



Special Information for All Educators Individualized Education Program

Background Information

Since 1975, when the U.S. Congress enacted the Education for All Handicapped Children Act (P.L. 94-142), the individualized education program (IEP) has been at the heart of federal efforts to ensure a free appropriate public education to children with disabilities. Each public school child who receives special education and related services must have an IEP. IEPs are required under IDEA Part B for children age 3 through 21, and Individual Family Service Plans (IFSP) are required under IDEA Part C for children from birth through age three. [Note: If state policy allows and the school district/public agency and the parents agree, an IFSP may serve as an IEP when certain conditions are met. When an IFSP is used for a preschooler, Part B IEP procedures must be followed in developing an IFSP (Walsh, Smith, & Taylor, 2000)]

Each IEP must be designed for one student and must be a truly individualized document. The IEP creates an opportunity for educators, parents, school administrator, related services personnel, and students (when appropriate) to work together to improve educational outcomes for children with disabilities.

In the 1997 reauthorization, many IEP provisions remained the same; however, several new and/or enhanced provisions related to student achievement were included: Among those:

- Participation in and progress in the general curriculum.
- Involvement of parents and students, together with regular and special education personnel, in making individual decisions to support each student's educational success.

- Preparation of students with disabilities for post-school activities.

Connections to the Law

An understanding of IEPs begins with thorough knowledge of the IDEA provisions. The IDEA provisions as stated in the 1999 regulations are organized by questions- such as "What does IDEA say about...?" – followed by the actual IDEA section number. However, the entire statute and regulations are available electronically. You are encouraged to use the **Discover IDEA CD 2002** or the ASPIRE/IILAD web site at www.ideapractices.org to navigate your search of relevant sections on IEPs.

The regulatory provisions on IEPs required by IDEA follow.

- **How does IDEA define an IEP?**
34 C.F.R. §300.340 – Definition of an IEP. (Authority: 20 U.S.C. 1401(11), 1412(11), 1412(a)(10)(B))
- **What is the responsibility of the SEA and other public agencies for IEPs.**
34 C.F.R. §300.341 – Responsibility of SEA and other public agencies for IEPs. (Authority: 20 U.S.C. 1412(a)(4), (a)(10)(B))
- **When must IEPs be in effect?**
34 C.F.R. §300.342 – When IEPs must be in effect. (Authority: 20 U.S.C. 1414(d)(2)(A) and (B), Pub. L. 105-17, sec. (201)(a)(2)(A), (C))
- **What are the requirements for initiating and conducting a meeting for the**



purposes of developing and reviewing, or revising IEPs?

34 C.F.R. §300.343 – IEP meetings.
(Authority: 20 U.S.C. 1413(a)(1),
1414(d)(4)(A))

- **Who serves on the IEP team?**
34 C.F.R. §300.344 – The IEP team.
(Authority: 20 U.S.C. 1401(30),
1414(d)(1)(A)(7), (B))
- **What is the public agency’s responsibility in ensuring parent participation in the IEP?**
34 C.F.R. §300.345 – Parent participation.
(Authority: 20 U.S.C. 1414(d)(1)(B)(i))
- **What must an IEP team consider when developing, reviewing, and/or revising an IEP?**
34 C.F.R. §300.346 – Development, review, and revision of an IEP.
(Authority: 20 U.S.C. 1414(d)(3) and (4)(B) and (e))
- **What must be contained in an IEP?**
34 C.F.R. §300.347 – Content of IEP.
(Authority: 20 U.S.C. 1414(d)(1)(A) and (d)(6)(A)(iii))
- **What are an agency’s responsibilities for transition services?**
34 C.F.R. §300.348 – Agency responsibilities for transition services.

Relevant Materials

The purpose of this section is to connect users to relevant materials and IEP development and implementation, some of which have been reviewed by OSEP for consistency with IDEA. For a listing of OSEP-reviewed materials, visit the National Information Center for Children and youth with Disabilities (NICHCY) at www.nichy.org.

Annotated Materials

- ? *A Guide to the Individualized Education Program* –U.S. Department of Education, Office of Special Education Programs (OSEP)
- ? *Developing Educationally Relevant IEPs: A Technical Assistance Document for Speech-Language Pathologist*- American Speech-Language-Hearing Association
- ? *Directory of Bilingual School Psychologists 2000* –National Association of School Psychologists
- ? *IDEA Requirements for Preschoolers: IDEA Early Childhood Policy and Practice Guide*-Division for Early Childhood of the Council for Exceptional Children
- ? *Individualized Education Programs: Briefing Paper*-National Information Center for Children and Youth with Disabilities (NICHCY)
- ? *Planning Your Child’s Individualized Education Program (IEP): Some Suggestions to Consider*-Families and Advocates Partnership for Education (FAPE)
- ? *Discover IDEA CD 2002*-IDEA Partnership projects, Education Development Center, Western regional Resource Center at the University of Oregon & National Information Center for Children and Youth with Disabilities (NICHCY)
- ? *Questions and Answers About IDEA* - National Information Center for Children and Youth with Disabilities (NICHCY)

Web-Based Resources

Discover IDEA Documents

- www.ideapractices.org
- www.fape.org
- www.ideapolicy.org
- www.ed.gov/offices/OSERS/OSEP/
- www.nichcy.org

Council for Exceptional Children (CEC)

- www.cec.sped.org

ERIC Clearinghouse on Gifted and Disabled Education (ERIC EC)

- <http://www.ericec.org>

LD OnLine

- www.ldonline.org

National Center on Accessing the General Curriculum

- www.cast.org/ncac