# Methodology in the IEP

Under the Individuals with Disabilities Education Act (IDEA), parents are entitled to meaningful participation in decisions regarding the methodology used to provide special education services. While school districts generally have discretion in choosing instructional methods, that discretion is not unlimited. If a child has demonstrated progress only with a particular evidence-based methodology (e.g., Orton-Gillingham, Wilson Reading System), the district cannot lawfully refuse to consider or provide that methodology based on administrative preference alone. The methodology must be reasonably calculated to enable the child to make progress appropriate in light of the child’s unique circumstances.

## Important Legal Note

Courts have held that while districts are not required to adopt a parent’s preferred methodology, they cannot ignore evidence that a specific program is necessary for the child to receive FAPE. Where data shows that a child fails to progress under district-preferred approaches but succeeds under a structured, evidence-based methodology, the IEP team must consider and, where appropriate, include that methodology in the IEP. Refusing to do so may constitute a denial of FAPE under IDEA.

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| Case | Key Holding |
| Ridley Sch. Dist. v. M.R., 680 F.3d 260 (3d Cir. 2012) | Courts will defer to school methodology unless evidence shows it denies FAPE; individualized data is critical. |
| Oberti v. Bd. of Educ., 995 F.2d 1204 (3d Cir. 1993) | Districts must consider the full range of supplemental aids and services; methodology decisions must be individualized. |
| M.H. v. New York City Dep’t of Educ., 685 F.3d 217 (2d Cir. 2012) | IEPs must be reasonably calculated for progress; rejecting proven methodology without justification risks denial of FAPE. |
| R.E.B. v. Hawaii Dep’t of Educ., 870 F.3d 1025 (9th Cir. 2017) | Predetermination and refusal to consider appropriate methodologies denied parents meaningful participation and violated IDEA. “If a particular methodology plays a critical role in a student’s special education program, it MUST be specified in the IEP. |

**Takeaway for Parents:  
Districts cannot dismiss evidence-based methodologies that are necessary for your child’s progress. If your child has only succeeded with a program like Wilson or Orton-Gillingham, the IEP team must seriously consider that methodology. Refusal to do so—especially when the child has failed with other approaches—may amount to a denial of FAPE.**