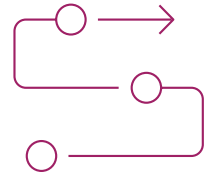




### MINIGUIDE 3

# Individualized Education Programs (IEPs)



*The Oregon Department of Education created this series of miniguides for Indigenous families with children in special education.*

*Miniguide 3 shares one family's experience building an individualized education program, or IEP, for their child. It may be similar to what you have encountered or will go through. At the end of the guide, we include some common questions and answers on this topic.*

*This series supports a comprehensive guide that has specific details and legal information to help you navigate the education system and get the right support for your child. For more detail, see **The Journey to a Free Appropriate Public Education for Students with Disabilities: A Guide for Indigenous Families.***

## Through Eli's Eyes. An IEP Story

My name is Eli. I'm in fourth grade. I like to draw, tell stories, and build fortresses on Minecraft. But school? School is hard.

Most days, I try my best. I sit still. I raise my hand sometimes, but my teacher never calls on me. I don't read as fast as the other kids in class. Sometimes I get so frustrated that the words start to blur on the page. My teacher says I should just focus, but I am trying to pay attention. Sometimes it hurts my brain and I wonder why I can't do it.

One day my mom asked to meet with the counselor. She said, "I think Eli needs more support. He tries really hard, but something's not right." After that, the school sent us a letter about a "referral." That's when they started this thing called an evaluation.

At first, I got a lot of attention. People asked me questions, watched how I work, and even listened to my mom's stories about how I learn best at home, from people like her and my grandparents. After the tests,

we had a big meeting. They called it an eligibility meeting. My mom, my teacher, the principal, and a special education teacher were all there.

They said I qualified for something called an IEP. IEP stands for individualized education program. It's a plan made just for me with goals for reading and focus, like:

- By the end of the school year, when reading a third-grade-level reading passage, Eli will correctly answer 100% of comprehension questions that have answers that are explicitly stated in the text.
- By the end of the school year, Eli will begin all his assignments immediately after being given verbal instructions from the classroom teacher.

In the meeting the school said I would get extra support during the week. But after that meeting, not much changed.

The special education teacher was supposed to meet with me three times a week. Sometimes she came. A lot of times she didn't. Other times, I was supposed to go to a different room with some other kids who came in and out of class at random times of the day. I didn't like that because I would rather be with all my friends who had free choice reading and got to read our favorite comic books. My classroom teacher didn't know when she was supposed to help me or how. I was supposed to have tools—like voice-to-text software and quiet spaces—but they weren't always available. No one told me why.

I stopped asking for those things they talked about at the big meeting. It seemed like people got annoyed by my questions.

But my mom didn't stop. She started writing things down, like who came to meetings, what help I was supposed to get, and when it didn't happen. She asked for another meeting. She brought my uncle, who speaks up in our Tribal Council. At the meeting, she said, "My son deserves consistency. You said you'd help him. We're here to make sure that happens."

That was the first time I saw the school really listen. They promised to do better. My mom made sure they followed up.

Mom talks about switching schools or moving to Idaho by my auntie, but she worries that a new school won't know what to do about my IEP.

I still struggle some days. But I know my mom is watching, and I know that what I need matters. I'm not just another kid who learns differently. I'm a storyteller, a helper, and a student who deserves to grow strong, just like my ancestors did.

# Summary

Key considerations for an IEP include:

- **Present levels.** Describes your child's strengths, needs, and how their disability affects learning.
- **Services and supports.** Lists special education, related services, and when/where they will be provided.
- **Time with peers.** Explains how much time your child will spend with students without disabilities.
- **Annual goals.** Outlines what your child is expected to achieve and how progress will be reported.
- **Your rights.** You can request meetings, updates, and changes—and pursue mediation or complaints if needed.

## Q&A. IEP Development and Implementation

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### Q. How should families be involved in the development of an IEP?

**A.** Parents/caregivers have a legal right to be meaningfully involved in developing their child's IEP. The IEP is developed by a team that includes:

- Parents/caregivers
- At least one general education teacher and one special education teacher
- A representative of the school district who is qualified to provide or supervise the special education program and understands the general education curriculum and the availability of resources of the public agency
- Related Service Professionals (e.g. Speech and Language Pathologist, Occupational Therapist, etc)
- An individual who can explain any relevant test results
- Any other individuals, invited by either the school or parents/caregivers, who have knowledge or special expertise regarding the child (for example, grandparents, other family members, Tribal youth counselors, speech or occupational therapists)
- When appropriate, the child with a disability

IEPs are finalized during official IEP meetings. During these meetings, parents/caregivers have the right to provide input on their child's needs related to their education, which supports they believe would have the greatest impact, and any concerns they have. It is essential that everyone at the IEP meeting hears from parents/caregivers, who know the most about the child's strengths, interests, and ways they learn outside of school. Parent information provided at the IEP meeting should be documented in the parent input section of the Present Level of Academic Achievement and Functional Performance (PLAAFP).

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### **Q. What if I disagree with the team about parts of my child's IEP?**

**A.** If you have concerns about your child's IEP, the school must write them into the IEP as "parent concerns." This helps make sure your voice is part of the official record. The IEP team—including you—should work together to talk through disagreements and try to reach consensus about what goes into the final plan. The goal is to build an IEP that reflects your child's needs and that everyone understands the supports.

For a student's first IEP, the school **must have your written consent** before it can be put in place. If you do not give consent, the school cannot start the IEP. In general, once an IEP is finalized and in effect, the school is required to follow all parts of it, not just some sections. If you have concerns about any part of the IEP, it is important to raise them right away and ask for another team meeting to review and revise the plan.

If disagreements continue, families have the right to request help through mediation, facilitated meetings, or other dispute resolution options.

For more information on how you can resolve disagreements, access *The Journey to a Free Appropriate Public Education for Students with Disabilities: A Guide for Indigenous Families* or contact one of the Oregon based parent information centers listed on the [Center for Parent Information and Resources website](#).

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### **Q. Where on an IEP should I look to see exactly what the school is supposed to be doing?**

**A.** There are four key parts of an IEP that outline what the school is supposed to do.

#### **1. Present levels of academic achievement and functional performance (PLAAFP)**

- a.** This section outlines what your child does well and how this can support their success, details about your child's preferences related to school, any concerns from your family, and how your child's disability impacts them negatively in the general education classroom.

#### **2. Description of Special Education services (Service Summary Page)**

- a.** The Service Summary page is one of the most important parts of the IEP because it brings together and summarizes all of the services and supports your child will receive. The Service Summary explains what teachers and specialists will do to support your child and reduce the impact of their disability on learning. This includes special education instruction, related services such as speech or occupational therapy, and any supports or accommodations your child needs in the classroom. These services should directly connect to your child's goals, strengths, and needs described in other parts of the IEP.
- b.** This section also explains where services will be provided, how often they will happen, how long they will last, and who will provide them. Everything listed on this page must match what is written in the rest of the IEP and must be followed by the school.

Families are encouraged to review this page carefully and ask questions if anything is unclear, since it shows how the IEP will be carried out day to day

### **3. How much time will the student be with and away from students without disabilities**

- a.** The IEP team must justify and explain any decision to educate your child apart from their classmates without disabilities. The IEP must state the amount of time during a school day (or week) your child will be with their classmates without disabilities and the amount of time they will be away from them. This is called "Non-Participation Justification".

### **4. Annual goal(s)**

- a.** These outline what your child is supposed to accomplish during a 12-month IEP period. The school should send home regular updates (for example, with every report card) showing how your child is progressing toward their goal(s). If progress is not being made, you can request that the IEP team meet to review and possibly adjust the IEP. If you are unsatisfied with how often you receive progress updates, you can request them to be shared more often.

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### **Q. What if I feel the school is not following my child's IEP and my child is still struggling?**

**A.** If you believe the school is not doing what the IEP says, start by reviewing your procedural safeguards so you understand your rights. Then share your concerns with your child's special education teacher and a school administrator.

Remember – you also have the right to request an IEP meeting at any time. At this meeting, you can explain what is not working, and the team—including you—can work together to make changes or adjustments to better support your child. **The IEP process is a team process**, and parents are important members of that team.

If concerns are not resolved after talking with the school and meeting with the team, you may request mediation through the Oregon Department of Education. If mediation does not resolve the issue, you may choose to file a formal complaint or request a due process hearing.

Families can receive free help with these options from the Oregon Department of Education and from Oregon-based parent information centers on the Center for Parent Information and Resources website. No matter which path you choose, support is available to help you advocate for your child and make sure they receive the services they need.