

## **Common IEP and Special Education Terms**

Conversations about IEPs often use many words that families have not heard before. Here is a list of common terms related to the IEP and Special Education processes. For more information on any of the terms or about the IEP process, there are resources listed at the bottom of the document.

**504 Plan:** A 504 Plan helps a student with a disability learn at school by removing barriers to learning. A student with a 504 plan may not need an IEP. These plans are part of a civil rights law, Section 504 of the Rehabilitation Act and not part of the Special Education law.

Access: For IEP purposes, access means providing classroom accommodations and auxiliary aids and services to ensure equal educational opportunities for all students regardless of disability.

**Accommodation:** An accommodation is a change to how a student learns or completes work so they can access the same learning as other students. Accommodations do not change what the student is learning in school. Some examples are having extra time for assignments or having a note taker.

Alternate Academic Achievement Standards (AAAS): These are a different set of standards for students with the most significant cognitive disabilities. Parents must be told about how using these standards will affect their child, including how they might affect their child's graduation. See Colorado Alternate Assessments (CoAlt) and Extended Evidence Outcomes (EEOs).

**Annual IEP goals:** Annual goals are listed in the student's IEP based on the student's needs. They should be based on details of the student's current level and give a target where the team would like to see the student performing. The goals should be measurable and attainable and are often drafted as "SMART" goals (see below). There may be objectives describing the steps to help the student meet the goal. Family members should be provided progress notes on a regular basis. (See progress monitoring report below).

Annual IEP meeting. After an IEP is developed, at least once a year a meeting must be scheduled with IEP team members to review the child's progress and develop next year's IEP.

Assistive technology: Assistive technology (AT) is any piece of equipment that helps students learn, communicate and function at school. There are many options. Some are computer programs or applications, and others are more basic, like picture symbols or highlighting.













Behavior intervention plan (BIP): A plan designed to teach and reinforce positive behavior. This plan presents strategies to address behavior proactively. The details of this plan should come from the results of a functional behavioral assessment (FBA).

Colorado Alternate Assessments (CoAlt): This is the alternate assessment that is given to students with the most significant cognitive disabilities. There are guidelines for the IEP team to use to determine if a student qualifies to take this assessment.

**Compensatory Services**: Compensatory services are to make up for when a school did not provide the services described in the IEP.

**Disability:** There are fourteen specific categories of disability for an IEP. These are listed in the special education law (IDEA). The disability must have an adverse effect on the child's performance at school. The categories of disability include Autism Spectrum Disorder, Deaf-Blindness, Deafness, Emotional Disturbance, Hearing Impairment, Intellectual Disability, Multiple Disabilities (with intellectual disability as one of the disabilities), Orthopedic Impairment, Other Health Impairment, Specific Learning Disability, Speech or Language Impairment, Traumatic Brain Injury, Visual Impairment, including Blindness, and, for younger children (under 8), Developmental Delay. It is important to note that not every child with a disability qualifies for special education services, and that each category has its own eligibility criteria.

**Due process hearing:** A due process hearing is one of the dispute resolution options provided by IDEA. It involves a hearing where the parents and school present their sides of the dispute to an Administrative Law Judge (ALJ). For more information, visit CDE Dispute Resolution.

Due process rights: Due process rights are the formal ways for families to resolve disputes with the school about special education under IDEA. These include mediation, state complaint, and due process hearing. For more information, visit CDE Dispute Resolution.

Eligibility determination meeting. The purpose of an IEP eligibility determination meeting is to determine whether or not a child qualifies for special education services and an IEP. In some situations, a school may combine an Eligibility determination meeting with an Initial IEP Meeting.

Extended evidence outcomes (EEOs): EEOs provide the alternative academic achievement standards (see above) in Colorado. These standards are for students with the most significant cognitive disabilities. There is a process in place that helps educational teams make this decision.













Extended school year services (ESY): Special education services provided outside of the regular school year to address concerns about lost skills and how long it will take to regain those skills. A student with a history of struggling to relearn lost skills may need ESY services. The loss of skills is referred to as regression. The time it takes to recover those skills is referred to as recoupment. Predictive factors may also indicate the need for ESY. A specific process is followed to determine eligibility for ESY. ESY services are focused on the IEP goals, and the purpose is to maintain a student's previously learned skills, not to develop new skills.

**Free Appropriate Public Education (FAPE):** Students with disabilities have a right to FAPE. This means that eligible students are provided with the special education and related services they need to benefit from their educational program. These services are provided at public expense at no cost to the family.

Functional Behavior Assessment (FBA): An FBA is a process that schools use to learn about behavior that interferes with a student's education. It is used to try to understand what is causing the behavior and to develop a plan to improve the behavior. (See BIP above.)

General education curriculum: The knowledge and skills that all students are expected to learn at school. The general curriculum must meet the state's standards.

**IEP Facilitation**: This is another name for Special Education Facilitation - see below. Meetings held using IEP Facilitation are sometimes called Facilitated IEPs.

**Impact of Disability**: The impact of the disability explains how the student's disability affects their involvement and progress in the general education curriculum.

**Inclusion**: Inclusion is based on the idea of all students being full and accepted members of their school community. The word "inclusion" is not used in IDEA. The concept of Least Restrictive Environment provides for students with disabilities to be educated in the same setting as students without disabilities as much as possible.

Independent Education Evaluation (IEE): An IEE is an educational evaluation done outside of school by a private evaluator. Usually, parents must pay for a private evaluation. Parents have a limited right to request one IEE at the school's expense if the school has already done an evaluation and the parents disagree with the results of that evaluation.

Individualized Education Program (IEP): The IEP describes the plan for the special education instruction, supports, and services that an eligible student needs to make progress in school. It is a legal document.













**Individualized Family Service Plan (IFSP):** The IFSP describes the early intervention services to be delivered to families of infants and toddlers (birth to age 3) who are determined to have a significant delay in one or more areas of development or have been diagnosed with a condition that will likely result in a significant delay in development.

Individuals with Disabilities Education Act (IDEA): IDEA is the special education law of the United States. It ensures that students with disabilities receive access to special education and related services.

**Initial IEP meeting**: After a child is found eligible for special education and related services (see Eligibility determination meeting above), a meeting must be held within 30 days to develop the IEP.

Least restrictive environment (LRE): IDEA requires that students with disabilities be educated to the maximum extent appropriate with students who are nondisabled. This is called the Least Restrictive Environment.

**Location**: Special education can be provided in different locations, depending on student needs. IDEA strongly prefers that students receive their special education services in the general education classroom with their nondisabled peers, as seen by the LRE requirement. Location does not refer to a specific place.

Manifestation Determination Review (MDR): An MDR is a meeting the school must hold if it wants to suspend or expel a student for more than 10 school days. It must be held within 10 school days of the incident. The IEP team decides whether the student's behavior is a "manifestation" of a disability.

**Mediation:** Mediation is a dispute resolution option provided under IDEA. It is a voluntary process led by a mediator. The mediator helps the family and the school district reach agreement on disputed matters. For more information, visit CDE Dispute Resolution

**Modification:** A modification is a change in what a student is expected to learn and demonstrate.

Multi-Tiered System of Supports (MTSS): MTSS stands for multi-tiered system of supports. It is a framework that uses evidence-based practices across all levels of the educational system to improve outcomes for all students. For more information on MTSS, visit Colorado Multi-Tiered **System of Supports** 













**Needs or Student Needs:** For IEP purposes, needs refer to the student's unique needs in an academic or functional skill area that result from their disability.

**Notice of Meeting:** This is written communication from the school inviting parents to a meeting concerning their student. It will include the date, time and location of the meeting. It will also let the parent know the reason for the meeting and who will be in attendance.

Office of Civil Rights (OCR): This office works to ensure equal access to education and resolve complaints of discrimination. OCR enforces Section 504 of the Rehabilitation Act of 1973, as amended. The rights of students with 504 Plans are enforced by OCR. Individuals with IEPs may also file complaints on the basis of discrimination with the OCR.

**Parent report:** This is a document prepared by parents about their child's strengths, struggles, and success at school, at home, and in the community. Sharing the report with the IEP team gives a more complete view of the student.

**Placement:** Placement is the setting or settings where the IEP is carried out. It is not a physical location. The placement should be in the least restrictive environment (see above). There is a range of placement options available, one of which is the general education classroom. Placement will include the amount of time a student spends in the general education classroom, and the IEP team must give reasons when a student's services are being delivered outside of the general education classroom.

Positive behavior interventions and supports (PBIS): A proactive, schoolwide approach used to promote positive behavior and improve school safety. PBIS creates a school culture in which all students learn about behavior and use a common language to talk about it.

Present level of performance or present level of academic achievement and functional **performance (PLAAFP):** This is a section of the IEP that describes a student's current abilities, skills, challenges, and strengths at the time the IEP is written. It includes information in areas such as academic, functional, social emotional skills, as well as a description of the impact of the student's disability on their progress in the general education curriculum. This may also be referred to as "present levels" or "present levels of performance."

**Prior Written Notice (PWN):** Prior written notice is a written explanation the school sends to parents about a change or refusal to make a change in their child's IEP. It's also a legal right under IDEA. Any time the school district denies, refuses or accepts a parent request for an evaluation or change to special education services, it must give prior written notice. It explains what the school plans to do or refuses to do. A PWN is embedded towards the end of the IEP, and it can also be a stand-alone document.













**Procedural Safeguards:** IDEA requires schools to provide parents of a child with a disability with a notice containing a full explanation of the procedural safeguards available under the IDEA and U.S. Department of Education regulations. These will be offered at every meeting.

**Progress monitoring report:** These reports give detailed information on how much progress a student is making toward their IEP goals. The reports are given to parents, usually around the time students receive their report cards.

Reevaluation meeting: The IEP team must convene a reevaluation meeting at least once every three years. The purpose of a reevaluation meeting is to determine whether additional information is needed to determine if a student continues to have a disability requiring specially designed instruction and related services, and the nature and extent of special education and related services that the student needs. This meeting might also be called a triennial review or triennial evaluation.

**Related services:** These are a type of services that might be included in the IEP. Some students may need extra support from people other than teachers to be able to get what they need from instruction at school. Some examples of the types of help available include support from school psychologists, audiologists, occupational therapy, physical therapy, transportation, or nursing services. Speech language services may be a related service or a stand-alone service, depending on the student's needs.

**Resolution Meeting**: The resolution meeting is held as part of the due process complaint process. The purpose of the meeting is to try to resolve the dispute before going forward with the due process hearing.

**Response to intervention (RTI):** RTI is a preventive approach that tries to identify struggling students early and help them catch up. It focuses on using high-quality universal instruction and interventions that are matched to what the student needs. These needs may be in academic, social-emotional, and/or behavioral areas.

SMART Goals: Many schools use SMART goals for IEP goals. SMART stands for Specific, Measurable, Attainable, Results-oriented and Time-bound goals.

**Special education:** Special education provides specially designed instruction to meet the unique needs of an eligible student. The specifics of what the student will receive are described in the IEP. It is individualized for each student and should be designed to give access to the general education curriculum. Specially designed instruction is a supplemental part of instruction and may be provided in the form of an additional education program. If a student with disabilities does not need specially designed instruction and is progressing with accommodations in the













general education setting, then a discussion needs to occur regarding the need for special education services or an accommodation plan, such as a 504 plan.

**Special Education Facilitation:** Facilitation is a service available for IEP and other special education meetings. A trained neutral facilitator guides the meeting if the parents and school agree. The facilitator helps the team stay focused on the needs of the student and developing the IEP while ensuring all voices are heard in the meeting. The goal is to bring the team to consensus through collaboration and understanding. For more information, visit CDE Alternative Dispute Resolution.

**Special Factors**: The IDEA lists five special factors that the IEP team must consider in the development, review, and revision of each child's IEP. The special factors are behavior, limited English proficiency, blindness or visual impairment, communication needs/deafness, and assistive technology.

Specially Designed Instruction (SDI): Specially designed instruction or specialized instruction is instruction that is tailored to the unique needs of the student. This may include adapting the content, methodology, or delivery of instruction to meet the student's unique needs and provide access to the general curriculum.

**State Complaint:** A state complaint is a dispute resolution option provided under IDEA. It is a complaint to report a violation or problem and to request an investigation. In Colorado, the complaint is submitted to the Colorado Department of Education. There are specific requirements for what must be included in the complaint, what type of violations can be investigated, and when the complaint can be filed. For more information, visit CDE Dispute Resolution.

Stay Put: "Stay put" is about a child remaining in their current educational placement while a dispute is pending.

Supplementary aids and services: These are supports to help students learn in the least restrictive environment (see above). The supports may be for the general classroom environment and other school activities. These are in addition to related services (see above). These might include aids, service, and other supports. Examples include audio-visual equipment, modified textbooks, classroom aides.

**Transition plan:** This part of the IEP maps out what a student will do after high school and how to get there. In Colorado, this usually begins at age 15.













**Triennial evaluation**: After the initial evaluation, a reevaluation must be conducted at least every three years after a student has been placed in special education. See Reevaluation Meeting above. These are sometimes called triennial reevaluations.

## Resources for learning more about the IEP process in Colorado:

- PEAK Parent Center's Parent Advisors (email: parentadvisor@peakparent.org)
- Colorado Department of Education Parent/Family Information
- Colorado Procedural Safeguards Notice
- District Special Education Advisory Committees
- <u>District Special Education Directors</u>

PEAK Parent Center partners with the Colorado Department of Education's (CDE) Exceptional Student Services Unit (ESSU), to provide resources and information to support CDE's Alternative Dispute Resolution (ADR) efforts. More information on ADR can be found here: https://www.cde.state.co.us/spedlaw/adr. This resource is provided for informational purposes to support collaboration in the IEP process and does not necessarily represent the policy or views of CDE. PEAK Parent Center is not a legal services agency and does not provide legal advice or legal representation. Any information contained in this document is not intended as legal advice and should not be used as a substitution for legal advice.













