

10A. PREPARATION FOR MEETING WITH EXISTING INDIVIDUAL EDUCATION PROGRAM

Many children in dependency will have an existing IEP. The advocate should make no assumptions. The child's IEP should be reviewed to ensure it is adequate and based on the child's current needs.

The advocate should not assume:

- Assessments are current
- Services are adequate to meet needs
- Placement is appropriate
- That if a child is passing, he or she is making sufficient progress
- That the teacher's observation is an accurate reflection of progress

The law requires schools to hold an IEP meeting once a year to review the child's progress. This meeting provides an opportunity to reassess the child's progress and the effectiveness of the child's program. The law also requires that a child be reassessed every three years to see if the child still qualifies as a child with a disability or if the child needs additional services.

The caregiver, teacher or advocate can also request an IEP meeting any time he or she feels the child's program or placement is inadequate or inappropriate.

The advocate should consider requesting an IEP meeting if:

- The child is in a new foster placement or school and is still having trouble adjusting after three months
- Progress reports or observation show little progress toward goals, short-term objectives/benchmarks
- Progress indicated on progress reports seems inaccurate (over or understated)
- The child is approaching 14 or 16 years of age
- The child continues to experience difficulty in any area of development

The parent or advocate can meet with some resistance when requesting an IEP meeting. School staff may believe there is no need for an unrequired IEP meeting, or additional assessments. The advocate should persist by countering politely that more information is always better, and if there is nothing learned (child is progressing well, has no new concerns) so much the better.

Always consider the child as a whole—addressing cognitive, social, physical and emotional development

It is important to evaluate the effectiveness of services, placement, and the child's progress, while also searching for additional unmet needs.

If the advocate requests an IEP meeting, he or she should prepare as if this was a new IEP.