

LEA Representative

1. Because of the urgency necessitating the completion of IEPs in a manner consistent with the Individuals with Disabilities Education Act, Program Support Teachers (PSTs), Learning Coordinators, Psychologists, Social Workers, Speech and Language Clinicians*, and High School Special Education Department Chairs may serve as Local Education Agency (LEA) Representatives on Individualized Education Program (IEP) Committees provided that:
 - a. Any such individual who is assigned as LEA Representative has the necessary qualifications to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities; and
 - b. The IEP in question is one of the following: (1) a routine annual IEP; (2) a routine IEP re-evaluation of a student already determined to be eligible for special education services, as defined by the IDEA; (3) the IEP is a routine re-evaluation for a student transferring from another district in Wisconsin; or (4) is an initial IEP evaluation where the consideration is solely restricted to Speech and Language; and
 - c. Said individual who is assigned as an LEA Representative has the authority to continue all prior services received by the student, who is the subject of the IEP; and
 - d. Meetings which occur after the teacher's contract day are held at times mutually agreeable between the teacher and other participants.

* Speech and Language Clinicians may only be assigned to serve as LEA Representative under the following conditions: (1) re-evaluations and annual IEPs of students on their case list; and (2) initial Speech and Language only referrals of students at the clinician's assigned school(s).
2. Teachers **will not** be assigned as LEA Representative in the following situations:
 - a. The commitment of resources exceeds the school's capacity.
 - b. A placement is made outside of student's current or projected school of residence.
 - c. An expulsion/suspension manifestation determination is occurring; and/or
 - d. It is a difficult/potentially litigious case.
3. Program Support Teachers (PSTs) may only be assigned to serve as LEA Representative for initial IEPs and may be assigned as LEA Representative in the situations described in 2.a, b, and d. In circumstances where a PST serving in an LEA Representative capacity anticipates or encounters an unusually complex case related to any of the situations in 2.a, b and d, she/he will first consult with a Special Education administrator prior to completing his/her assigned LEA Representative duties.
4. If a teacher, excluding PSTs, who is assigned as an LEA Representative, encounters a situation in which, during the meeting of the IEP Committee, the factors listed in paragraph 2 above arise, the LEA Representative will not have

authority to commit District resources under discussion and must adjourn the IEP Committee until an administrator who has the authority to commit the District resources under discussion is available to continue as LEA Representative. Program Support Teachers will not serve as an LEA Representative in situations involving expulsion/manifestation determinations.

5. Teachers will have the authority to commit any of the remaining resources set forth on the District form "School Resource Capacity Profile," which have not been committed to date. Said form shall be provided by the principal to the teacher LEA Representative not less than 24 hours prior to the IEP meeting.
6. If an extension of statutory time lines is required because the teacher assigned as LEA Representative had insufficient authority to complete the IEP as originally scheduled, and the parent is resistant to the proposed extension, obtaining the extension from the parent of the child whose IEP is the subject of the meeting will be the responsibility of the District administrator referenced in paragraph 4 above.
7. Teachers not identified in paragraph 1 above, may voluntarily serve as an LEA Representative, if formally requested by an administrator, and be eligible pursuant to paragraph 1, a-d. In such cases, said teachers will be compensated at the extended contract rate for all hours worked in such assignment(s). Teachers who are assigned as an LEA Representative shall be released, without loss in either compensation or contractually guaranteed planning time, where such has been the practice, from their regular duties to enable their service as an LEA Representative.

The principal, Special Education Coordinator, and the teachers of each school who are designated as eligible to be assigned as LEA Representatives, will within two weeks of the signing of this agreement, devise a plan to make LEA Representative assignments as equitable as possible among bargaining unit members who are eligible to be assigned as LEA Representatives at the school.

Upon request, meetings will be held between the teachers and their respective administrators to ensure that the workload of the teachers who are serving as LEA Representatives within the IEP process is not unreasonable.

8. Service as an LEA Representative, as described herein, will not be cause to remove any teacher from the definition of "municipal employee" as set forth in Section 111.70, Wis. Stats., on the grounds that service as an LEA Representative constituted managerial, confidential, or supervisory functions. Therefore, the District will not seek unit clarification, via the Wisconsin Employment Relations Commission, relative to teacher performing the services of LEA Representative.
9. The District agrees that it will not recriminate against any teacher whom they assigned as an LEA Representative, as a result of services performed or not performed in conjunction with said assignment.