



## ***Frequently Asked Questions About Individualized Education Plans (IEPs)***

### **1. What is an Individualized Education Plan?**

An Individualized Education Plan (IEP) is a written statement of the educational program designed to meet a child's individual needs. Every child who receives special education services must have an IEP.

***The IEP has two general purposes:***

1. To set reasonable learning goals for your child; and
2. To state the services that the school district will provide for your child

### **2. Can I help develop my child's IEP?**

Yes. The law is very clear that parents have the right to participate in developing their child's IEP. You know your child very well, and the school needs to know your insights and concerns.

### **3. My child's IEP does not seem to be helping. What do I do?**

The IEP is a working document and can be changed at any time. Any child with an IEP has an assigned case manager who is responsible for IEP implementation. If you feel the IEP needs to be changed, you can ask the case manager for an IEP meeting so that your concerns can be addressed.

### **4. Does the IEP need to be written in the language we speak at home?**

Yes, the IEP should be written in your native language.



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### **5. Who writes the IEP?**

The IEP should be developed by The Child Study Team. ***That team includes you.***

### **6. What is the difference between the IEP and placement?**

The IEP describes what and how the support services will be given to your student. Placement describes where those services will be provided.

### **7. What are related services?**

The IEP team will also talk about related services your child may need to benefit from his or her special education. The IDEA lists many related services that school must provide if eligible children need them. Examples of related services:

**Occupational Therapy**- which can help a child develop or regain movement that he or she may have lost due to injury or illness; and **Speech Therapy**- Which can help children who have trouble speaking.

### **8. What placement options do I have?**

Depending on the needs of your child and the services to be provided, your child's IEP could be carried out:

- In a regular classroom
- In a special classes (where all the students are receiving special education services)
- In special schools
- At home
- In hospitals
- Other settings



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### **9. What is IDEA?**

The Individuals with Disabilities Education Act (IDEA) is a law ensuring services to children with disabilities throughout the nation.

### **10. My child is in special education and would benefit from attending a private school.**

#### **Can I request this?**

Special education services are only mandated in k-12 public schools.

Private placements are only granted if the IEP team determines that the child's needs require a service that the public school cannot provide. Private schools do not have to provide special education services nor do they have to implement an existing IEP. It is their choice whether or not they provide services.

### **11. My child has ADHD and the school is saying he doesn't qualify for special education.**

#### **Can this be right?**

If a child's ADHD is severely affecting their ability to learn, you can request a special education evaluation and it is possible that the child may qualify under the category of **Other Health Impaired**. Here, the IEP team needs to agree that the child requires placement in special education classrooms and/or needs services that are only provided through special education.

***If they are mild to moderate disorders, they can usually be addressed through a 504 plan.***

### **12. What is a 504 Plan?**

This type of plan falls under Section 504 of the Rehabilitation Act of 1973. This is the part of the federal civil rights law that prohibits discrimination against public school students with disabilities. That includes students with learning and attention issues who meet certain criteria. Much like an IEP, a 504 plan can help students with learning and attention issues learn and participate in the general education curriculum. A 504 plan outlines how a child's specific needs are met with accommodations, modification and other services.



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### **13. What are my rights if I disagree with the evaluation or with determination of eligibility?**

You may request mediation or a due process hearing if your child study team decides an evaluation is not warranted or if you disagree with the assessment plan. You may request an independent evaluation at no cost to you if you disagree with the evaluation conducted by the team. You may also request a mediation or a due process hearing if you disagree with the determination of eligibility.

### **14. What is mediation?**

Mediation is a way to discuss and resolve disagreements between you and the school district with the help of a trained, impartial third person as a mediator. To request a mediator you must submit a written request to:

**Director  
Office of Special Education  
New Jersey Department of Education  
P.O Box 500  
Trenton, New Jersey 08625**



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### **15. What is a Due Process hearing?**

A due process hearing is a legal process in which the resolution of a disagreement between you and the school district is decided by an administrative law judge from the Office of Administrative Law.

To request a due process hearing you must submit a written request to:

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Office of Special Education  
New Jersey Department of Education  
P.O Box 500  
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### **16. Can my child's IEP address a transition plan?**

Yes. The transition plan begins at 14 years of age. The IEP must include post – secondary goals, objectives and benchmarks. Here are some goals that can be addressed:

Employment

Post -Secondary Education

Independent Living Skills

Transition services, including courses of study to reach the goals discussed in the Transition plan.