



## YOUTH EDUCATION & ADVOCACY FAQS

➤ **What is an IEP?**

An IEP is an Individualized Education Plan. It is a created plan that meets the needs of a child with a disability, when the symptoms impact the child's educational needs to the degree that they would need specialized instruction. The law outlines what is appropriate and necessary, but not what is best. An evaluation, or case study, is used to determine if a child needs special education services in order to receive a Fair and Appropriate Public Education (FAPE). An evaluation can be requested by a parent, the school or someone who works with the child. It is best to request an evaluation in writing by sending a letter to the principal, teacher, or other designated school staff. An IEP is covered by the Individuals with Disabilities Education Act (IDEA).

➤ **Who is on an IEP Team?**

An IEP team consists of parents/guardian, student, special education teacher, general education teacher, an administrator, evaluators, service providers, and anyone you or the school chooses to invite. A local education agency (LEA) should also be present at the meeting. The LEA must know about the regular education curriculum and the school district's resources. The LEA is authorized to commit resources for use.

➤ **What are critical timelines I need to know for an IEP?**

- Request for evaluation must have a response within 14 school days of the receipt of the request
- An evaluation must be completed within 60 school days of parental consent
- A multidisciplinary conference (MDC) must be conducted within 60 school days of the day consent for an evaluation is given to determine eligibility
- A reevaluation should be conducted every three years at a minimum
- A parent should be provided a copy of the evaluation report or IEP immediately following a meeting
- A request for an IEP meeting must have a response within 10 calendars of the receipt of the request
- A notice of an IEP meeting should be received 10 days prior to the date of the IEP meeting
- Request for records must have a response within 15 school days of the receipt of the request
- A transition plan should be in place no later than a child's 14 ½ birthday in the state of Illinois

➤ **What is an MDR?**

A MDR is a Manifestation Determination Review, which is a meeting that is held to determine if a behavior that caused an expulsion or long term suspension is related to the child's disability. A long term suspension means more than 10 days in one school year for similar behaviors. Days can be in succession or cumulative. A meeting to hold an MDR should be scheduled within 10 school days of the behavior infraction. If the behavior is the result of the disability or the IEP not being followed, the IEP team must determine if the appropriate interventions have been in place. An example would be a behavior intervention plan (BIP). If appropriate interventions are in place and followed with fidelity, a change in placement may be recommended. If a parent/guardian does not agree with the results of a MDR, they may file a due process.

➤ **What is a due process?**

A due process is a formal way to resolve a dispute in regard to your child's education, as they pertain to special education. A due process begins with the filing of a written complaint against the school requesting a due process. These can only be filed for a dispute related to the identification, evaluation or placement of a child with a disability, or the provision of a free appropriate public education (FAPE). A due process must be formally filed within two years of the alleged issue. During the due process hearing, your child has the right to remain in their current placement until a decision is made, unless the student poses a danger. A due process is filed with the local school district.

➤ **What is a complaint?**

A complaint is the formal process where a person claims that the school has done something not following the law, which is not appropriate for the child's education. A complaint must be submitted in writing and the alleged violation must have occurred not more than one year prior to the date of submission. Within 60 days of receiving the complaint, an investigation will be completed if the complaint is valid. A complaint is filed with the state board of education. A copy of the complaint should also be sent to the school district.

➤ **Eligibility vs Diagnosis**

- A diagnosis is the identification of the nature of an illness or other problem by examining the symptoms. Just because a child has a diagnosis of something, it does not mean they will meet the criteria for being eligible for an IEP.
- Under the Individuals with Disabilities Education Act (IDEA), there are 13 areas in which a student can be found eligible for an IEP. The child's performance at school has to be adversely affected by one of the following conditions:

– **Specific learning disability (SLD)** – The umbrella term “SLD” covers a specific group of learning issues. The conditions in this group affect a child's ability to read, write, listen, speak, reason, or do math.

– **Other health impairment** – The umbrella term “other health impairment”

covers conditions that limit a child's strength, energy or alertness and typically is a medical diagnosis.

– **Autism spectrum disorder (ASD)** – ASD is a developmental disability. It covers a wide range of symptoms and skills, but mainly affects a child's social and communication skills. It can also impact behavior.

– **Emotional disturbance** – Children covered under the term “emotional disturbance” can have a number of mental disorders. They include anxiety disorder, schizophrenia, bipolar disorder, obsessive-compulsive disorder and depression.

– **Speech or language impairment** – The umbrella term “speech or language impairment” covers a number of communication problems. Those include stuttering, impaired articulation, language impairment or voice impairment.

– **Visual impairment, including blindness** – A child who has vision problems is considered to have a visual impairment. This condition includes both partial sight and blindness. If eyewear can correct a vision problem, then it doesn't qualify.

– **Deafness** – Children with a diagnosis of deafness have a severe hearing impairment. They aren't able to process language through hearing.

– **Hearing impairment** – The term “hearing impairment” refers to a hearing loss not covered by the definition of deafness. This type of loss can change or fluctuate over time.

– **Deaf-blindness** – Children with a diagnosis of deaf-blindness have both hearing and visual impairments. Their communication and other needs are so great that programs for the deaf or blind can't meet them.

– **Orthopedic impairment** – Any impairment to a child's body, no matter what the cause, is considered an orthopedic impairment.

– **Intellectual disability** – Children with this type of disability have below-average intellectual ability. They may also have poor communication, self-care and social skills.

– **Traumatic brain injury** – This is a brain injury is caused by an accident or some kind of physical force.

– **Multiple disabilities** – A child with multiple disabilities has more than one condition covered by IDEA. Having multiple issues creates educational needs that can't be met in a program for any one condition.

➤ **What is placement?**

Educational placement decisions are made based off the need of the child and may include the general education setting, a resource class, a self-contained program, a separate day school, a therapeutic day school, a residential program, or home based instruction. Placement is a team decision and services listed in the IEP should follow the child. Typically, a therapeutic day school requires an IEP to have a day school placement for the option before they

accept a child. An explanation of why a child is removed from their same aged peers should be included in the IEP and the school must provide equal access to nonacademic or extracurricular activities.

➤ **Parentally Placed Private Schools: What are the options?**

If you have enrolled your child in a private program, you have the option to obtain additional support from the public school district. The district in which the private school is located determines who is responsible for conducting an evaluation and providing special education services. Services are often times less than those provided to someone enrolled in the public school due to a federal law called proportionate share. At a private school, the child might have an Individual Services Plan (ISP) that lays out the services or accommodations provided.

If a private school accepts federal funding, including Title 1 funds, they are required to provide reasonable accommodations under Section 504.

➤ **What is transition planning?**

Transition planning begins at age 14 ½ and continues until graduation, or age 22. The plan should be designed to prepare a student for life after high school, select high school courses, assist in the development of skills, provide opportunities to explore educational and work options for life after high school, make connections to the community and identify the students skills, talents, and interests.

➤ **What is transferring of parental rights?**

The school district must inform the student and his/her parents, one year before the student turns 18 that the student 's rights will be transferred from the parents to the student once the student turns 18. Therefore, if no other arrangements have been made (e.g.: guardianship, POA) by the time the student turns 18 years of age, the student has the right to make the final decisions regarding his/her education.

➤ **What is a 504 Plan?**

A 504 Plan is a plan developed to ensure that a child who has a disability identified under the law and is attending an elementary or secondary educational institution receives accommodations that will warrant their academic success and admittance to the learning environment. A 504 Plan does not have to be a written document and does not provide specialized instruction. A 504 plan provides accommodations only. This is covered by Section 504 of the Rehabilitation Act of 1973.

○ Resources [Click here for resources.](#)

○ Is your child struggling at school and you are not sure if they need an IEP of a 504 Plan? Do you have questions about the difference between an IEP and 504m Plan? Do you want to know what goes into an IEP? Are you unsure of how to prepare for an IEP meeting? Following are some quick

videos that may provide you with answers to your questions. If you didn't find the answers you are looking for here please call one of our offices:

- Boone/Winnebago (815)968-7467
- DeKalb (815)756-3202
- Stephenson (815)233-1128

➤ **Videos**

<https://youtu.be/tGYO9XWhI2Y>

<https://youtu.be/OA-KjQG-A2o>

<https://youtu.be/OuljSHMujEA>

<https://youtu.be/oXdV5LNsoJg>

➤ **Templates**

Click here for template links: <https://rampcil.org/wp-content/uploads/Templates.pdf>