

# Parent Participation

Lackland ISD

#015913

Parent Participation Operating Procedure

## **3.9 *How does the District ensure parents or guardians are included in the development process?***

Each ARD committee shall endeavor to ensure that a student's parent or guardian is included in the process of developing a student's IEP.<sup>65</sup>

Each student's Special Education Department shall—

- **Provide parents or guardians notice of all ARD committee meetings no later than 5 school days prior to each meeting** (unless the parents or guardians agree to a shorter timeframe).<sup>66</sup> In addition to the date and time of the meeting, each meeting notice shall include a list of all meeting participants known at the time the notice is provided to the parent or guardian; a brief description of the purpose of the meeting; and the mode of participation (e.g., in-person or via tele- or video conferencing). A meeting for which parental notice is required does not include informal or unscheduled conversations involving District personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision. A meeting also does not include preparatory activities that District personnel engage in to develop a proposal or response to a parent or guardian proposal that will be discussed at a later ARD committee meeting.<sup>67</sup>
- **Schedule ARD committee meetings with parents or guardians at a mutually agreed time and place.**<sup>68</sup>

---

<sup>61</sup> OSERS, [\*Questions and Answers on Individualized Education Programs \(IEPs\), Evaluations, and Reevaluations\*](#). Revised September 2011.

<sup>62</sup> 34 C.F.R. § 300.324(a)(6)

<sup>63</sup> US Department of Education, 71 Fed. Reg. 46685 (August 14, 2006).

<sup>64</sup> 34 C.F.R. § 300.324

<sup>65</sup> *Buser v. Corpus Christi Indep. Sch. Dist.*, 51 F.3d 490 (5<sup>th</sup> Cir. 1995); *White v. Ascension Parish*, 343 F.3d 373 (5<sup>th</sup> Cir. 2013) (IDEA requirements with respect to parental input are met “[a]bsent any evidence of bad faith exclusion of the parents or refusal to listen to or consider” parental input); 19 TEX. ADMIN. CODE § 89.1050(e); 34 C.F.R. § 300.503.

<sup>66</sup> 19 TEX. ADMIN. CODE § 89.1050(d)

- **Document all efforts to schedule an ARD committee meeting with parents or guardians.** If no parent or guardian can participate in an ARD committee meeting, the Licensed Practitioner shall offer a parent or guardian the opportunity to participate in the meeting by tele- or video conferencing or other virtual means. The District may convene an ARD committee meeting without the involvement of a parent or guardian if the Licensed Practitioner is unable to convince the parents or guardians that they should attend. *Document and keep a record of attempts to arrange a mutually agreed upon time and place for the ARD committee meeting.*<sup>69</sup> These attempts may include—
  - Detailed records of telephone calls made or attempted and the results of those calls.
  - Copies of correspondence or e-mails sent to the parents or guardians and any responses received.
  - Detailed records of visits made to the parent or guardian's home or place of employment and the results of those visits.<sup>70</sup>
  
- **Ensure and document receipt by the parent or guardian of a copy of the procedural safeguards notice** at least once a year, and also <sup>-71</sup>
  - Upon initial referral or parental request for evaluation.<sup>72</sup>
  - Upon the first occurrence of the filing of a due process hearing complaint.
  - Following any disciplinary action requiring a manifestation determination review.<sup>73</sup>
  - As soon as practicable after the student is referred to determine the student's eligibility for admission into special education.
  - At any other time on reasonable request of the student's parent or guardian. <sup>74</sup>

---

<sup>67</sup> 34 C.F.R. § 300.501(b)(3)

<sup>68</sup> 34 C.F.R. § 300.322(a)(2)

<sup>69</sup> 34 C.F.R. § 300.501(c)

<sup>70</sup> 34 CFR § 300.322(d)

- **Ensure that any education records, as defined by the District’s EL(LOCAL) policy, requested by a parent or guardian of a student with a disability may be inspected and reviewed** by a parent or guardian or the parent or guardian’s representative (with informed written consent of the parent or guardian)—
  - Before any ARD committee meeting.
  - Before any mediation session or resolution session that is part of a special education due process hearing request.
  - Without unnecessary delay but in no case more than 45 days.<sup>75</sup>

Copies of educational records may be provided in accordance with the District’s EL(LOCAL) policy. Fees may be charged for those copies so long as the fee does not effectively prevent the parent or guardian from exercising their right to inspect and review the requested records.<sup>76</sup>

If a parent or guardian makes a written request for an ARD committee meeting, the District shall schedule the meeting as soon as appropriate under the circumstances, or within 5 school days provide a brief written explanation of why the District refuses to schedule the requested ARD committee meeting.<sup>77</sup> When a parent or guardian makes a written request for an ARD committee meeting, the Licensed Practitioner will provide the written explanation above or coordinate with the student’s parents, guardians, teachers and related service providers to schedule the ARD committee meeting.

---

<sup>75</sup> 34 C.F.R. § 300.613

<sup>76</sup> 34 C.F.R. § 300.617 (The District may not charge a fee to search for or to retrieve the educational records.)

<sup>77</sup> 19 TEX. ADMIN. CODE § 89.1050(e) TEC 29.005(c)