

IEP and moving to a different state

An IEP is short for an Individualized Education Program. It is a set of special education services intended for children with special needs. Schools across the country use the term IEP, but the rules may differ across different states. So, while there will be no changes should you relocate without changing the school district, if you are moving to a different state, your child may need a new IEP.

Therefore, there are several things you must know. Firstly, all states and all public schools, without exception, must abide by federal laws. This means that the requirements of the Individuals with Disabilities Education Act (IDEA) must be met. It further implies that they must provide a free appropriate public education (FAPE) through an IEP to all children.

However, as mentioned, there may be different laws regarding special education in different states. Also, schools may use different terminology for some of the services they offer within IEP. The rules may even be slightly different in schools within the same district.



According to federal law, all children are entitled to free appropriate public education.

Alt: A group of children and a teacher in a classroom

Therefore, let's take a look at what happens with your child's IEP in case you are moving to a different state.

Switching to a school in another state

When you move to a different state, there is a possibility that your child faces different criteria regarding their eligibility for these special education services. The new school will decide whether your child should receive the services according to the state regulations. Also, this could involve a new evaluation, and you will have an opportunity to provide some input. So, once they find your child eligible, the school will devise a new IEP. Until the evaluation is completed, the school must provide services comparable to those your child has enjoyed so far.

An essential piece of advice: Once you know you will be moving to a different state, you should request your child's school records.

Switching to a private school

Wherever you are moving, should you decide to switch to a private school, you must know that private schools are not required to provide IEP. Also, you should know that you may get a service plan from the school district where the private school you have chosen is. However, a standard IEP offers many more services.

Sometimes, though, a school district may decide to place a child who enjoys IEP services in a private school outside the district. However, it is not considered a change of schools but an educational placement. So, while your child's IEP will follow, there is a high probability that new people will start working with him/her.

Switching schools due to military transfer

Many military families often have to move. Their kids typically attend public schools. However, there are also schools operated by the Department of Defense Education Activity (DoDEA). Seven states, Guam and Puerto Rico, and some foreign countries have DoDEA schools, and they all offer special education services.

Thus, if your child with an IEP is transferring from a traditional public school to a DoDEA one, they will ask for your kid's educational records. These records include evaluation information and the current IEP. Then, the DoDEA school has to perform a re-evaluation or adopt the current IEP within 30 days. As always, it must provide comparable services until the process is over. The same happens if your child transfers from one DoDEA school to another.



Some families move more than others, so it's important to know what options there are.
Alt: A girl with Down Syndrome studying on her laptop.

What happens with foster children?

Like all other students eligible for IEP, foster kids also have the right to comparable services if they are changing school districts both within and out of state. However, if there is a need to develop a new IEP, things can get more complicated. According to Federal Law, parents are equal partners in the IEP process. So, unless the educational rights have been taken away from the parents by the court, they still have a say.

This means that if a parent with educational rights can't participate in the process, the foster parents or child welfare workers can't assume that role. Thus, the court may appoint a legal guardian, or the state or school district may select a "surrogate parent."

How can you transfer an IEP?

It's the parents' responsibility to gather all the necessary documentation for the transfer:

- Collect copies of the school record and files
- Complete a transfer application
- Check with both schools if all related services have been submitted.

It's essential to follow up, especially if the transfer is running late. Also, know that the school and the special education teacher will always offer some assistance.

The process of moving

Moving is a stressful period for the entire family. And for the children with IEP, things can be even more challenging. Everyone needs to understand that the child's need will likely increase during a household move, not decrease. Therefore, it's imperative to provide adequate assistance. When it comes to the move itself, there is a lot that parents can do. For example, it's helpful to learn some [time management tricks for your relocation](#). Then you can dedicate more of your time to help your child cope with the situation they can't fully comprehend.



Dedicating more time to helping your child cope with moving to a different state is essential.

Alt: a mother and a child drawing

Tips for making IEP and moving to a different state easier

1. Remember that the only thing that has changed is your child's environment, not the child and their needs. Therefore, if there is anything troubling you with your child's new IEP, listen to your gut and fight for your kid to get the services they need.

2. Your child will likely need more support to cope with the change. Keep in mind that they are uprooted from everything they know. They are moving to a new home, will be attending a new school, and living in a completely new environment.
3. Always ask for advice on how to approach the transition and [help with any anxieties](#) regarding the changes. Talk to your child's current school team and use their expertise.

Final takeaways

When it comes to IEP and moving to a different state, know that under federal law, wherever you move, your child has a right to a free appropriate public education (FAPE). However, if you move to another state or even just a different district, the new school is not required to use the old IEP. But, until the new IEP is in place, the new school must keep providing the same special services, or comparable services, to those included in the current IEP. If in doubt, you can always [consult with an agency](#) that coordinates support for individuals with special needs.

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