

A Brief for Parent Centers on FAPE

A briefing paper from the
Center for Parent Information and Resources (CPIR)
<http://www.parentcenterhub.org>

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This brief is written primarily for... | Parent Centers to use with staff, volunteers, or Board members who are new to the disability field or who wish to deepen or refresh their understanding of the term “free appropriate public education”—often referred to as FAPE—and what is involved in making FAPE available to children with disabilities.

This brief expands upon... | OSEP’s *Dear Colleague Letter on Free Appropriate Public Education*, released November 16, 2015 and available online at:
<https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/guidance-on-fape-11-17-2015.pdf>

About the Dear Colleague Letter | The U.S. Department of Education’s Office of Special Education Programs (OSEP) released this Dear Colleague Letter (DCL)¹ to provide state and local educational agencies (SEAs/LEAs) with information to help them meet their obligations under the Individuals with Disabilities Education Act (IDEA) in developing individualized education programs (IEPs) for children with disabilities. In particular, the Department stressed the importance of:

- holding high expectations for children with disabilities;
- ensuring that children with disabilities have meaningful access to the academic content standards set by their state; and
- aligning each child’s IEP with the state’s academic content standards for the grade in which the child is enrolled.

The Connection Between FAPE and the IEP

As OSEPS’ *Dear Colleague Letter on FAPE* states, “Under the IDEA, **the primary vehicle for providing FAPE is through an appropriately developed IEP that is based on the individual needs of the child.**” (*Emphasis added*)

Starting with the Basics

FAPE as cornerstone | A cornerstone of IDEA, our nation’s special education law, is that each eligible child with a disability is entitled to a free appropriate public education (FAPE) that emphasizes special

education and related services designed to meet the child's unique needs and that prepares the child for further education, employment, and independent living.²

Key terms used in IDEA | For parents and Parent Centers alike, it's important to understand how IDEA defines key terms such as FAPE, special education, related services, and IEPs. Each term's meaning has a real impact on the education of children with disabilities.

Training Tool | Key Definitions Reference List

For staff learning, ongoing reference, and work with families, CPIR offers a handy list of the key terms readers will encounter in the *Dear Colleague Letter* and how those terms are defined by IDEA and implemented in practice.

<http://www.parentcenterhub.org/idea-key-defs-reference-list/>

State Academic Content Standards

About academic content standards in general | State academic content standards are learning standards specified by the state as to what students at each grade level should know and be able to do. Each state defines its own standards as well as the level of skill or knowledge "proficiency" students need to reach at each grade level in various subjects (e.g., English language arts, math) and upon graduation.

Common Core State Standards | There has never been a nationally-mandated set of academic content standards that all states must adopt. As a result, standards vary from state to state. In recent years, however, many states have joined together to develop the Common Core State Standards (CCSS).³ The CCSS have been adopted, in full or in part, by the majority of states (42 at last count⁴).

Has your state adopted the CCSS? | Find out by using the map on the Common Core State Standards Initiative's website, which will also connect you to the education website in your state.

<http://www.corestandards.org/standards-in-your-state/>

College- and career-readiness standards | Parents and educators alike want students to leave high school prepared for further education, employment, and independent living. To support these ends, many states have established standards for career and college readiness. Visit CPIR's resource page on this priority topic at: <http://www.parentcenterhub.org/priority-cc-readiness/>

Does your state have career- and college-readiness standards or initiatives? | Find your state's profile by using the interactive map at the College and Career Readiness and Success Center.

<http://www.ccrscenter.org/ccrs-landscape/state-profile>

Keep up with the legislation | The National Conference of State Legislatures allows interested parties to track state legislation addressing college and career readiness state standards, including the CCSS.

<http://www.ccrslegislation.info/home>

Access to the General Education Curriculum

One of the main points OSEP emphasized in its DCL on FAPE is that schools, school districts, and states must ensure that **students with disabilities have access to the general education curriculum**, the same curriculum that's used with students who do not have disabilities. That curriculum is typically aligned with the state's academic content standards for what students are to learn and be able to do at each grade level, Kindergarten-grade 12.

If students with disabilities are to be held to high learning standards, their IEPs must be developed with the state academic content standards firmly in mind.

Aligning Student IEP Goals with State Standards for Learning

The DCL on FAPE includes an excellent description of how an IEP Team might approach aligning a student's annual learning goals with the state-set academic standards for the student's enrolled grade. The IEP process can include the team asking and answering questions such as:

- What are the state's standards for student learning at this student's enrolled grade?
- What are the student's **present levels** of academic achievement and functional performance?
- How does the student's disability impact his or her learning, especially learning of academic content?
- What gaps exist between the set standards and the student's present levels?
- What annual goals are indicated for the student, given those gaps?
- What supports (special education, related services, supplementary aids and services, modifications and accommodations) does the student need to work toward those annual goals and learn the expected academic content and skills?

The IEP that emerges from this approach is a standards-based IEP that guides the free appropriate public education that a student with disabilities then receives.

Resources on Standards-Based IEPs

Need more information on how to develop a standards-based IEP? We've listed several resources below, including helpful tools developed by three states.

Understanding the Standards-Based Individualized Education Program (IEP)

An 11-page *Advocacy Brief* from the National Center for Learning Disabilities.

<https://www.advocacyinstitute.org/resources/UnderstandingStandards-basedIEPs.pdf>

Standards-Based IEPs: What You Need to Know

English | <https://www.understood.org/en/school-learning/special-services/ieps/standards-based-ieps-what-you-need-to-know>

Spanish | <https://www.understood.org/es-mx/school-learning/special-services/ieps/standards-based-ieps-what-you-need-to-know>

Content Standards: Connecting Standards-Based Curriculum to Instructional Planning

Teachers are required to implement the adopted content standards and to make the connection between standards-based curriculum and the planning and designing of lessons to ensure that students meet expected content standards. This IRIS module serves as a basic guide for the process (estimated completion time: 2.5 hours).

<https://iris.peabody.vanderbilt.edu/module/cnm/>

Developing Standards-Based IEPs and Determining Appropriate Instructional Accommodations

A 60-slide PowerPoint slideshow and training in PDF (651 kb), from the Georgia Department of Education.

<https://tinyurl.com/hnj4ohf>

Standards-Based IEPs | From the Virginia Department of Education

A wealth of resources, including a guidance document, online training and PowerPoint presentations, and skill worksheets that identify VA standards at each grade level K-12 in math and English language arts, examples of measurable goals in a standards-based IEP, and more.

http://www.doe.virginia.gov/special_ed/iep_instruct_svcs/stds-based_iep/

Developing Standards-Based IEP Goals and Objectives: A Discussion Guide

A 12-page discussion guide (PDF, 523 kb) from the Minnesota Department of Education, designed to help IEP teams develop standards-based IEP goals and objectives.

<http://www.lcsc.org/cms/lib6/MN01001004/Centricity/Domain/21/MDE%20Discussion%20guide.April2013.pdf>

¹ OSEP “Dear Colleague Letters” are shared with state agencies, disability and advocacy groups, parent centers, and other stakeholders to provide information, guidance, and clarification regarding implementation of the Individuals with Disabilities Education Act (IDEA). It does not impose any requirements beyond those required under IDEA and its regulations.

² OSEP’s Dear Colleague Letter on FAPE (2015, November 16). Online at: <http://law.justia.com/codes/us/2014/title-20/chapter-70/subchapter-iv/part-a/subpart-4/sec.-7161>

³ Common Core State Standards Initiative. (n.d.). *Development process*. Retrieved February 15, 2017 from: <http://www.corestandards.org/about-the-standards/development-process/>

⁴ Common Core State Standards Initiative. (n.d.). *Standards in your state*. Retrieved February 15, 2017 from: <http://www.corestandards.org/standards-in-your-state/>



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