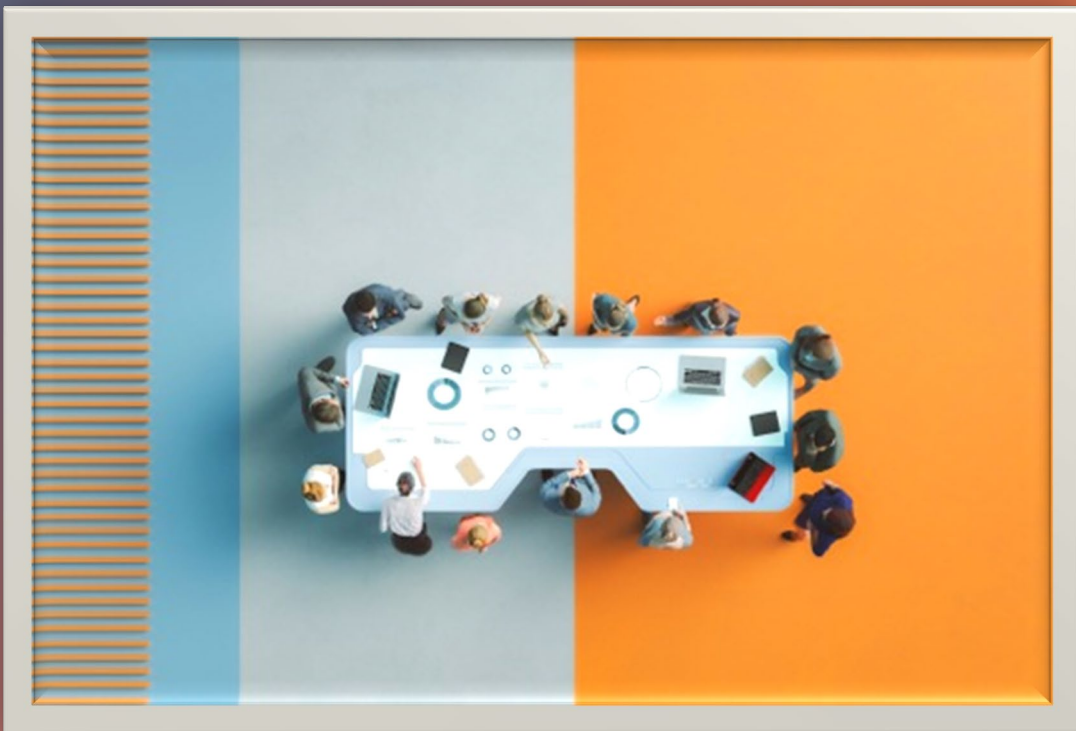
Initial evaluation steps and deadlines: Part II, October 29

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IEP Team



- The IEP team includes
 - Parent(s)
 - General education teacher(s)
 - Special education teacher(s)
 - At least one child study team member
 - Case manager
 - Representative of the district board of education
 - Others as appropriate / needed





Parent's role

- Parents are required members of the IEP team.
- You can share priorities, observations, and concerns in writing.
- The team must consider parent concerns when developing the IEP.
- You may bring individuals with knowledge or expertise about your child.
- Review the IEP at least annually — and sooner when needed.

The parent's voice belongs in the IEP

An IEP is a team decision — not a form prepared solely by the district.

Parents bring essential information

- Strengths, interests, behavior, and functioning at home
- Skills that are not progressing — or are regressing
- Priorities for academics, communication, social skills, and independence

Put your concerns in writing

- Email a concise, dated statement before the meeting
- Ask that the Parent Concerns section include it or attach your statement
- If the IEP omits it, request correction and keep your written record

The IEP team must consider parental concerns; agreement on every proposal is not required.

504 Plan versus IEP

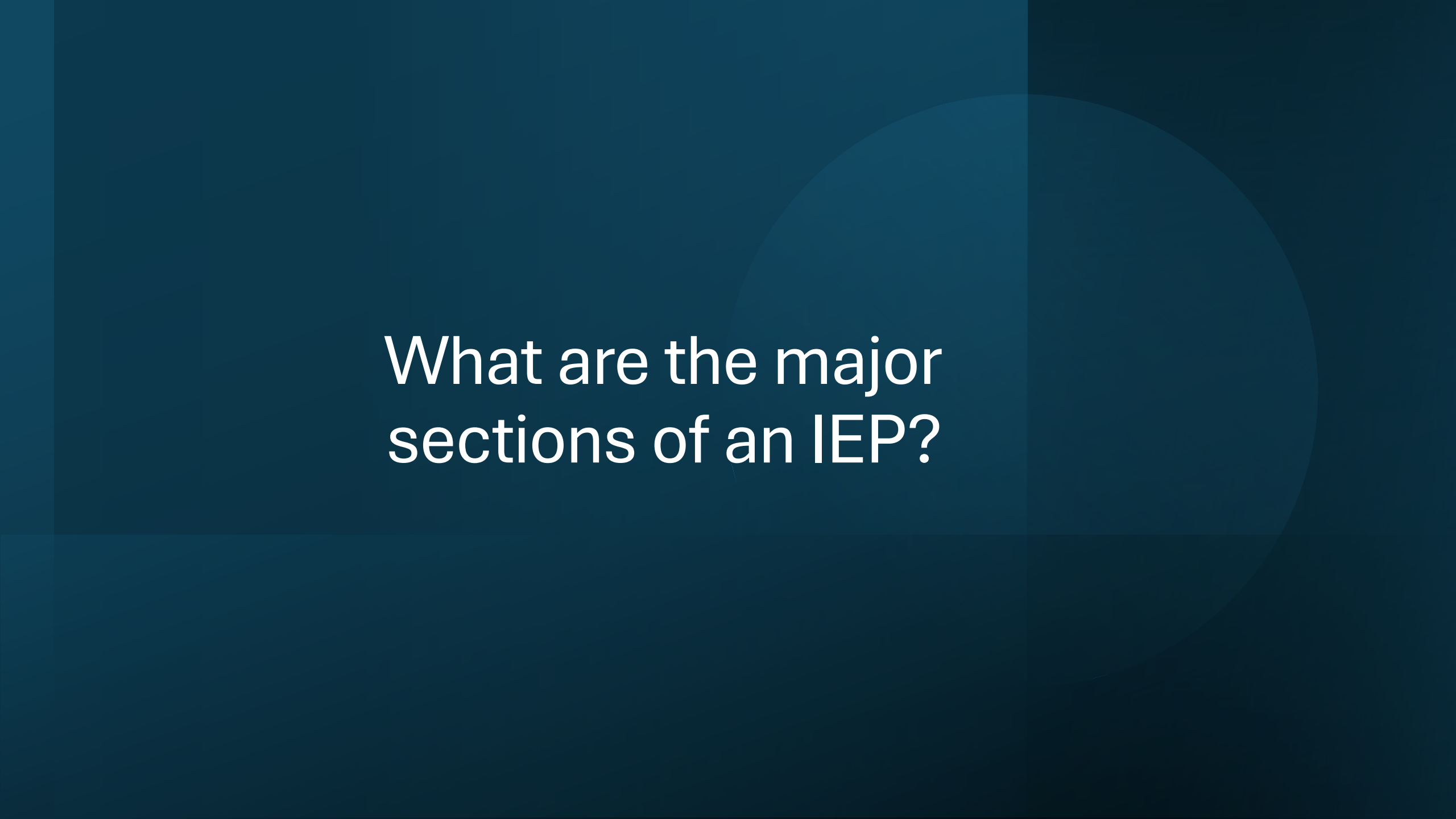


IEP • IDEA

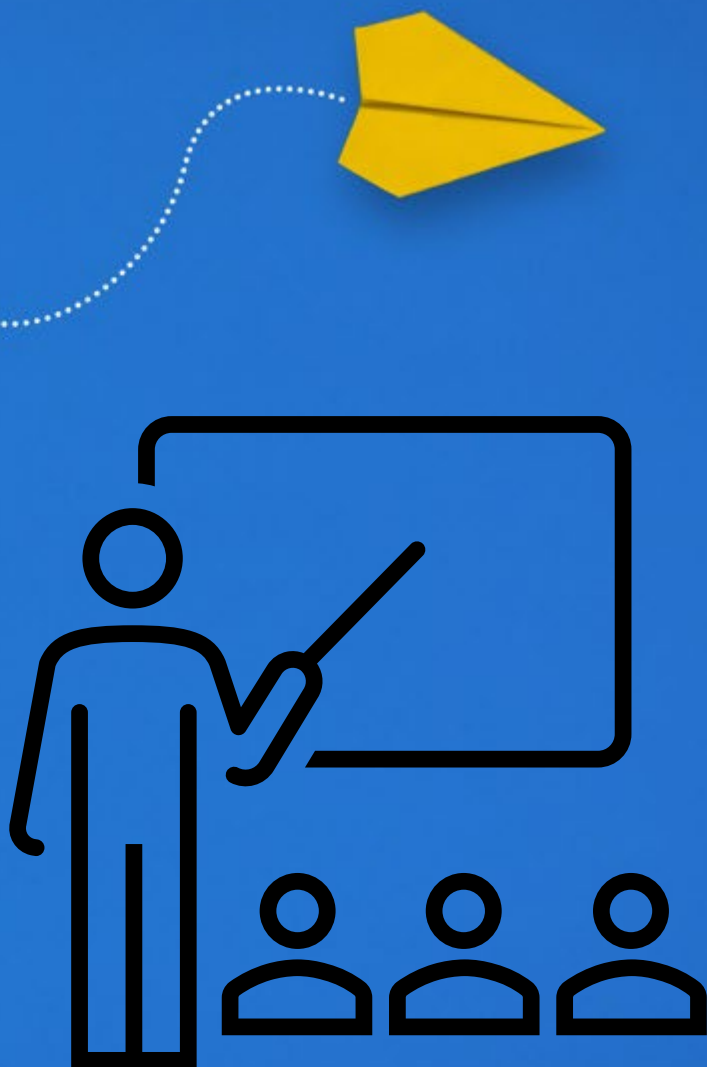
- Student needs specially designed instruction
- Individual goals, services, supports, placement
- Formal IEP review at least annually

Section 504 plan

- Broader disability protections, but is not a special education specific law
- May include accommodations AND related aids or services
- Periodic review; no identical IDEA annual-IEP mandate



What are the major
sections of an IEP?



Sections of an IEP (1)

1. *Present Levels of Academic Achievement and Functional Performance (PLAAFP):*

- Commentary from instructors or therapists
- Student's skills, abilities, and needs

2. *Annual goals / progress:*

- Outlines the specific goals and progress desired

Sections of an IEP (2)

3. *Rationale for removal:*

- Describes the rationale for removing the child from 100% general education instruction to at least some special education classes

4. *Special Education and Related Services:*

- Explains which services and instruction the child receives
- Frequency, duration, type, etc.



Sections of an IEP (3)

5. Modifications and Accommodations:

- Any supports that the child receives to either modify what the child is learning, or accommodate them to be able to learn it more effectively

6. Extended School Year (ESY):

- If the IEP provides for summer programming, details would go here



An IEP includes more than the six basic sections

Additional provisions to look for when reviewing an individualized program.

Learning and access

- Supplementary aids and services; supports for staff
- Positive behavioral supports, when needed
- Assistive technology and communication needs
- Accommodations for state and district assessments

Planning beyond the classroom

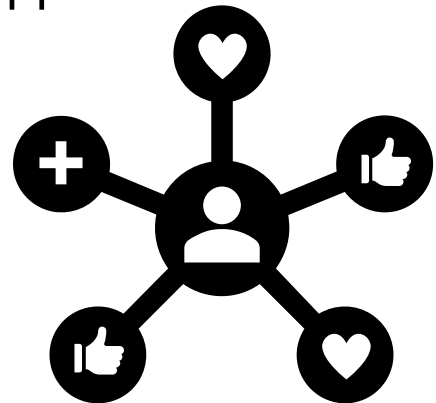
- Progress measurement and progress-report frequency
- Placement and involvement with nondisabled peers
- Extended school year services, if appropriate
- Transition planning beginning at age 14 in NJ; expanded goals/services at 16

Now let's explore each
major section in a little
more detail

1. PLAAFP

Present levels should include current, specific baseline data.

- Describe strengths and educational needs — academic AND functional.
- Explain how the disability affects progress and participation.
- Parents should be able to trace each major need to a goal, service, or support.



EXAMPLE:

Present Levels of Academic Achievement and Functional Performance		
<u>Date</u>	<u>Evaluation/Report</u>	<u>Comments</u>
3/22/26	Classroom Teacher Summary	John Smith completed math activities with varying levels of assistance. He shows great strength in addition, but needs...

2. Annual goals / progress



EXAMPLE: Measurable communication goal

BASELINE: 1 of 5 opportunities. GOAL: John will independently initiate a peer conversation with a complete sentence in 4 of 5 opportunities across 3 weeks.

BENCHMARKS / OBJECTIVES

1. With an adult sentence cue: 3/5 trials
2. With a visual prompt: 4/5 trials
3. Without prompting: 4/5 trials

Goals must be measurable, with clear benchmarks or objectives.

- Specify a skill, baseline, target, how measured, and progress reporting.
- Avoid goals based only on subjective terms (e.g., “improve” or “participate”).

3. Rationale for removal

3. Rationale for removal – describes the rationale for reducing the child’s time in general education instruction

- Based on educational assessments
- **Should provide satisfactory and complete explanations**

Rationale for Removal from General Education		
<u>Content / Subject Area</u>	<u>Benefits of Gen Ed</u>	<u>Benefits of Special Ed</u>
Language Arts	Grade-level expectations in reading, increased awareness of interpersonal skills	Specialized and intensive support, low student-teacher ratio, less distraction, guided reading
Math	Independent using of math instruments, self-directed problem solving and reasoning at grade-level expectations	Individualized support in operating calculators, completing mathematical reasoning, following steps, etc.

Classification ≠ program ≠ placement

These words describe different decisions — and each deserves its own discussion.

CLASSIFICATION

Why is the student eligible?

A disability eligibility category.
It is not a predetermined service package.

PROGRAM

What instruction and supports?

Specialized instruction, goals, therapies, supports, accommodations, and service schedule.

PLACEMENT

Where will the program be delivered?

General education with supports, special class, or an appropriate out-of-district setting.

A classification does not automatically justify a self-contained classroom or private school.

4. Special education services

EXAMPLE: Clear service schedule

SERVICE	DELIVERY	FREQUENCY / LOCATION
Speech-language therapy	Group (2)	30 min, 2×/week Therapy room
Occupational therapy	Individual	30 min, 1×/week OT room
Special class instruction	6:1:1	320 min, 5×/week Classroom

Sample service dates: Sept. 8, 2025 – June 23, 2026

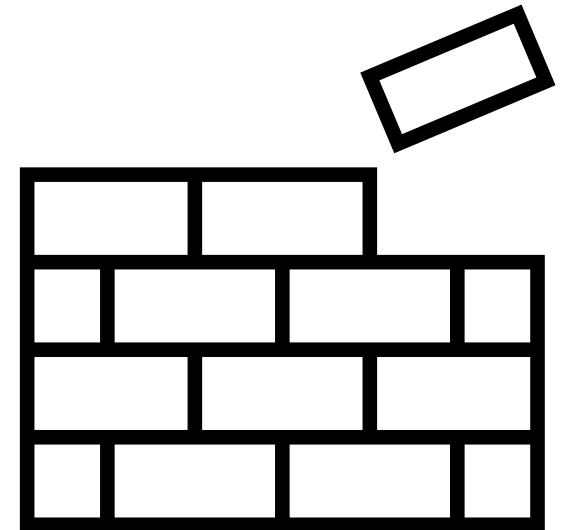
Specify type of service and instructional setting.

- Include frequency, duration, location, start date, and end date.
- Clarify individual versus group delivery and staff responsibilities.
- Ask: “How many minutes, how often, where, and by whom?”

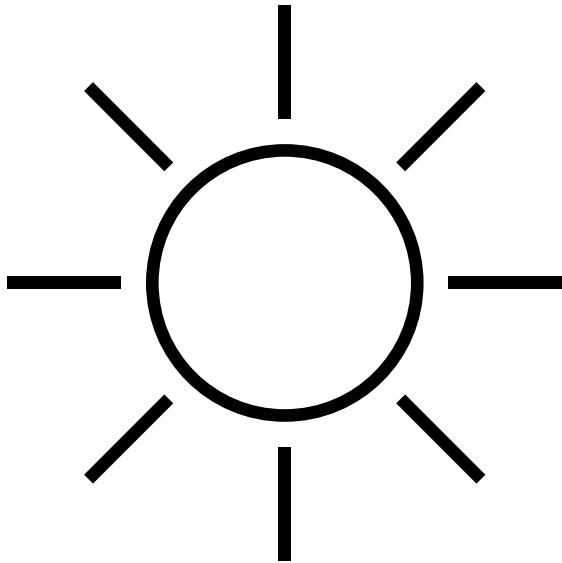
5. Modifications and Accommodations

5. Modifications and accommodations are similar concepts

- They describe the individual supports that a student receives to meet their educational needs
- *Modifications*: any changes to what a student is taught or expected to learn in the classroom
- *Accommodations*: supports that meet the student's needs without changing the learning curriculum
- **Ensure that these are thoroughly described!**



6. Extended School Year (ESY)

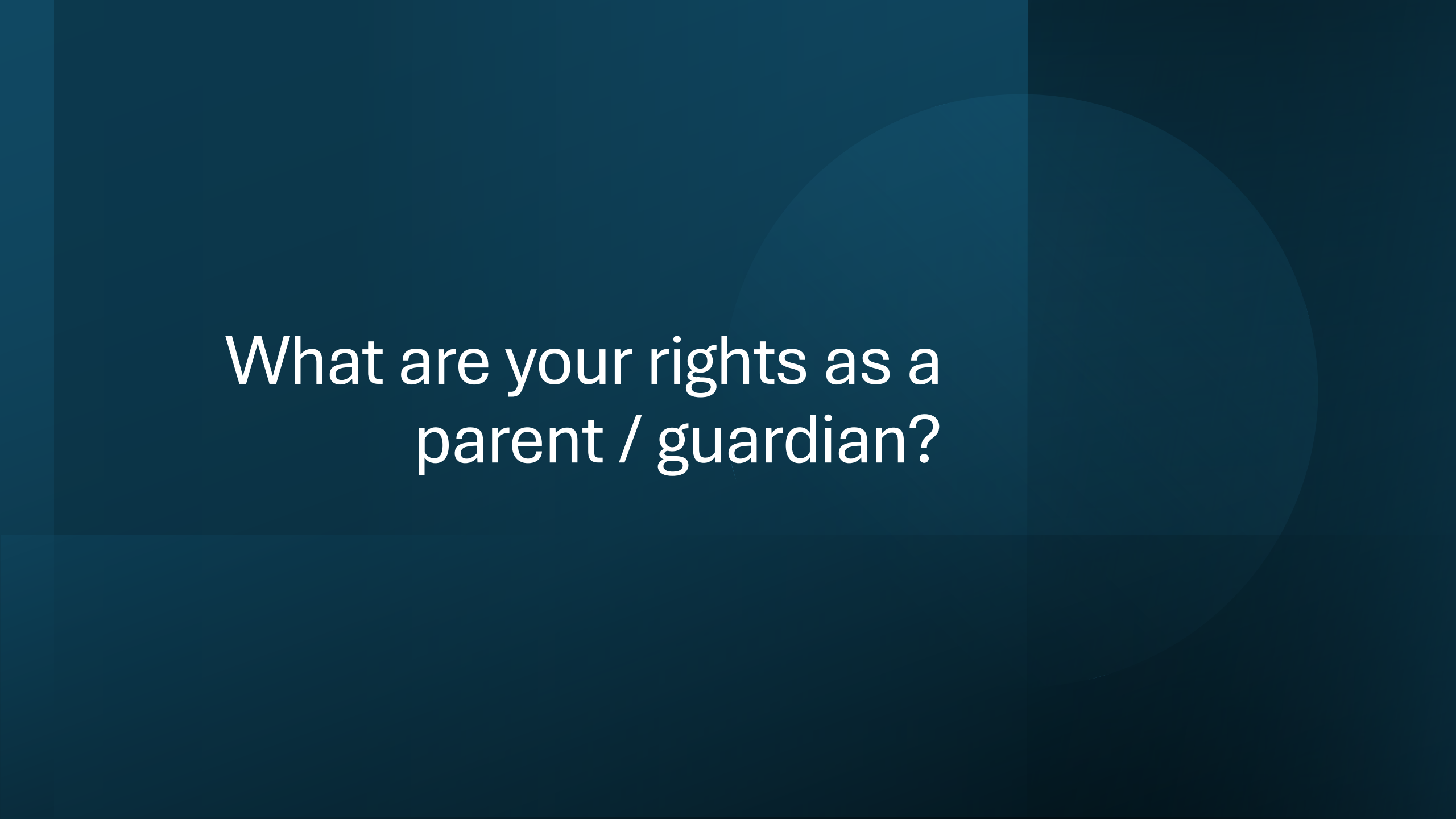


- ESY is individualized special education and related services beyond the regular school year — not necessarily just summer.
- In New Jersey, consider severe skill regression and whether recoupment can occur in a reasonable time.
- ESY should identify the services the child needs to receive FAPE; it is not automatically the same program for every child.

Before the IEP meeting: five practical steps

Preparation is more effective when parents can compare data to promised services.

- 01 Read the current IEP** Highlight unmet goals and vague service descriptions.
- 02 Review progress reports** Ask whether data shows meaningful, measurable improvement.
- 03 Gather useful records** Work samples, outside reports, emails, and observations.
- 04 Send priorities in advance** Provide parent concerns and request relevant draft materials.
- 05 Request written decisions** Ask for proposed changes and refusals to be explained in writing.



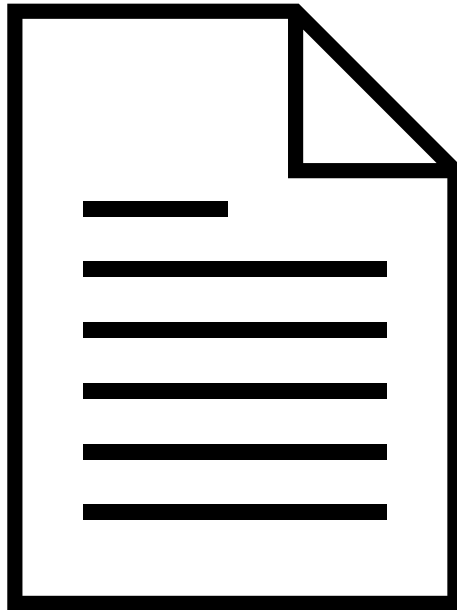
What are your rights as a
parent / guardian?



You have the right to ...

- Receive necessary interpretation or translation at no cost.
- Participate in meetings, including remotely when appropriate.
- Request changes to identification, evaluation, IEP, or placement.
- For a written request, the district generally must respond within 20 calendar days, excluding school holidays (but not summer vacation).

You have the right to... (2)



- Receive a copy of the IEP or written meeting notes at the end of the meeting.
- Bring someone knowledgeable about your child.
- Audio-record the IEP meeting if participants receive notice before it begins.
- Receive an IEP review at least annually.
- Have services implemented in accordance with consent and written-notice rules.

Two different notices — two different rules

A meeting invitation is NOT the same as notice of a proposed IEP change.

BEFORE an IEP meeting

- Written invitation early enough to allow participation
- Must identify purpose, time, location, and participants
- No universal 15-calendar-day advance notice rule for the meeting itself

AFTER the IEP decision

- District provides written notice within 15 calendar days of the determination
- Normally at least 15 calendar days to consider the proposed action before implementation
- Parents can request the IEP in writing; copy or notes are due at meeting conclusion

The 15-day consideration period generally runs from WRITTEN NOTICE — not the meeting date.

When does a proposed IEP take effect?

The signature rules are different for an initial IEP and later IEPs.

INITIAL IEP

- Parent's written consent is **REQUIRED** before first implementation
- Without consent, the district cannot implement the initial IEP
- The district cannot compel that initial consent through due process

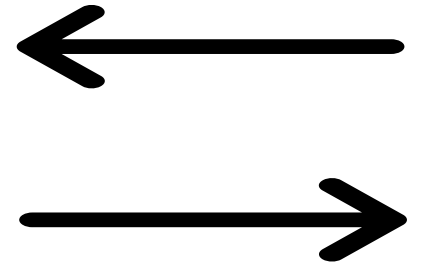
ANNUAL / REVISED IEP

- Parent signature is **NOT** required for implementation
- Generally goes into effect after the 15-calendar-day notice period
- Timely mediation or due process can stop the challenged change while the dispute proceeds

Do not confuse signing attendance at a meeting with consenting to an initial IEP.

You have the right to... (3)

- You may disagree with a proposed classification, program, placement, or FAPE decision.
- Request a written explanation of the district's decision and options it rejected.
- Mediation is available at no cost; you may also file for due process.
- A timely filing may preserve the current placement under “stay-put.”



Disagree with a proposed IEP change?

Act before the 15-day notice period expires to preserve important protections.

What parents can do

- Explain objections in writing — ask for a response
- File for mediation OR due process in time, when appropriate
- Keep proof of the filing and the date notice was received

What “stay-put” means

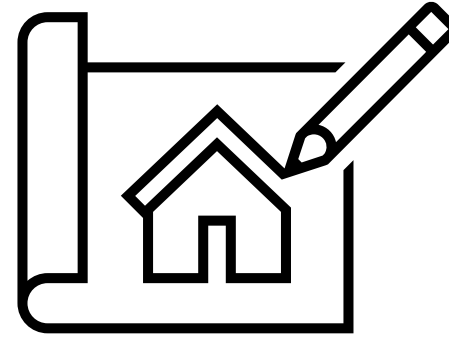
- The student generally remains in the then-current educational placement during the dispute
- It is a protection against unilateral changes, not an automatic award of requested services
- Special rules and exceptions apply, especially in discipline cases

These are just some of your rights!

- You have **many, many more rights** regarding your child's special education program.
- For more information, please see the **PRISE** booklet
 - PRISE = "Parental Rights in Special Education"
 - Developed by NJ Department of Education
 - Revised in June 2026



Out-of-district placements



- An out-of-district program may be required when needed to provide FAPE.
- A district-authorized public placement in an appropriate private special education school is at no cost to the parent.
- If a parent unilaterally enrolls a student in a private school, tuition reimbursement is a different legal claim — not guaranteed.
- If the district disputes the need for private placement, mediation or due process may be available.

Conclusion

IEPs are very important educational / legal documents

There are many sections in an IEP – be aware of each one!

You have a crucial role to play at IEP meetings

You have rights as the parent / guardian of your child



Questions?



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Let's Continue the Discussion!

Contact us for more information or to discuss your education law needs.

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