



IEP BASICS AND PROCESS

HILARY SHEN

PARENT LIAISON, SPECIAL ED



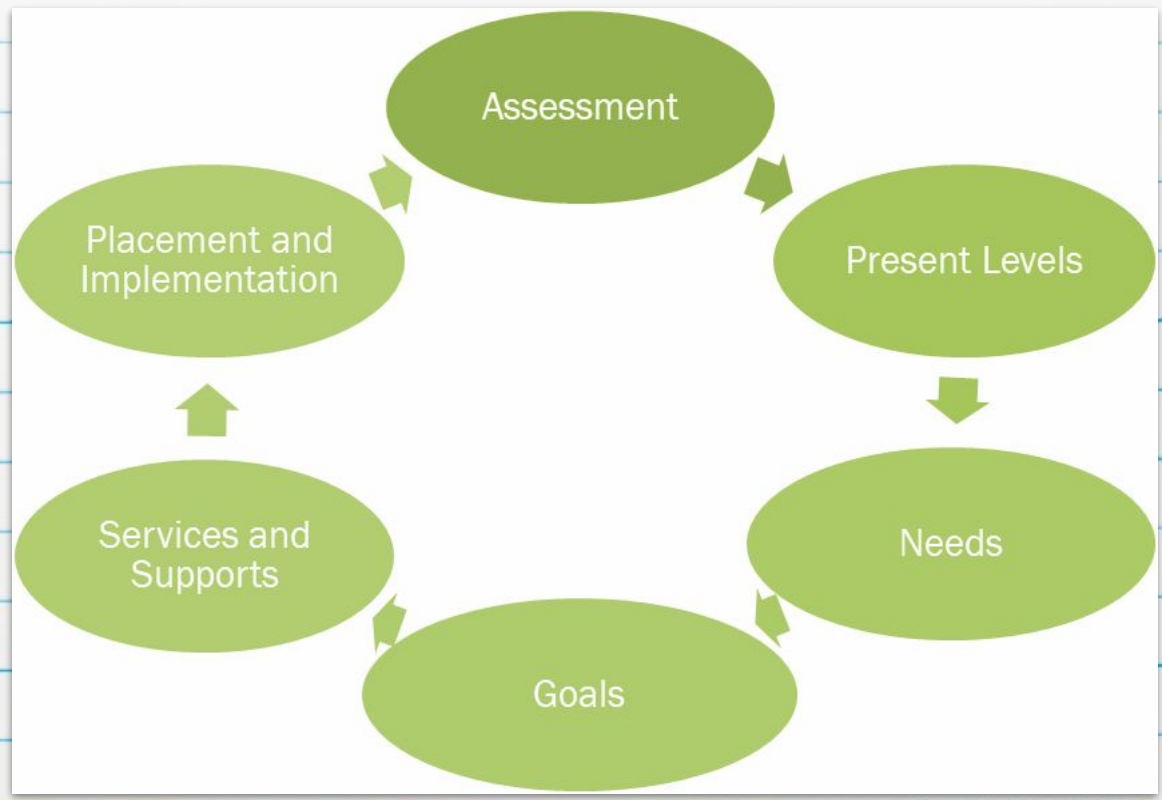
Tips for Today:

- Please Check the Chat for Sign-in information, the Presentation Link and Evaluation (for the end)
- Mute your mic when you are not talking
- Feel free to stop me for questions at a pause or please put them in the chat
- Participate and share ~ ask your questions!

THINGS WE WILL COVER:

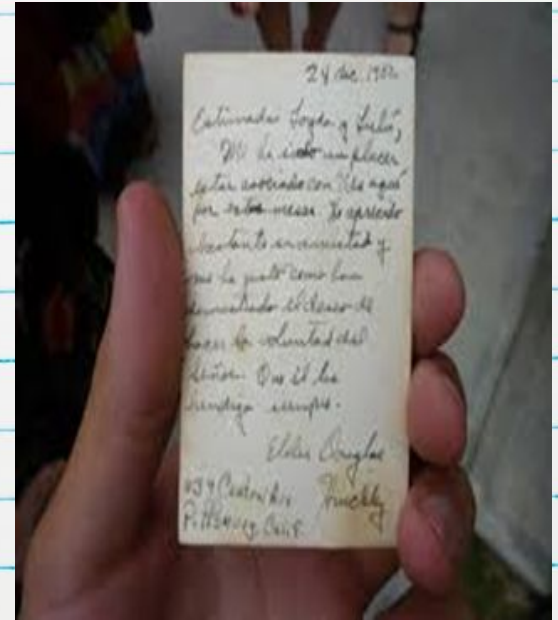
- *History of Special Education*
- *Requesting Assessment*
- *Eligibility*
- *Parts of the IEP*
- *Parent Rights*
- *Disagreement/Disputes*
- *IEPs during Distance Learning*
- *Who can you go to*

THE PROCESS



GETTING STARTED: REQUESTING ASSESSMENT

- Request in writing
- 15 day timeline to respond to the request
- Site staff must assist a parent making a verbal request to put that request in writing
- The site may elect to hold an SST prior to deciding to assess (15 days timeline still in place)



OTHER IMPORTANT TIMELINES

- 15 days to get assessment plan to parent from referral date from parent or SST
- 60 days from receipt of signed assessment plan to IEP meeting
- 30 days interim IEP meeting from time the student transfers into the District
- 364 days to conduct an annual review
- 3 years to conduct a triennial assessment
- 30 days to hold an IEP review based on parent or teacher request

ASSESSMENT RIGHTS

- Parent consent is required
- Independent (outside) assessments must be considered
- Right to review results in advance of the IEP meeting
- TIP: Request to view results prior to meeting in your "request for assessment" letter
- Assessment in child's language/
mode of communication



ASSESSMENT RIGHTS CONT...

- Variety of tools & strategies must be used to determine:
 - If a child has a disability under IDEA
 - If a child requires specialized services
 - Contents of the IEP document
 - Technically sound instruments
 - Qualified professionals
 - Parent has a right to disagree via "IEE" (Independent Educational Evaluation)

IDEA ELIGIBILITY

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

2-PART ELIGIBILITY:

AND who by reason of their disability the student needs special education and related services in order to benefit from their education as determined by the assessments



TRIENNIAL ASSESSMENT

In the case of reevaluation, the school district must document reasonable measures to obtain parent consent. If the parent fails to respond, the school district may proceed with the reevaluation without parent consent. (20 USC 1414[a][1][D] and 1414[c]; 34 CFR 300.300; EC 56506[e], 56321[c] and [d], and EC 56326).

MEETING PREPARATION

- Compile your thoughts and wishes, along with those of your child in advance of the meeting. Share those early if you feel comfortable to do so. Include both concerns and recommendations
- Organize Independent Reports/Evaluations
- Connect with family liaisons and program specialists to learn more about options that may be presented
- Observe potential placements
- Prepare a "Parent Report", You are an **EXPERT!**
- Understand your child's rights and your rights too.



IEP PREPARATION

- District must provide *WRITTEN NOTICE* of IEP meeting (date, time allotted & participants)
- You do not have to consent to the excusal of a team member
- Provide *WRITTEN* notice at least 24 hours in advance:
 - if you plan to tape record the meeting
 - if you plan to bring an attorney.
- Request reports 5 working days before meeting. This is not a requirement but it helps facilitate discussion

REQUIRED TEAM MEMBERS

- The parents/guardians of the child
- Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment)
- Not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child

- A representative of the public agency (Admin Designee/LEA) who:
 - Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities
 - Is knowledgeable about the general education curriculum
 - Is knowledgeable about the availability of resources of the public agency
- An individual who can interpret the instructional implications of evaluation results
- [Other] individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate
- Whenever appropriate, the child with a disability.
- Interpreters, if required or requested by the parent



EXCUSAL FORM

- Should be sent with meeting notice and Parent's Rights Notice of Procedural Safeguards if anyone will not be attending the entire meeting time.
- General Education Teacher, Related Services Provider must provide written input if they cannot attend the entire IEP team meeting.
- If required IEP team member cannot attend the entire meeting, the case manager should mark them excused in part. (34 C.F.R. § 300.321[e][1] and [2]).

IEP TEAM MEETING AGENDA

- Assessments
- PLOP (Present Levels of Performance)
- Goals: Progress and Proposed new
- Behavior
- Transition (Transition Plan in IEP by 15th Birthday)
- Review/Determine Eligibility
- Special factors - Assistive Technology, Behavior Supports
- Standardized Testing
- Supports/ Accommodations
- Services and Program
- Extended School Year (ESY) - Complete ESY Worksheet
- Transportation
- Parent Concerns
- Review Conference Notes
- Signatures to authorize district to implement IEP



REPORTS: REQUIRED COMPONENTS

Whether the student may need special education and related services;

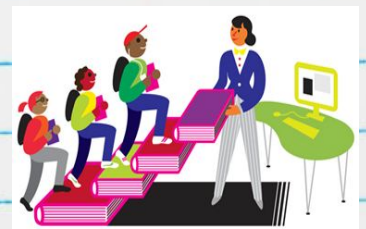
1. The basis for making the determination
2. The relevant behavior noted during the observation of the student in an appropriate setting
3. The relationship of that behavior to the student's academic and social functioning
4. The educationally relevant health and development and medical findings, if any

5. For students with learning disabilities, whether there is such a discrepancy between achievement and ability that cannot be corrected without special education and related services
6. A determination concerning the effects of environmental, cultural, or economic disadvantage, where appropriate
7. The need for specialized services, materials, and equipment for students with low incidence disabilities

In addition, specific details should be included on areas of deficit (weakness or delay) and areas of strength that can be used to assist the child in remedying those deficits.

PRESENT LEVELS OF PERFORMANCE & FUNCTIONAL PERFORMANCE

- *How disability affects student involvement and progress in the general curriculum.*
- *For Pre-K age children, how disability affects participation in appropriate activities.*
- *Consider the prior test results, current performance in classes and past results from Statewide Assessments for Present Levels*
- *Educational performance is a BROAD term and is NOT limited to academic performance only.*



GOALS

- *Baseline should be measurable*
- *Goals should be achievable*
- *Baseline should be connected to goal*
- *Goal should be measurable*
- *Goals must be written to address needs identified in the reports and documented IEP discussion*

PROGRESS REPORTS ON GOALS

- *One of the foundations of special education obligations is to provide educational benefit and that is demonstrated through progress on goals*
- *Must be provided at least as often as regular report cards*
- *Must be measurable and show the student is making progress*
- *If the student is not making progress then the goals need to be updated*



PLACEMENT

- "Placement" means services, not a destination
- The team must make ONE OFFER of FAPE, although many options should be discussed
- The team must offer supports and services unique to each child
- The team must consider harmful effects of such placement
- The team must protect the student's Least Restrictive Environment

OTHER CONSIDERATIONS FOR THE TEAM

- *Low incidence disability needs*
- *English language learner needs*
- *Assistive technology needs*
- *Statewide assessment participation and accommodations*
- *ESY (Extended School Year) based on Regression and Recoupment*

DISCIPLINARY PROTECTIONS

If the child's behavior impedes the learning or that of others, the IEP team must consider the use of positive behavior interventions and supports to address the behavior

ENGLISH LANGUAGE LEARNER (ELL) CONTENT CHECKLIST



- The results of CELDT or alternate assessment in order to document ELP and develop linguistically appropriate goals
- If the student requires accommodations or modifications on CELDT (state ELP test), or
- If the student requires an alternate assessment
- How ELD needs will be met and who will provide these services
- Linguistically appropriate goals to meet English language development needs

NOTES

Spelling is
~~difficult~~
~~challenging~~
hard.

- *Methodology: service will be identified, not program*
- *The district representative will write notes. Parents are always welcome to submit written input to the IEP to express dissent with notes or include parent's perspective*
- *Documentation of parentally provided assessments must be included in the IEP notes*
- *Notes might include follow up and/or parking lot items*

DOCUMENTS DISTRIBUTED AFTER THE MEETING

- Following the meeting, a student's parents should be given a copy of the IEP, and the person who conducted the meeting should contact them to ensure that they understood the process
- All of a student's teachers and involved school staff (e.g., counselors, school nurse) must understand their responsibilities as outlined in the IEP, because all aspects of a student's special education must be implemented as written.

EXITING SPECIAL EDUCATION

- *When a parent exits them from services*
- *When they no longer require special education services based on assessment and team decision*
- *When they graduate with a high school diploma*
- *When they turn 22 years of old*
- *Students who turn 22 between January and June exit in June*
- *Students who turn 22 between July and September exit after ESY*
- *Student who turn 22 between October and December exit in December*
- *A prior written notice is required in all circumstances*



PROCEDURAL SAFEGUARDS

- Procedural Safeguards provided at least once a year (Parent Rights)
- Access to Records
- Request assessments, IEP Meeting, etc.
- Right to tape meeting with 24 hour notice
- Right to invite team members to the meeting
- Must authorize and initiate IEP and change in supports/services
- Right to sign with exception
- Due process for disagreements

[Click here for a Copy](#)

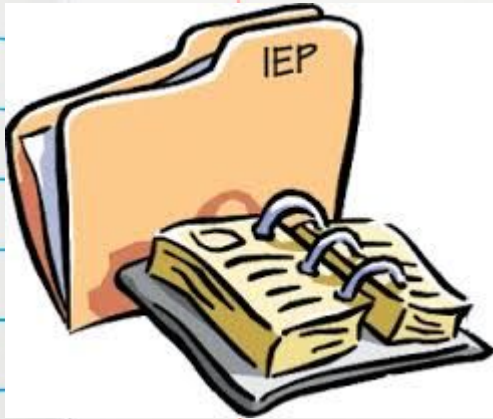
[Spanish Copy](#)

INDEPENDENT EDUCATIONAL EVALUATION (IEE)

- Parent has a right to ask for an IEE via written notice and for the district to pay for it if they disagree with district's assessment
- Without unnecessary delay, district must agree to either:
 - pay for the IEE, or
 - file for a Due Process hearing to show assessment was appropriate, a judge decides
- Independent Educational Evaluations **MUST** be considered, no matter who paid
- No requirement to pick from district list but the district may set criteria

IEP GOOD RECORD KEEPING

- Approach like you are conducting *BUSINESS*
- Request records when needed
- Document your key concerns and understandings in writing
- Retain proof of delivery of correspondence you send to the school district
- Keep Phone logs and email collections



DISAGREEMENTS/DISPUTES

- Parent Liaison
- Resource Parents
- Community Advisory Committee (CAC)
- Program Specialist
- Alternative Dispute Resolution (ADR) Administrator
- Director of Special Education
- Office of Administrative Hearings (OAH) Due Process
- CDE Compliance Complaint

ALTERNATIVE DISPUTE RESOLUTION

- *Involve key stakeholders/decision-makers in a "Facilitated" IEP*
- *"Compliance Complaint" at district level*
- *"Mediation-Only": FREE trained mediator*
- *from state before filing formal complaint*



IEP'S RIGHT NOW ~ DISTANCE LEARNING PLANS

- IEP Assessments will be completed virtually through an electronic system
- IEP Meetings will be held virtually
- IEPs are created in two ones, the actual IEP that your child would have if they are in school and a Distance Learning Plan for what it may look like during Distance Learning
- Your child's IEP may be adjusted once school is in session and needs appear to be different

MEETING TIPS: BUILDING PARTNERSHIPS

- Model what YOU expect from others
- Ask open-ended "help me understand..." questions
- Share ideas about your child that will support the team
- Develop a relationship before there are challenges
- Be proactive - not reactive
- Let the team know what's important to you
- Always remember that you are an equal member of the TEAM

“Coming together is a beginning,
staying together is progress,
and working together is success.”

-Henry Ford



Any questions?

Hilary Shen

Parent Liaison, Special Ed. Dept

shenh@mdusd.org,

925-682-8000 x 4297