 **Know Your Rights: Meaningful Progress**

**A Brief Guide for Parents #8**

**How do I know if my child is making meaningful progress?**

**Trust yourself. Expect progress.**

*Trust Yourself*

School documents such as IEPs, assessments, and progress reports can be overwhelming. Sometimes it helps to set them aside and return to basics. Watch your child and trust what you see. If you do not believe your child is making progress that reflects their potential, trust your instincts and consider the suggestions listed below.

*Expect Progress*

Students with disabilities in the public school system and in non-public schools are protected by a federal law called The Individuals with Disabilities Education Act (IDEA). The IDEA requires school systems to provide students with disabilities a free appropriate public education (FAPE) to meet their unique needs and prepare them for further education, employment and independent living. For a student’s education to be “appropriate” it has to meet standards set out by the United States Supreme Court. These standards include the following:

* The school must offer an IEP that is “reasonably calculated to enable your child to make progress appropriate in light of your child’s circumstances.” This means that an IEP must focus on your child’s unique needs and create expectations for your child to make meaningful progress.
* Your child’s goals must be “appropriately ambitious.” This means that the IEP goals and objectives should lead to outcomes that are in line with your child’s potential. Minimal progress or a little more than minimal progress does not meet the standard.

**Gather Data to Determine if Your Child is Making Progress**

If you feel that your child may not be making progress, investigate further by gathering data to support your hunch. Data gathering can also seem overwhelming. To help make this process easier, below is a list of where you can find data to help you and your school team measure your child’s progress:

* IEP Performance Levels or “Present Levels of Performance”
* IEP Progress Reports
* Report Cards
* Related Service Reports and Logs
* Statewide assessment data
* Local Jurisdiction Assessment Data (MAP, Quarterly Benchmarks)
* School Testing Data
* Curriculum Standards
* Tutor reports
* Formalized Academic Testing

*Is the gap getting wider?*

Each item listed above will provide you with different signs of your child’s progress. When reviewing data, try to identify patterns. For example: is the difference between your child’s actual grade level and their instructional grade level getting larger from year to year? In other words, as your child moves from one grade to the next, they should be meeting their IEP goals; if the IEP goals are met, your child should be making progress in closing the gap between instructional level and actual grade level. If this is not happening, the gap is widening and this could mean that your child is not receiving FAPE.

**Bring your concerns to the IEP team**

You have the right to request an IEP meeting at any time. If you believe your child is not making sufficient progress, your child’s IEP may need to be revised by the team. In addition to requesting a complete review of existing data, you can also discuss the following questions with your child’s IEP team:

* Does my child need additional services or accommodations?
* Does my child need to take (or re-take) assessments?
* Is a change of placement necessary?
* Is compensatory education needed?

*Progress monitoring*

Progress monitoring is a practice that is used to evaluate the effectiveness of instruction. Once you have raised your concerns with the IEP team, you may ask the team to develop a progress monitoring strategy tailored to your child. To implement progress monitoring, academic performance is measured on a regular basis (for example, daily, weekly, or monthly). If your child is not progressing at the expected rate, instruction should be adjusted accordingly. When implemented effectively, data from progress monitoring can be a reliable means of helping the IEP team refine your child’s IEP so that it is more accurately tailored to your child’s needs and in this way provides greater opportunity for meaningful progress.

*Additional Support*

If you feel your concerns are not being adequately addressed by the school, you may wish to consider consulting an advocate or an attorney.

*This is the eighth in a series of brief guides for parents to address special education issues. All guides can be found* [*here*](https://disabilityrightsmd.org/coronavirus-education/)*. Please feel free to contact Disability Rights Maryland’s intake line at 410-727-6352 with questions or concerns or if you need this document in an alternative format. If you feel your child with a disability was unfairly suspended, DRM provides representation for students in disciplinary proceedings. Please contact our intake line at 410-727-6352 to request assistance.*