

**Individualized Education Program Research Paper #1**

Angie K. Millgate  
Salt Lake Community College  
EDU 2011-001

September 6, 2010

The young man stared me in the face with defiance so sharp I could almost taste blood from the psychological blow to my face. After living in a marriage riddled with domestic violence, whenever *anyone* displays aggression, it triggers my cell memories of living with that horror and one of two things happens; I either cower or I fight back. Given that this young man was a student in a classroom for which I was a substitute teacher, it would have been inappropriate for me to respond either way. I felt unsure and trapped.

He continued to stare at me, as if he were waiting for a pre-planned reaction. I stared back, waiting for my adult-like wisdom to kick in and give me some sort of an idea of how to deal with the boy in front of me. Nothing was working. Love, tenderness, compassion, strength... *none* of it was working.

His eyes were wide and unblinking. I tried one more time, "Elijah, *everyone* is in their book groups. That is where I need you to be as well. This is *not* your book group and I need to support the students who are supposed to be here now. Please go to your group."

"No." He didn't blink. He didn't move. The lack of emotion in his response was unsettling. I tried another tactic, "How can I best support you in doing what is required of you right now?"

"I'm doing what *I* require of me right now."

I stared, aghast. The other students were watching lackadaisically, used to this experience and disinterested in the outcome. Feeling at a loss, I chose to ignore him and focus on the other students. He was happy with that result. Forty minutes later, when the students were at recess, I tracked down my best friend, a full time teacher in the school – the same friend who talked me into becoming a substitute teacher *and* going back to school to get my degree in education. I explained my experience with Elijah and she said matter-of-factly, “That’s standard for him and if you were his full time teacher, you would be privy to his IEP and have direct guidelines for how to deal with him.”

It was the first time I had heard the terminology, IEP. She went on to explain what it was and without divulging more than she was able to, she gave me a few pointers on how to support him. Sadly, she said, “Pretty much, the only way you can support him is to send him up to the office and let Chris (the principal) deal with him. Chris is the only one who is consistently able to get through to him.”

### **Introduction**

According to National Assessment of Educational Progress (NAEP), an IEP, or Individualized Education Program, is “a written statement for each individual with a disability that is developed, reviewed, and revised in accordance with Title 42 U.S.C. Section 1414(d).” (NAEP Glossary) Each source I studied stressed the concept of “individualized” plans because each program is tailored to specifically meet the needs of that particular student through a series of assessments, meetings and medical diagnoses.

Further research uncovered a site that put the definition of an IEP in easily understandable terms:

[An IEP] is a legally binding document that spells out exactly what special education services your child will receive and why. It will include your child's classification, placement, services such as a one-on-one aide and therapies, academic and behavioral goals, a behavior plan if needed, percentage of time in regular education, and progress reports from teachers and therapists. (What is an IEP?, 2010)

We see that these plans contain information about the child's classification, such as autism, deaf-blindness, orthopedic impairment or mental retardation for example, which requires the special support while in school. (Peterson & Hittie, 2010, p. 17) We also see that the IEP gives a step-by-step plan for addressing behavior, as well as how the student will be supported in his academic progress. In essence, an IEP is literally a well-defined map to success for all people involved, but especially the child. It contains a statement about where the child is *right now* in his educational process and also measurable academic goals broken down in doable chunks. The IEP also details the special services the child will receive, an explanation about why/if he will not participate in certain aspects of school and any sort of adjustments needed for assessments. In addition, it includes a start date for the services and how often they will be administered, how his progress will be measured and how the parents will be notified. When the child reaches 14 years old, his IEP will also include information about his transitioning out of the K-12 system.

(Peterson & Hittie, 2010, p. 133)

It is through the precise delineation of an IEP that the priceless value of this legal document can be truly seen. It assures that steps are lined out – and followed – to ensure the child’s success. It provides a clear line of support for the teacher, administration and staff in support of this child. At the IEP meeting, the child’s support team – which always includes the parents, administration, general teacher and special education teacher, as well as possibly the student, physicians, psychologists, social workers and other specialists (Who Attends IEP Meetings?, 2010) – will decide on a concise plan of action. This is written up as a legally binding contract to which all participants must adhere, including the student.

### **Referrals**

As I understand it, if the parent is unaware of there being a possible disability, the IEP process can be initiated from within the school after observing the student and documenting behaviors/progress for several weeks. Once a teacher has observed a possible need for support, she will refer the student to the special education department. Depending on the school, that process could be as quick as filling out a simple form or as extensive as a comprehensive checklist that must be completed prior to the special education department getting involved. (Peterson & Hittie, 2010, p. 131) Following that process, the special education department will then, in turn, contact the parents to share with them the preliminary findings and see if they’re interested in pursuing special education support for their child.

According to the Utah Parent Center, parents can also initiate an IEP evaluation through a written request to the school administration. (Utah Parent Center, 2009, p. 12) In this letter, they are to share their reasoning behind the request, what they’ve noticed in their child and any

important information regarding their child's performance at school or possible difficulties that may arise.

My daughter, Kaitlyn, attends school at The Open Classroom in Salt Lake City which is a cooperative K-8 school that emphasizes parental interactivity in the classroom and so the parents of children with IEPs at this school take the time to educate the other adults on how to best support their child in the learning process. While I've now had extensive interaction with students on IEPs, I've never directly been involved in the IEP process, until now.

A year ago, my good friend, Tree, requested that I learn about her daughter, Marina, and learn how to support her at school. Tree is in the final stages of terminal breast cancer which was diagnosed in March 2009 and I believe that her plea for me to learn how to support Marina was her way of setting up her daughter for success after she passes on. At the time, she explained that Marina had a 504 and mentioned something about an IEP. It was all foreign language to me and I had absolutely no idea what she was talking about.

Since then, I've discovered that a 504 is based on a law that states a disabled person should never be discriminated against, denied access to or denied the benefits of any program or event that is federally funded. (A Guide to Disability Rights Laws, 2006) This particular plan is stipulated for disabilities *in general* but is not specific to education like the IEPs are. Due to Marina's extensive learning disabilities and special needs, they had opted to home school her until she was in fourth grade. While she had qualified for a 504, Marina has yet been able to qualify for an IEP. They are on the fourth year of their "battle" for an IEP, of which I will be a participant.

Marina has been formally diagnosed with a plethora of psychological, physical and emotional disorders and as I've delved into some of them, I've been stumped as to why she isn't qualifying for an IEP. Her diagnoses include: Cyclic Vomiting Syndrome, Ketotic Hypoglycemia, Reactive Hypoglycemia, Gluten Intolerance, Soy and Dairy sensitivity, Nonverbal Learning Disorder, Dysgraphia, Executive Brain Function impairments, Generalized Anxiety Disorder and mild depression. I almost laughed when I got to the end of the list and read "mild depression." After all *that*, her depression is only mild??? Wow.

According to her parents and Marina, she has endured a battery of tests every year, several times a year to try to secure an IEP and, apparently, there is continual update testing for her 504 as well. It is a time-consuming, money-sucking process and, at times, Tree says she feels defeated before she even begins. The two provisions for IEP qualification is that the student be qualified with one of the 13 specified categories of impairment AND prove that the impairment adversely affects the student's education. (Understanding IDEA, 2009) I've been witness to Marina's ongoing struggle with school and, given the long list of diagnoses and the severity of many of them, I find it difficult to understand why she has not qualified for an IEP, which is frustrating to her, her parents and her teachers. I trust that I will understand more after personally going through the process with them.

### **Assessment**

Evaluations, assessments and information gathering can be done in various forms such as interviews; classroom work samples; testing – psychological and educational; observations in the classroom, at lunch, on the playground; and reports from outside professionals such as

physicians and therapists. (Utah Parent Center, 2009, p. 12) The child's entire support team can participate in the evaluation process and the assessments *must* be fair and take into consideration the child's disability.

The Utah Parent Center handbook for parents states that a variety of assessments must be employed and that no single procedure will be the deciding factor. (Utah Parent Center, 2009, p. 14) The school must perform the assessments within 60 days of receiving written informed consent from the parents and there is one evaluation per year unless there is a disagreement about findings. (Understanding IDEA, 2009) In conflicting data, the Utah Parent Center handbook states that initial assessment must be completed within 45 school days of receiving the parent's written consent. (Utah Parent Center, 2009, pp. 13-14)

Once an IEP is established, it is reviewed annually, but any team member may request additional meetings as needed. Also, law stipulates data must be reviewed once every three years, with parent's consent, to identify any additional needed information. (Utah Parent Center, 2009, p. 9) These reviews are conducted by the child's support team and it is expected that the parents are equal partners in the determining, evaluating and revising their child's IEP. (Utah Parent Center, 2009, p. 30) I can see the value of evaluating and re-evaluating the IEP in that, everything changes with time. It is important to have the most up-to-date data regarding the child's abilities and progress so that everyone is able to support him efficiently.

Although Marina has never qualified for an IEP, I've seen immense collaboration with all of the upper grade teachers in an effort to best support her in her academic process. They are willing to go above and beyond to construct assignments that better match her abilities, as well

as minimizing requirements. While her 504 report does give them some specific guidelines, having an IEP would better support all of them in her academic program.

### **Student Comparison**

Marina happens to be the best friend of my daughter, Kaitlyn. When we first met Marina two school-years ago, she was eccentric and very different than every other girl in the school. I believe that, because she internally felt like such an outcast, she went out of her way to be a social outcast as well. It matched her internal atmosphere. She dressed with her own, colorful eclectic style. She listened to off-the-wall music. She loved to escape into books – although it was a painstaking process for her to read anything of great length. She was an extraordinary actress and ballerina. But she didn't fit in with her peers. Students picked on her and made fun of her behind her back and she was incredibly sad, hating school.

When Kaitlyn and she began to grow close, I noticed my daughter's academic progress slowing down. I felt concerned. Marina uses her effulgent personality and acting skills to cover up for the fact that she is continually in pain, frightened and struggling. Before I knew much about Marina, I was convinced that she was simply a social butterfly who had difficulty focusing because she'd rather be giggling with her girlfriends. Her propensity to compensate for her learning disabilities through effervescence was intoxicating for my daughter who had always been a self-starter and a brilliant student and the downward spiral of my daughter's grades in the first term was evidence of that.

The Open Classroom advocates for the student being responsible for their own education progress. Because of this, Kaitlyn's teacher sat us down and had a blatant heart-to-heart, pointing

out that her academic abilities far exceeded what we were seeing her put forth. While I adore Marina, I also knew that Kaitlyn was not doing her best to succeed and, thus, neither was Marina. They were compatriots in a sneaky game of not completing *any* of their work they were assigned.

After successfully ending the destructive cycle, I was able to watch Kaitlyn begin to claim responsibility for her own schoolwork, as did Marina. Together, they created a force that helped support both of them to excel in their assignments. Although Marina is assigned less than half of the work that Kaitlyn is assigned in every subject, it takes Marina longer to complete her assignments than Kaitlyn. Marina's father takes time every week to create special study guides for her language arts assignments. When she is assigned a report, the research requirements and length is significantly reduced. I've noticed the highest amount of anxiety rise during math – more often than not, she exits the room and spends the bulk of the class time in the bathroom, vomiting.

As Kaitlyn and Marina have grown into best friends, Marina has begun to understand what it feels like to be safe. She once told Kaitlyn, "I'm so glad you came to The Open Classroom. Before you came here, everyone was so mean to me and I hated school. Now that you and I are friends, I understand how to *be normal*." She has started dressing "normally" – as per the judgment of the other 13-year-old girls around her. She is still artistically expressive and loves the theater, but she blends in more with the flow of her peers and, in the safety of her friendship with Kaitlyn, she has learned to be less socially awkward and less of an outcast.

### **Conclusion**

The IEP process, I've come to understand, is a lengthy process that can invoke a myriad of emotions, thoughts and judgment on the part of all people involved. I look forward to being more intimately involved with the IEP process this year so that I'm more readily able to understand the "ins and outs" of evaluation. I believe that following the process from the perspective of an emotionally-neutral advocate for Marina will provide me a better foundation for being a teacher and a school counselor of students with special needs.

Angie K. Millgate  
EDU 2011-001  
**IEP Project #1**

References:

*A Guide to Disability Rights Laws*. (2006, February 16). Retrieved September 06, 2010, from [www.ada.gov](http://www.ada.gov): <http://www.ada.gov/cguide.htm>

*NAEP Glossary*. (n.d.). Retrieved September 6, 2010, from [nationsreportcard.gov](http://nationsreportcard.gov): <http://nationsreportcard.gov/glossary.asp#i>

Peterson, J. M., & Hittie, M. M. (2010). *Inclusive Teaching the Journey Towards Effective Schools for All Learners* (2nd ed.). Upper Saddle River, NJ, USA: Pearson Education, Inc.

*Understanding IDEA*. (2009). Retrieved September 06, 2010, from [www.understandingspecialeducation.com](http://www.understandingspecialeducation.com): <http://www.understandingspecialeducation.com/IDEA.html>

Utah Parent Center. (2009, March). Parents as Partners in the IEP Process. *Parents as Partners in the IEP Process*. Salt Lake City, Utah, USA: Utah Parent Center.

Utah State Board of Education Special Education Rules. (2009, December 23). *Law*. Salt Lake City, Utah, USA: Utah State Board of Education.

*What is an IEP?* (2010). Retrieved September 06, 2010, from [specialchildren.about.com](http://specialchildren.about.com): <http://specialchildren.about.com/od/specialeducation/f/iepfaq01.htm>

*Who Attends IEP Meetings?* (2010). Retrieved September 06, 2010, from [specialchildren.about.com](http://specialchildren.about.com): <http://specialchildren.about.com/od/specialeducation/f/iepfaq02.htm>