

Understanding an IEP

Episode 2 – FAPE

Todd M. Gorshe, M.Ed.

Developmental Specialist

Penn State Health Children's Hospital – Developmental
Medicine



Episode Outline

Episode 1 – Introduction

Episode 2 – FAPE (Free and Appropriate Public Education)

Episode 3 – Demographics, procedural safeguards, and medical assistance billing

Episode 4 – Section II (present levels)

Episode 5 – Sections III (transition services) and IV (state/local assessments)

Episode 6 – Section V (goals and objectives)

Episode 7 – Sections VI (modifications/SDIS, related services, supports), VII (educational placement), and VIII (PennData reporting)

Episode 8 – Parent preparation and follow-through

Episode 9 – Live session with families

Episode 2 – FAPE

Free and Appropriate Public Education (FAPE)

- The initial Supreme Court ruling (1982) established appropriate as the requirement to offer “a floor of opportunity” designed to provide “some educational benefit” to students with special needs.
- In 2017, the Supreme Court raised the standard from *di minimis* (trivial) progress to “appropriately ambitious” in light of the child’s circumstances. The new standard for appropriate allows the child to thrive rather than merely survive in the educational setting.
- Federal law guarantees “appropriate services” for students with disabilities, not the “best” services available or to maximize the student’s potential.

