

Individualized Education Program

What Is an Individualized Education Program (IEP)?

Public schools receive federal special education funding through the Individuals with Disabilities Education Act (IDEA) of 1975. Under IDEA, each qualified student may receive special education and related services documented in an Individualized Education Program (IEP). A qualified student is a student who has been identified with 1 of 13 categories of disability specifically set forth in IDEA:

1. Autism
2. Blindness
3. Deafness
4. Emotional Disturbance
5. Hearing Impairment
6. Intellectual Disability
7. Multiple Disabilities
8. Orthopedic Impairment
9. Other Health Impairment
10. Specific Learning Disability
11. Speech or Language Impairment
12. Traumatic Brain Injury
13. Visual Impairment

Students found eligible under IDEA are also protected under Section 504 of the Rehabilitation Act. A separate 504 plan is not required for a student identified under IDEA to qualify for an IEP. If a student with a food allergy has been identified under IDEA as qualified for an IEP, the student's accommodations relating to their food allergies may be included in the student's IEP. Additionally, a separate Individualized Health Plan (IHP)/Individualized Health Care Plan (IHCP) may be warranted to detail the health management of the food-allergic student.

Discussions about accommodations and placement should take place during meetings, and all accommodations should be documented in the IEP. Discussions about accommodations and placement made outside the meeting environment are ineffective, especially if not written in a plan.

As with accommodations under Section 504, accommodations relating to food allergies included in an IEP are not intended to give preferential treatment to a student with food allergies. The student should be accommodated to the maximum extent necessary to ensure access to education equal to that of his or her non-disabled peers. Visit our [Civil Rights Resource Center](#) for a sample list of common accommodations.

References:

[U.S. Department of Education, IDEA 2004](#)

[U.S. Department of Education, IDEA 2004, Child Find](#)

[ADA Amendments Act of 2008](#)

