



DEVELOPING THE SPECIAL EDUCATION PROGRAM

IMPORTANT: ELC's publications are intended to give you a general idea of the law. However, each situation is different. If, after reading our publications, you have questions about how the law applies to your situation, contact us for a referral or contact an attorney of your choice.

WHAT IS AN IEP?

An IEP, or "Individualized Education Program," is a written plan that describes a special education student's unique needs and explains the services that the school will give the child.

The IEP lists the special education, related services, and other supports the child needs to make real progress in school. The IEP should explain *when* the services will begin, and *how frequently* and for *how long* they will be given (for example, 2 half-hour sessions of physical therapy every week). The IEP must also state *where* the services will be provided (for example, in a regular or special education classroom or a special school), and tell you what special training and equipment will be given to the school staff (teachers and aides) who work with the child. The IEP also tells you how much of the school day the student will spend with classmates who do not have disabilities.

The IEP is written by a team of people including the parents and the school (more on this later). Public Charter Schools and public school districts *must* give the child all of the special education, related services, and other supports listed in the IEP. If the school does not follow the IEP, you can file a complaint with the Pennsylvania Division of Compliance, Monitoring, and Planning (DOC) (see ELC's Fact Sheet *How To Resolve Special Education Disputes* for a discussion of how to file a Complaint with the DOC. All ELC's sample letters and Fact Sheets can be found on our website at www.elc-pa.org or by calling the numbers listed at the end of

this fact sheet).

WHO WRITES THE IEP?

The IEP is written by a team of people. The IEP Team must include:

- the student's parent,
- at least one special education teacher or special education provider (for example, the child's learning support teacher or speech therapist),
- at least one regular education teacher (but only if the child is in at least some regular education classes or if the child may be put in regular education classes),
- a school official qualified to provide or supervise specially designed instruction, who knows about the school's resources, and who is familiar with the general education curriculum (usually this is the special education director),
- someone who can interpret the child's evaluations (this does not have to be a separate person, so the special education director might fill this role—if it is a separate person, it is usually the school psychologist),
- the student.

The student must be invited to the meeting if her transition needs will be discussed at the meeting (this is required if the student will turn 16 during the next year). If transition needs are not going to be discussed, then it is up to the parent whether the student should attend the meeting.

A parent can agree in writing to excuse one (or more) of these IEP Team members. If the IEP Team member's area of expertise will not be discussed at the meeting, then the parent and school may sign an agreement that the Team member can miss the meeting. If the Team member's area of expertise is going to be discussed at the IEP meeting, before that Team member can miss the meeting: (1) a parent must agree in writing and (2) the Team member must give the parent written input about the student before the meeting. It is important for the parent to read this information before the meeting - if you have questions about what the Team member has written you can always ask the school district to schedule a new IEP meeting so that the Team member can attend.

Remember that the school can NOT force you to allow a Team member to miss the IEP meeting. You should only agree to excuse a Team member from the meeting if you believe that that person does not need to be at the meeting for you to understand your child's needs or to develop an appropriate IEP for your child.

For example, the school may ask you to excuse your child's regular education teacher because she is too busy. Before agreeing, consider that the regular education teacher can explain how your child is doing in class, suggest positive behavioral strategies that can be included in the IEP, help the Team decide what supports should be provided for the student in the regular education classroom, help decide what support is needed for school staff who work with the child, etc. So, in almost all cases, you should require the teacher to come to the meeting. If you do agree for her to miss the meeting, be sure she gives you information in writing (and you read it) before the IEP meeting. Maybe you can talk with the teacher before the meeting!

While the people listed above must attend IEP meetings (unless they are excused by the parent), other people can come to the meetings. The IEP Team can also include anyone the parent or the school believes has knowledge or expertise about the child. This means that a parent can invite an advocate (either a lawyer or a non-lawyer) to attend the IEP meeting or a therapist who is working with the child at home. If the child has just turned three and was receiving early intervention services, the parent can ask the school to invite someone from the Infants and Toddlers Early Intervention Program.

WHAT STEPS MUST THE CHARTER SCHOOL OR SCHOOL DISTRICT TAKE TO MAKE SURE THAT THE PARENTS CAN ATTEND THE IEP MEETING?

The law places great emphasis on parents' participation in the IEP meeting. The school must take steps to get one or both of the child's parents to attend the IEP meeting. That means the school must notify parents of the meeting early enough so that they can attend, and schedule the meeting at a convenient time and place. The notice of the meeting must tell the parent the time, date, location, and purpose of the meeting.

The meeting notice must also explain who will be at the meeting and tell the parent that she can bring anyone with her whom she thinks has expertise or knowledge about the child. The school must also provide interpreters for parents with deafness or parents whose native language is not English if the interpreter is necessary for the parent to understand what is being discussed at the IEP meeting.

If the parents cannot attend the meeting in person, the school must offer the family other ways of participating in the meeting, including conference calls. If the family does not participate in person or by phone, the school can hold the meeting without the parent - but it must keep a detailed record of its efforts to get the parent to attend.

WHAT SHOULD HAPPEN AT THE IEP MEETING?

The school may give the parents a *draft* IEP at the meeting, but it cannot ignore the parents input or refuse to make changes that the parents and the school agree are needed. When it is finished, the IEP should reflect the information discussed by the Team at the meeting. During the meeting, the IEP Team must consider the child's strengths, the parents' concerns for enhancing the education of their child, and the results of the most recent evaluation in determining what services and placement are appropriate for the child.

WHAT SHOULD BE WRITTEN IN THE IEP?

You may want to print out the Pennsylvania Department of Education's (PDE) sample "annotated" IEP form for children in Kindergarten through 12th grade to help you understand what should be in your child's IEP,

http://www.pattan.k12.pa.us/files/Forms/English/AnnIEP_072205.pdf. You can use this form to follow along as we explain the sections of the IEP. The sample form also has helpful comments that explain to the IEP Team what should be written in the different sections of the IEP. Your school is not required to use PDE's IEP form, but if a different form is used it must contain all of the types of information we list below. (The sample IEP form for children from age three until they enter school can be found at

http://www.pattan.k12.pa.us/files/Forms/English/EI_IEP_061705.pdf.)

Remember, an IEP can be of any length and can contain any amount of information. However, what is really important is whether the information in the IEP is genuinely useful to parents and school staff. Here is a quick review of the major sections of an IEP and some of the questions that the IEP Team members should ask as they write those sections.

A WALK THROUGH THE IEP

1. **SPECIAL CONSIDERATIONS:** First, the IEP Team must ask whether the child is blind or visually impaired, deaf or hearing impaired, or if the child has limited English skills, or has needs in the areas of communication, assistive technology, or transition. The Team must also decide if the child's behaviors are affecting her

learning. The Team should keep these "special considerations" in mind when it writes the child's IEP.

TIP: *If the IEP Team decides that the child's behaviors are affecting her learning, the IEP Team must consider and include in the IEP strategies to help the child. These strategies must reflect individual students' needs (not a "one size fits all" behavior plan) and be based on positive - not punishment - approaches. This could mean that behavior goals and support services are included in sections 5 and 6 of the IEP. Or, the IEP Team might write a behavior plan as part of the IEP. Questions to ask include: What sets off the child's bad behaviors at school? What skills should be taught to the child so they can behave more appropriately? If problems do occur, how will they be handled?*

2. **CURRENT EDUCATIONAL LEVELS:** The second section of the IEP contains information on the child's present levels of academic achievement and functional performance (including social and daily living skills). Questions that this section of the IEP should answer include: What can we learn about the child's strengths and needs from the latest school district and private evaluations? What insight can the parents or the other Team members contribute from their experiences? What were the child's scores in the last state or district-wide assessment (PSSA or PASA), and what do those scores tell the Team about the child's strengths and weaknesses? This section should include information on how the child's disability affects her involvement and progress in the regular education curriculum (or, for preschoolers, her participation in age-appropriate activities).
3. **PARTICIPATION IN ASSESSMENTS:** Third, the IEP Team decides whether the child can participate in state-wide and district-wide achievement testing (the Pennsylvania System of School Assessment or PSSA) and whether the student needs accommodations while taking the test. If the Team decides that the child is so severely cognitively limited that taking the PSSA will not be meaningful, the test that the child will take instead must be listed on the IEP. (For example, some students take the Pennsylvania Alternate System of Assessment or PASA test).
4. **TRANSITION:** The fourth section of the IEP form lists the student's post-secondary goals (these are goals for life after high school) and the transition services that the school will give the student to help her reach those goals. This section *must* be filled out for all students who will turn 16 during the year that the

IEP will cover. The school and parent can agree to fill this section out earlier if that is appropriate for the child. Questions to ask include: What skills will the child need for adult living? Are the needed skills being taught? What does the IEP Team think should be the child's measurable post-secondary goals related to training, education, employment, and, where appropriate, independent living skills? Are these goals based on age-appropriate transition assessments and the child's own preferences? (If not, why not?) What transition services (including courses of study) are needed to help the child achieve the transition goals?

TIP: Even if your child is not about to turn 16, it is often important to have the IEP Team fill out this section. For example, if your child is in eighth grade and wants to go to a vocational/technical high school next year, you should have the IEP Team fill out this Transition section. The Team should make sure the school helps your child take the right classes and then helps her apply to the right high school vocational/technical programs as part of her transition services! Why? By the time she is 16, it may be too late to apply!

- 5. MEASURABLE ACADEMIC AND FUNCTIONAL GOALS:** The fifth section of the IEP explains what the IEP Team, including the family, wants the student to learn this year. The IEP must list annual (year-long) functional and academic goals for the child. These goals must be "measurable," and must be designed to meet the child's needs. If possible, the child's academic goals should be based on the regular education curriculum (that is, what students who are not in special education are supposed to learn at her grade level). This section of the IEP must explain how the child's progress towards her IEP goals will be measured and when progress reports will be issued (for example, the IEP might say that the school will report the child's progress every six weeks when report cards are normally handed out).

For students who will take the PASA or another alternative assessment test (see section 3 above), the law requires that the IEP has short-term goals in addition to annual goals. The short-term goals should break down the yearly goals into smaller objectives for the child to learn during the year. Short-term goals are not required for other students, but the IEP Team can choose to include them.

- 6. SPECIFIC SPECIAL EDUCATION TO BE PROVIDED:** The sixth section of the IEP lists the modifications and supports the child needs to receive an appropriate education. The IEP Team should ask: What specialized instruction, methods, and

strategies will be used by the school this year to help the child progress on her IEP goals, be involved and make progress in the general education curriculum, and participate in extracurricular and nonacademic activities? Are special gym classes (called "adaptive physical education") needed?

This section also includes the **supplementary aids and services** the child will receive. If your child will be taught in a regular education classroom, the IEP Team should decide what services and supports the child will need to succeed there. A student with a disability should not simply be "dumped" into a regular education class without supports. All aids and services needed for the child to succeed in the regular education class must be listed on the child's IEP and provided by the school. Questions to ask about supplementary aids and services include: Are changes to the regular education program needed to help the child succeed in regular education classes? For example, does the child need more time to take tests? Are extra supports needed for the child in the regular education classroom? For example, does the child need a one-on-one aide or assistive technology?

This section of the IEP also lists the **related services** the child will receive. Related services are services that will help the child benefit from her special education program and include transportation and physical, occupational, or speech therapy that the child will receive. The IEP must tell you how often these services will be provided and how long each session will last. (See ELC's Fact Sheet entitled "When Is Your Child Entitled to Therapies or Other Related Services from Your School District?" for more information on related services).

This section of the IEP also tells you what help the school will give to the staff who will be teaching the child (called "**support for school personnel**"). Staff that may need support include: administrators, regular education teachers, special education teachers, related service providers, and paraprofessionals (such as aides). Questions the IEP Team should ask include: Does the staff require special training to work with the child? Is a special education teacher needed to help the regular education teacher modify the curriculum or to provide extra support to the child in the regular education classroom?

The last question that the IEP Team must answer in Section VI of the IEP is whether the child needs **extended school year (ESY) services**. All children with a disability must be considered for ESY as part of their annual IEP meeting. ESY

services are appropriate for a child who regresses (loses skills) over the summer or a child who needs the extra time in the summer to learn skills that are crucial for the child to receive an appropriate education. **For school-aged children with severe disabilities, the ESY question must be answered by the end of March so that the IEP Team can plan for the child's summer program.** See ELC's Fact Sheet entitled "When Is Your Child with a Disability Entitled to Extended School Year (ESY) Services?" for more information on this topic.

TIP: The law says that, whenever "practicable," all of the services (special education, related services, supplementary aids and services, etc.) offered to the child should be based on peer-reviewed research about what will be effective for the child. See below for more information on this requirement.

7. PLACEMENT: The final two sections of the IEP explain where the child will receive services. The IEP must tell you if the child will be included in regular education classes and activities and, if so, for how much of the school day. The IEP Team must answer this question by considering what type of special education service and what type of special education support the child needs. The "type of service" tells you where the child will get her special education needs met: either in the regular education classroom (this is called "itinerant support") or in a pull-out special education program (a resource room, or a part-time or full-time special education classroom). The "type of support" listed in the IEP tells you the child's most important learning needs - to learn academic skills (learning support), to control behaviors (emotional support), to acquire basic living skills (life skills), etc.

TIP: *Remember that students with disabilities must be taught with students who do not have disabilities to the maximum extent appropriate. If the child cannot be in regular education classes for the whole school day, the IEP Team must consider what part of the child's program (including academic classes, non-academic classes, lunch, recess, and extracurricular activities) the child can attend with children who are not disabled.*

The "**location**" of the program is also found in this section of the IEP. If the child will not be in her home school, the IEP must explain why the child's needs cannot be met in that school. Questions the Team should ask: What school is recommended for the child? Can the services on the IEP be delivered in that school? Is the

location as close to home as possible? The law prefers (but does not require) that children with IEPs be educated in the classes and schools they would attend if they did not have disabilities, and that they attend a school that is as close to home as possible.

LEAST RESTRICTIVE ENVIRONMENT: This section also contains information that the State uses to track whether school districts are placing students with disabilities in programs with students who are not disabled, as opposed to separate special education programs.

WHEN MUST THE IEP BE WRITTEN?

An IEP must be in place for each child receiving special education services at the beginning of each school year. If your child has just been evaluated for the first time, an IEP meeting must be held within 30 *calendar* days of the date listed on the Evaluation Report. The law requires the school to give the parent 10 *calendar* days to review the Evaluation Report before this first IEP meeting, but many parents choose to waive (give up) this right and to have the meeting sooner.

WHAT HAPPENS AFTER THE IEP HAS BEEN WRITTEN?

After the IEP has been finalized, the school must give the parents a copy of the IEP along with a form called the Notice of Recommended Educational Placement (NOREP). The NOREP form asks the parents to say (in writing) whether they approve of the IEP. If the IEP Team has just written the child's first IEP, special education services cannot start unless the parent approves of the IEP in writing on the NOREP. For later IEPs, the new IEP can start if the parent returns a signed NOREP that has the "I approve" box checked or if the parent does not return the NOREP at all within 10 *calendar* days.

When the IEP is approved, the school must explain to its staff their responsibilities, and the specific supports, modifications, and accommodations that they must give the child under the IEP. The IEP document itself must also be available for the staff to review. "Staff" includes: the child's regular and special education teachers, her related service providers, and any other person who is responsible for following the IEP.

WHAT IF I DON'T AGREE WITH THE IEP OFFERED BY THE DISTRICT?

If you do not agree with the proposed IEP and placement, you should *check the "I*

do not approve," box on the NOREP. You then have a number of options - requesting a meeting, mediation, or a special education hearing. For more information on which option to choose, see ELC's Fact Sheet on "*How To Resolve Special Education Disputes*". If your child has not been in special education before, unless you and the school agree otherwise, your child will stay in regular education classes while you are resolving your dispute with the school.

If you like parts of the new IEP, but not all of it, you can ask the school to start some of the new IEP services while you work out your areas of disagreement. For example, if you and the school agree on your child's new academic goals and services, but disagree about the amount or type of related services that your child needs, then the school should agree to begin providing the academic services to the child while you use mediation or a hearing to figure out what should be included in the related services part of the new IEP.

WHEN MUST THE SCHOOL START FOLLOWING THE NEW IEP?

A child in a public school must be given the services in her IEP (at the location listed on the IEP) no later than 10 *school* days after the IEP is completed. For preschoolers with disabilities (between age three and school-age), the services must be given to the child within 14 *calendar* days of the parents' agreement with the IEP. These timelines do not apply to public charter schools, but charter schools are required to provide students with the services on their IEPs "as soon as possible" after the IEP is written.

HOW OFTEN ARE IEPs REVIEWED AND CHANGED?

The IEP Team must meet every year to review and revise the IEP based on: the child's progress on her annual goals, the child's progress in the general education curriculum, any re-evaluations that have been done, and parent or teacher concerns.

If the parent agrees, the IEP can also be amended (changed) between the yearly meetings *without holding an IEP Team meeting.* The IEP amendment must be in writing. The school *must* tell all of the IEP Team members about the change. *A parent should always request a copy of an IEP amendment -- the school does not have to give you a copy unless you ask for it.*

While the school must make sure the IEP Team meets every year, parents have the right to ask for more IEP Team meetings. The law does not limit the number of IEP meetings parents can request. If your child is having problems, and you believe that her IEP should be reviewed, send a letter to the school and ask for an IEP meeting. If the school does not have the meeting quickly, the parent can request a "pre-hearing conference," file a complaint, request mediation,

or request a hearing. (For more information on these options, see ELC's Fact Sheet on "*How To Resolve Special Education Disputes*").

WHAT HAPPENS IF MY FAMILY MOVES TO A NEW DISTRICT OR MY CHILD DECIDES TO ENROLL IN (OR LEAVE) A CHARTER SCHOOL?

If a student with an IEP from a public school district or a charter school moves to a new school district or charter school, the new school must provide the child with a free appropriate public education. This means that the child must be given services comparable to those in the last IEP until the new school either (1) adopts the old school's IEP as its own or (2) implements a new IEP that has been written at an IEP Team meeting with the family. This rule applies whenever a child moves from one public school or charter school to another public school or charter school during the school year - even if the child moves to Pennsylvania from another state! However, if the child is coming from another state, the school may ask the parents for permission to evaluate the child before writing a new IEP. But in the meantime, the child must be given services comparable to those in the last IEP. If the child changes schools *over the summer*, the new public school district or charter school can choose either (1) to follow the old IEP or (2) to write a new IEP with the family before the school year begins.

Whenever a child changes school districts (or goes to a new charter school), the new school must request the child's school records, including the IEP and other special education records, from the old school. The law says the new school has to make this request "promptly." The old school must respond to this request by sending the records. If the old school is in Pennsylvania, then it has 10 *school* days to send the records to the child's new school. (If the old school is out of state, it must respond "promptly.").

WHAT IF THE CHILD LIVES IN A RESIDENTIAL FACILITY, HOSPITAL, OTHER CHILD CARE FACILITY, A GROUP HOME, OR A FOSTER HOME?

The school district where the foster home, residential facility, or group home is located is responsible for the child's regular and special education services. Just like children who live with their parents, children in residential facilities have a right to be educated in the "least restrictive" setting that is appropriate for the child, including the local public schools. If the child's IEP cannot be provided in the local school system, the local district must make sure that the child receives all needed special education services. This could include contracting with the child's residential facility so the child can attend a school run by the facility.

WHAT ARE RELATED SERVICES (ESPECIALLY SCHOOL HEALTH SERVICES AND ASSISTIVE TECHNOLOGY)?

Related services are support services that some children with disabilities need to benefit from special education. Examples of related services a child can receive are transportation, therapies (speech, physical, occupational, or psychological therapy), interpreting services for children who are deaf, parent training and counseling, and school health services.

School health services address a child's medical or health problems that interfere with the child's ability to attend school or to learn properly. Services that can be provided by medically trained personnel - including nursing services and school health services - must be provided when the child needs them in school (although often the services are funded through Medical Assistance). But school health services do not include treatment that can be performed only by a physician. Schools also have to arrange for medical evaluations if necessary to diagnose a child's disability or to determine what kind of special education or related services the child needs.

Assistive technology devices and services are another kind of related service. Assistive technology devices include devices or special equipment that help with the child's functional or communication skills (for example, a wheelchair or a special computer that the child uses to "talk" to her peers). Assistive technology services include help in choosing the device, and training to the child, school staff, and possibly the child's family on how to use the device.

The district can use another public agency to pay for or provide a service that the child needs, but the service must still be listed on the child's IEP and guaranteed by the school district.

For example, an IEP Team may decide that a child needs one-to-one support for a severe behavioral disability and write that in the child's IEP. If Medical Assistance is willing to fund wraparound or Therapeutic Staff Support (TSS) workers to go to school with the child, the school can use those staff to provide the one-to-one aide. However, because the one-to-one aide is listed in the IEP, the school is responsible making sure the child gets the service. So, for example, if the TSS worker is sick or quits, the school must itself provide the one-to-one aide to the child.

WHAT DOES IT MEAN FOR THE CHILD'S SPECIAL EDUCATION, RELATED SERVICES, AND SUPPORTS TO BE BASED ON PEER-REVIEWED RESEARCH?

In general, the school has the right to pick the instructional approach and method that will be used to teach the child. But, special education law requires that special education, related services, and supplementary aids and services (supports the child needs to be successful in a regular education classroom) included in the IEP be "based on peer-reviewed research to the extent practicable." This means that, if there are strategies that research studies show are successful in helping students with similar learning needs learn successfully, those strategies must be included in the child's IEP - instead of approaches that don't have a proven track record of success.

For example, if your child has dyslexia and difficulty reading, the school should choose teaching programs and strategies that have been proven to work for students with dyslexia. You should ask your school for the research that supports its choice of a reading program. If there is no research supporting the program, you can ask the school to pick a program that has been proven by research. Even if the schools' program is based on research, if it is not working for your child, a new program may be needed for your child's IEP to be appropriate.

TIP: *If you are working with a private evaluator or expert, ask them to look at the research on what programs work for other children with your child's disability.*

For lots more information on research-based practices and effective instruction, visit the Pennsylvania Department of Education's website at <http://www.pattan.k12.pa.us>.

WHAT DOES IT MEAN THAT MY CHILD MUST BE GIVEN THE SERVICES SHE NEEDS TO MAKE PROGRESS IN THE GENERAL EDUCATION CURRICULUM?

The IEP Team must decide how the child's disability affects her progress in the general education curriculum that is offered to all children in the school district. The "general education curriculum" means the curriculum that your school follows for students without disabilities. The school's curriculum must line up with the state standards that describe what all children at the same grade level are expected to know. You can review Pennsylvania's state standards at <http://www.pacode.com/secure/data/022/chapter4/chap4toc.html>.

Children with disabilities should be taught what all other children at their grade level are taught unless there is a good, disability-based reason why they should be taught at a lower

level. The school cannot refuse to include the child in the general curriculum solely because the general education curriculum would need to be modified for the child.

In order to help school districts prepare their students for statewide assessments, the Pennsylvania Department of Education has developed "assessment anchors." Assessment anchors tell schools which parts of the state standards are most important for children to learn. The assessment anchors are also helpful because they explain what students are expected to learn in simpler terms than the state "standards" and they include helpful examples on what to teach the children and how. For lots of information on assessment anchors and to get a copy of the Department's assessment anchor "tool kit," visit http://www.pde.state.pa.us/a_and_t/cwp/view.asp?a=108&q=103127&a_and_tNav=|6309|&a_and_tNav=|.

***TIPS:** The "assessment anchors" are a great place for a parent to start if she wants to make sure her child's IEP lines up with the general curriculum. For example, you may want to ask the IEP Team to write IEP goals that are based on these anchors (since they are considered the most important concepts in the general curriculum).*

Remember that the IEP Team must include someone who is "knowledgeable about the general education curriculum." You should ask this person to take the lead in making sure your child's IEP goals line up with the general curriculum.

Even though it is the school's job to make sure that each student's IEP is designed to help the child progress in the general curriculum, it is important for a parent to advocate forcefully for her child's inclusion in the general education curriculum. After all, the general education curriculum is what the State and your school have decided is important for all children to know so they can succeed in their post-school life.

WHAT DOES IT MEAN THAT MY CHILD MUST BE EDUCATED, TO THE EXTENT POSSIBLE, AND WITH SUPPORTS, IN A REGULAR EDUCATION CLASSROOM?

Children with disabilities have a right to be educated in a regular education classroom if they can make reasonable educational progress in that setting (and if their behaviors aren't too disruptive in that setting) when they are given extra supports. These supports are called "supplementary aids and services." The question is not how the child will learn or behave in the regular education classroom alone - but how they will learn and behave in that classroom when they are given supplementary aids and services.

The student does not have to learn at the same level as her classmates without disabilities to be taught in a regular education classroom - she just needs to make reasonable progress in her IEP goals. The IEP Team decides whether and for how much time a student with a disability can be educated in a regular education classroom, and that decision must be included in the "educational placement" and "least restrictive environment" sections of the IEP form. Because of a lawsuit against the state (called *Gaskin*), school districts must include lots of detailed information in the child's IEP about the child's placement. For more information on the *Gaskin* lawsuit and settlement, visit <http://www.pattan.k12.pa.us/regsforms/CourtOrdersGaskin.aspx>.

Even if a student with a disability must be in a "pull-out" program for some of her academic classes (for example, if she needs a resource room for reading), the student should remain in the regular education setting (with supports if needed) for the rest of her academic classes and for non-academic and extracurricular activities (lunch, recess, music class, etc.).

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Prepared by: *Education Law Center (Rev. 8/07)*
(215) 238-6970 (Philadelphia)
(412) 258-2120 (Pittsburgh)
www.elc-pa.org