



EDUCATION COUNSELING INDIVIDUALIZED EDUCATION PLAN (IEP)

If you have specific concerns about your child's rights or school services, our attorneys who specialize in education law and disability rights are here to help guide you through the process.

1 WHAT IS AN IEP?

An Individualized Education Program (IEP) is a legal document developed for public school students who qualify for special education. It ensures that children with disabilities receive the specific instruction, services, and supports they need to make meaningful progress in school.

2 THE LAW BEHIND IEPs

The Individuals with Disabilities Education Act (IDEA) is the federal law that guarantees eligible children with disabilities the right to special education and related services at no cost to families.

IDEA protects students from birth through age 21 (or high school graduation, whichever comes first), and also gives parents legal rights in the process.

- In Michigan, students are entitled to receive special education and related services up to age 26.

3 KEY FEATURES OF AN IEP

Each IEP is tailored to meet the unique needs of the child. A complete IEP includes:

- **MEASURABLE GOALS** Academic and functional goals based on the child's current level of performance.
- **SUPPORT SERVICES** Includes therapies (e.g., speech, occupational, physical), specialized instruction, or behavioral support.
- **ACCOMMODATIONS & MODIFICATIONS** Adjustments to help the student access learning—like extended time, preferred seating, or a quiet testing area.
- **PROGRESS TRACKING** Details how the school will monitor and report the child's progress toward their goals.

4 HOW OFTEN IS THE IEP REVIEWED?

- **ANNUALLY** The IEP team must meet at least once a year to review and update the plan.

- **AS NEEDED** Parents can request a meeting at any time if they believe changes are needed.
- **EVERY 3 YEARS** Students must be re-evaluated at least every three years to determine continued eligibility.

5 WHO DEVELOPS THE IEP PLAN?

A team that includes:

- Parents or legal guardians
- At least one general education teacher
- At least one special education teacher
- A school psychologist or professional who can interpret evaluation results
- A school administrator or district representative with authority over services and resources
- The student (especially during transition planning or when appropriate by age or maturity)

6 WHO QUALIFIES FOR AN IEP?

To qualify, a student must:

- Have one or more of the 13 disability categories listed in IDEA (e.g., autism, specific learning disability, emotional disturbance, speech impairment, etc.).
- Show that because of the disability, the student needs special education and related services.

7 WHAT IF MY CHILD DOESN'T QUALIFY?

If your child is evaluated and does not qualify, Ask the school and your education counselor about other support options such as:

- A 504 Plan (which offers accommodations under a different federal law: Section 504 of the Rehabilitation Act)
- Classroom-based interventions or response to intervention (RTI) supports
- Consider getting an outside evaluation at private expense or school district expense for a second opinion.

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