



Treehouse Tips: Special Education and IEPs

Students receiving special education services are provided with an Individualized Education Program (IEP) to ensure they get the necessary accommodations and specially designed instruction indicated by the needs revealed by their evaluation results. IEPs are safeguarded by the Individuals with Disabilities Education Improvement Act (IDEIA), a federal law that ensures equity, accountability, and excellence in education for children with disabilities. A disproportionate number of students experiencing the foster care system have either diagnosed or suspected disabilities. When these disabilities impact their ability to access education, a special education referral may be necessary. Navigating the IEP process can be complex, whether a youth needs to obtain an IEP or already has one. Therefore, it is crucial for those supporting these youth to be knowledgeable about special education guidelines and procedures to provide the essential stability and support needed amidst the challenges of frequent school changes, trauma, and instability.

For a student to be eligible under IDEIA, the student must meet the three following qualifications:

1. *The disability must have an adverse impact on the student's educational performance.*
2. *The student requires specially designed instruction (SDI) to receive a free and appropriate public education (FAPE).*
3. *At least one of 13 identified qualifying categories must be met:*

-Autism	-Deafness	-Deaf-Blindness
-Multiple Disabilities	-Hearing Impairment	-Intellectual Disabilities
-Traumatic Brain Injury	-Developmental Delay	-Orthopedic Impairment
-Other Health Impairment	-Specific Learning Disability	-Emotional/Behavioral Disability
		-Speech or Language Impairment

What is in an IEP?

- Documentation that contains evidence of the adverse educational impacts caused by the student's disability
- grade-level standards-based academic and social emotional/behavioral goals written to address all areas of need found during assessment
- services, accommodations, and modifications
- goals in identified areas of need for specially designed instruction
- minutes that document the time that a student will spend in different classroom settings.

What are Accommodations? An accommodation is a support or tool that helps a student access learning and demonstrate their knowledge, ensuring that they have equal access to education without changing the learning goals. Examples include:

- *Access learning: Noise cancelling headphones, movement breaks, additional time, shortened assignments*
- *Demonstrating learning: Speech to Text, testing in a sperate room, hands on projects*

What are Modifications? Modifications in an IEP change *what* material that a student is taught or expected to learn, not *how* they learn. Examples include:

- *Reducing the complexity of an activity*
- *Altering the grading scale or rubric of an assignment*

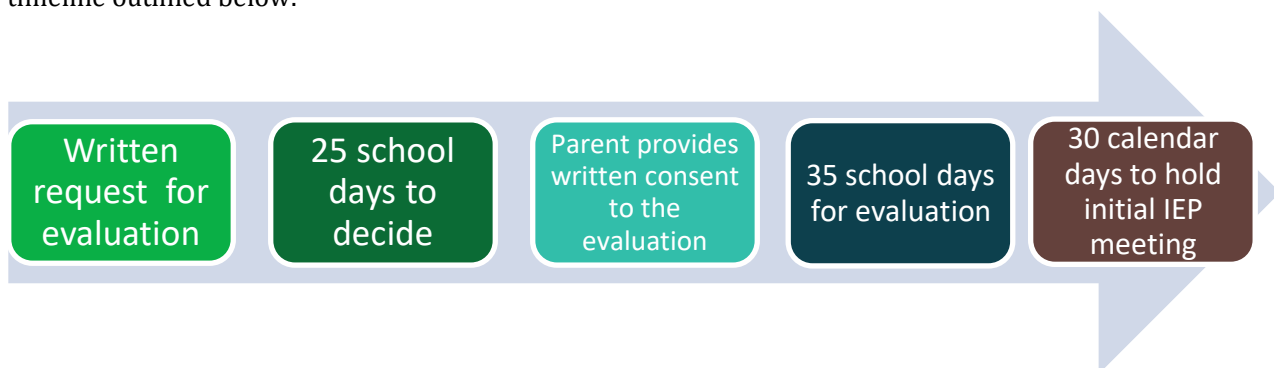
Requesting an IEP for a Student: A written request to have the student evaluated should be made to the school district if there is a disability present and there is reason to believe that a student needs services. It is recommended that the request be sent directly to the school psychologist and at least one other staff member. The school psychologist's contact information can be found on the school website or by calling the school's front office. Once the written request is received by the school district, the district has 25 school days to decide whether they will evaluate the student.

The Evaluation Process: If a student qualifies for an evaluation and consent is obtained from a parent/caregiver or court appointed educational decision maker, the district has 35 school days to complete the evaluation. Though the youth's social worker is a valuable IEP team member, it is important to note that social workers are not considered a "parent" according to [WAC 392-172A-01125](#), therefore, they are not able to provide consent for special education services.

The evaluation process has two purposes:

1. To determine eligibility
2. To identity the needs and the strengths of the student so that an IEP can be developed

Timeline: Per [WAC 392-172A-03005](#), the school must adhere to the referral and evaluation process timeline outlined below.



Disputing a Decision not to Evaluate: If the district decides *not* to evaluate, parents/caregivers have the right to request an explanation from the school district, request a mediator, file a state complaint, and/or file for a due process hearing.

Once a student has an IEP: Once the initial IEP is signed, it will be in place for one year. IEPs must be reviewed annually beginning the date of implementation, although parents/caregivers may request an IEP review at any time and call for an IEP meeting. After the initial evaluation, the student must be reevaluated every three years to determine ongoing eligibility.

The IEP Team: The IEP team includes the IEP Case Manager, the School Psychologist, the General Education Teacher, at least one administrative staff, any additional relevant school staff, the youth's social worker, parent (unless rights have been terminated), caregiver, GAL/CASA, and any other

relevant community supports. The IEP Case Manager is listed on the IEP document and should be the primary school contact for anything IEP related once the youth qualifies.



Make a referral for Educational Advocacy!

For assistance with the special education process, make a referral to Treehouse's advocacy program! To qualify for Educational Advocacy, youth must have an open dependency or have shelter care status. Scan the QR code or click the link below to complete the referral process: <https://referrals.treehouseforkids.org/>