

Working Positively with Your Child's IEP Team and the ADR Continuum

West Contra Costa Unified School District

ELAINE TALLEY, M.ED., J.D.

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Special Education Eligibility

Two-pronged test

- Qualifying disability

And.....

- Student requires specialized instruction in order to benefit from his/her education

IEP Team Members

Parents

General Education Teacher

Special Education Teacher

School District Representative

Person who can interpret assessment information

Person with knowledge or special expertise regarding Student

Student, when appropriate

Assessment of Student

District must develop an Assessment Plan (AP)

If Parent signs consent to assess and returns it to the District, the assessment must be completed in 60 days

District must assess in all areas of suspected disability

Parents may request a copy of an assessment report prior to the IEP team meeting, but it is not required that it be provided before the meeting

Procedural Safeguards

Parents Have Rights

- Notice of Meetings
- Participation
- Consent*/Revocation of Consent, for Services and Assessments
- Assessments/Evaluations at Public Expense
- Inspect Records

Students Have Rights

- Free Appropriate Public Education
- Non discrimination
- Assessment
- “Stay-put”
- Manifestation Determination

*Parents can give partial consent to an IEP when they sign the signature page

Why must there be conflArtin spec

Sources of Conflict

FAPE— best vs. appropriate

Law— complicated and confusing

FAPE in the LRE at the IEP with the ~~SLP~~ world of acronyms

IEP team meeting focuses on deficits, triggers grief

Dispute Prevention Strategies

Best Practices for Preventing Conflict

- IEP Meeting Norms

- IEP Agendas

- Information Shared Prior to IEP team meetings

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Prevention Strategy

SAMPLE IEP Meeting Norms

Student-centered discussion

One person speaks at a time

Ask and welcome questions

Follow the agenda

Pay attention—do not “multi-task”

Honor time limits and stay on task—what is the ending time for this meeting?

Prevention Strategy IEP Agenda as a Roadmap

Introductions—purpose of the meeting

Student present levels and assessment information to identify needs

Goals—what do we want the student to be able to do a year from now?

Placement and Services in the Least Restrictive Environment

- Where will the student be educated, what supports, accommodations and modifications will be needed to help the student meet the goals
- Extended School Year?
- Transportation?

Ending and Next Steps

Prevention Strategy - Sharing Information Prior to the Meeting

- Timing of the meeting, when will it start and end?
- Assessment Reports
- Progress on Current Goals
- Draft New Goals
- Considerations of Changes to Services and/or Placement



Continuum of Dispute Resolution Options

Start at the Source

- Teacher, Case Manager, Site Principal, Program Coordinator, Director

Resource Parents

- Available to Help Parents Navigate the IEP Process

Facilitated IEP Meetings

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Reminder of District's responsibility

Ideally, the entire team comes together and agrees on what is needed
consensus

However, if the team cannot reach consensus, the District has an obligation
make an offer of a Free Appropriate Public Education (FAPE) to student.

Compliance and Due Process

Compliance—California Department of Education

- Similar to an audit—did they do what they are supposed to do, or have agreed to do?

Due Process Hearing—California Office of Administrative Hearings

- Similar to a trial—IEP team cannot agree, a judge decides

However, nearly all issues can be resolved at the local level

- Resource Parents
- Facilitated IEPs
- Local Mediation
- Mediation Only —without filing for Due Process

Open Discussion

Comments?

Questions?

More Discussion?

Conclusion

Conflict is Inevitable in Special Education

Students are Best Served when the IEP Team, including the Parents, work together to resolve any conflicts that arise

Options are available to resolve disputes

Closing Feedback

I like...

I wonder...

THANK YOU!

