



IEP Basics  
Special Education:  
What is it and  
where do we start?

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FAMILY  VOICES  
OF NORTH DAKOTA®  
*Navigating Crossroads to Hope*

# Family Voices National

Family Voices of North Dakota is chapter of Family Voices National.

One of the founding purposes of Family Voices was to assist experienced parents to help other families raising their children with special health care needs.

Experienced families listen and answer new families' questions about a new diagnosis, help them find an accommodating dentist, or assist in negotiations with insurance companies.

We help other families address language, racial, and cultural barriers, enroll a child in the neighborhood school, improve hospital policies, explain complicated Medicaid rules, and advocate for better preschools.

# How Did It All Begin

It's almost impossible to pinpoint when things for children and youth with disabilities began to change.

- Was it when the Children's Bureau was established in 1935 and "crippled children" (its term) were acknowledged as present and deserving of care and attention?
- Was it decades later, in the 1960s, when the Civil Rights Movement caused people to think about discrimination of any kind? Or later in the 1960s when Medicaid was created?
- Was it the events leading up to the passage of the federal special education law, P.L.94-142 (now called IDEA) in 1975?
- In any case, by the end of the 1970s, families and many of their professional partners agreed that children, disabled and nondisabled, with chronic health conditions and without, belonged with their families, in their communities, and with their friends. They belonged at home.

# Family Voices as our lead



- Assist families in the health care settings, assisting navigation of services
- Helping other families
- Assisting in federal, state and local policy development
- Inclusion in schools and other settings
- Supporting extended family
- Assuring that services are Family Centered, Culturally Competent and Community Based



# Family Voices as our lead

- Assisting with research
- Assisting youth
- Partnering with Government Agencies
- Training Leaders

## **It Takes Many:**

Parent Organizations

State and Federal Partners

Providers and Families

Working together assisting one another



# Across the Country

There is a Family Voices Chapter in every state across the country

They may be housed at:

- A Parent Training and Information Center
- A Statewide Parent to Parent Program
- Stand Alone Agency



# About Children with Special Health Care Needs

Children with special health care needs are those who have or are at increased risk for a chronic physical, developmental, behavioral, or emotional condition and who also require health and related services of a type or amount beyond that required by children generally

*Definition developed by Maternal and Child Health Bureau July 1998*

**In North Dakota there is approximately 30,000 children with a disability or chronic health illness.**



# Let's Start by Talking about the Basic Special Education Steps Under IDEA...adapted from

<https://www.parentcenterhub.org/steps/>

1. Child is identified as possibly needing Special Education and related services.
2. Child is evaluated
3. Eligibility is decided
4. Child is found eligible for services
5. IEP meeting is scheduled
6. IEP meeting is held and IEP is written
7. Services are provided
8. Progress is measured and reported to parents
9. IEP is reviewed
10. Child is reevaluated



## 1. Child is Identified as possibly needing Special Education and related services.

The state must identify, locate, and evaluate all children with disabilities in the state who need special education & related services. A child may be identified By :

- \* **“Child Find”**- parents may be asked if the "Child Find" system can evaluate their child.
- **Referral** - A school professional may ask that a child be evaluated to see if he or she has a disability.
- **Request** for evaluation- Parents may also contact the child's teacher or other school professional to ask that their child be evaluated. This request should be in writing.





### 3. Eligibility is Decided

The IEP Team looks at the child's evaluation results. The team decides if the child is a "child with a disability," as defined by IDEA.

**Disability Categories:** Educational Autism, deafness, deaf-blindness, emotional disturbance, hearing impairment, intellectual disability, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury, visual impairment (including blindness).

In North Dakota, non-categorical delay may be used for younger (Under the age of 9) children prior to identification of another category.



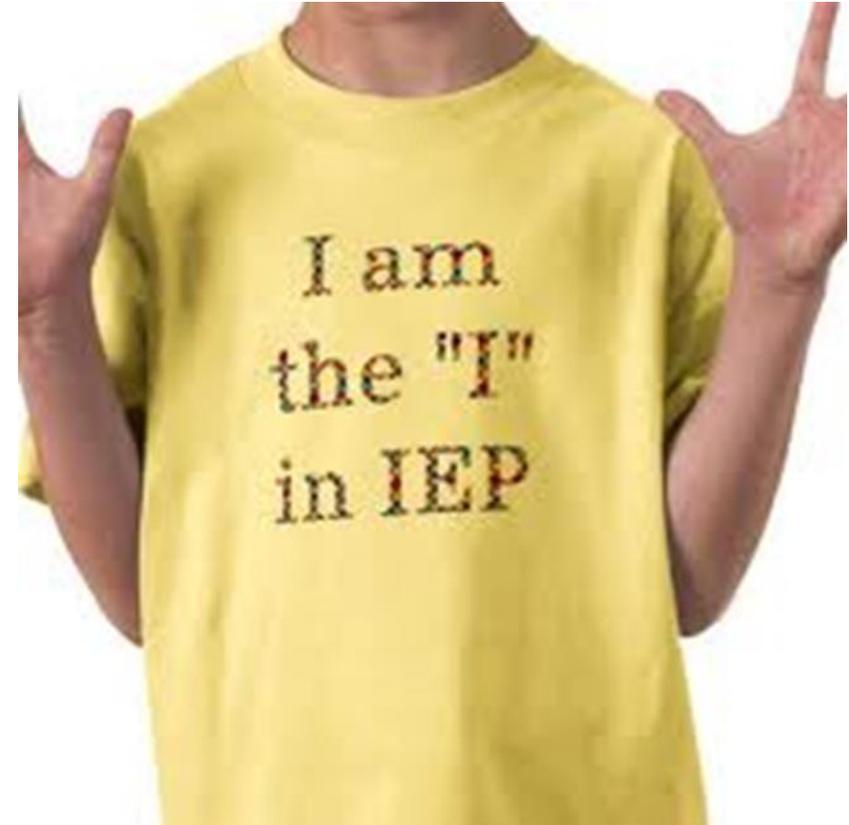
## 4. Child is Found Eligible for Services

If the child is found to be a "child with a disability," as defined by IDEA, he or she is eligible for special education and related services.

\* Within 30 calendar days after a child is determined eligible, the IEP team must meet to write an IEP for the child.

# What is an IEP?

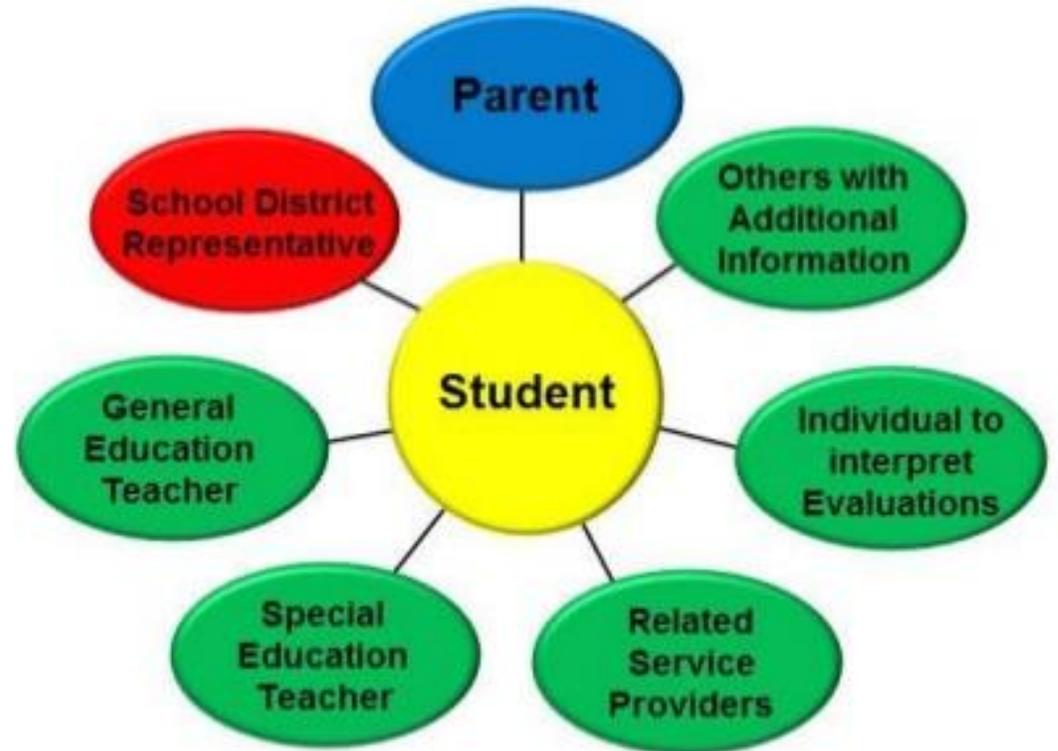
**Each public school child** who  
Receives special education  
and related services  
must have an  
Individualized  
Education Program (IEP).



The IEP creates an opportunity for teachers, **parents**, school administrators, related services personnel, and students (when appropriate) to work together to improve educational results for children with Disabilities.



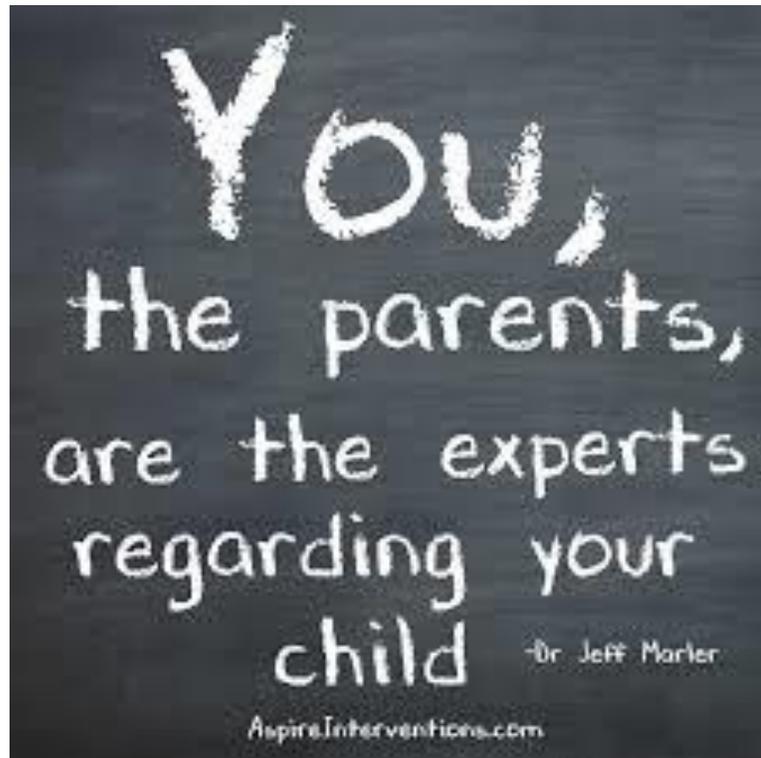
# Who is on the IEP Team?



## 5. IEP Meeting is scheduled

The school system schedules and conducts the IEP meeting. School staff must:

- \*contact the participants, including the parents;
- \*notify parents early enough to make sure they have an opportunity to attend; schedule the meeting at a time and place agreeable to parents and the school;
- \*tell the parents the purpose, time, and location of the meeting;
- \*tell the parents who will be attending; and
- \*tell the parents that they may invite people to the meeting who have knowledge or special expertise about the child.



## 6. IEP meeting is Held and IEP is written

- The IEP team gathers to talk about the child's needs and write the student's IEP.
- Before the school system may provide special education and related services to the child for the first time, the parents must give consent.
- The child begins to receive services as soon as possible after the meeting.
- If the parents do not agree with the IEP and placement, they may discuss their concerns with other members of the IEP team and try to work out an agreement

# 7. Services are provided



THE SCHOOL MAKES SURE THE CHILD'S IEP IS BEING CARRIED OUT AS IT WAS WRITTEN.



PARENTS ARE GIVEN A COPY OF THE IEP.



EACH OF THE CHILD'S TEACHERS AND SERVICE PROVIDERS HAS ACCESS TO THE IEP AND KNOWS HIS OR HER SPECIFIC RESPONSIBILITIES FOR CARRYING OUT THE IEP..



## 8. Progress is Measured and Reported

- The child's progress toward the annual goals is measured, as stated in the IEP.
- His or her parents are regularly informed of their child's progress and whether that progress is enough for the child to achieve the goals by the end of the year.
- These progress reports must be given to parents at least as often as parents are informed of their nondisabled children's progress

## 9. IEP is Reviewed

The child's IEP is reviewed by the IEP team at least once a year, or more often if the parents or school ask for a review. If necessary, the IEP is revised. Parents, as team members, must be invited to attend these meetings. Parents can make suggestions for changes, can agree or disagree with the IEP goals, and agree or disagree with the placement.

If parents do not agree with the IEP & placement, they may discuss their concerns with other members of the IEP team and try to work out an agreement. There are several options, including additional testing, an independent evaluation, or asking for mediation (if available) or a due process hearing. They may also file a complaint with the state education agency.



## 10. Child is reevaluated

At least every three years the child must be reevaluated. This evaluation is often called a "triennial." Its purpose is to find out if the child continues to be a "child with a disability," as defined by IDEA, and what the child's educational needs are. However, the child must be reevaluated more often if conditions warrant or if the child's parent or teacher asks for a new evaluation

## Special Factors:

- These include: If the child's *behavior* interferes with his or her learning or the learning of others, the IEP team will consider strategies and supports to address the child's behavior.
- If the child has *limited proficiency in English*, the IEP team will consider the child's language needs as these needs relate to his or her IEP.
- If the child is *blind or visually impaired*, the IEP team must provide for instruction in Braille or the use of Braille, unless it determines after an Appropriate evaluation that the child does not need this instruction. If the child has *Communication needs*, the IEP team must consider those needs.
- If the child is *deaf or hard of hearing*, the IEP team will consider his/her language & Communication needs. This includes the child's opportunities to communicate directly with classmates and school staff in his or her usual method of communication (for example, sign language).
- The IEP team must always consider the child's need for *assistive technology* devices or services. (from *A Guide to the Individualized Education Program* at [www.ed.gov](http://www.ed.gov))

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Thanks for joining us!



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