

FRANCZEK

IEP Season Is Coming... Are You Ready?

February 19, 2019



Amy Dickerson
akd@Franczek.com
@AmyKDickerson



Jennifer Smith
jas@Franczek.com
@jennifersmithFR



Kendra Yoch
kby@Franczek.com
@KendraYoch



Pre-meet, not Predetermine

- Pre-meeting is allowed and encouraged.
 - Share information
 - Anticipate problems and potential solutions
 - Create an agenda and a draft IEP
- Predetermination is, of course, not allowed.



Invite the Right People

- Parents
- Student
- Regular education teacher
- Special education teacher
- LEA representative
- Individual to interpret evaluation results
- Related services personnel
- Any other individuals with knowledge or special expertise regarding the student

Be Truthful

- Clear and open communication with parents at an IEP and in general is critical.
- Parents need to know the truth to be meaningful team participants.
- Use data.
- Don't minimize mistakes.

Ensure Parent Participation

- Parent attendance is crucial.
- Make sure parent is understanding the discussion.
- Give meaningful, individualized answers.
- Don't agree to unreasonable demands.
- What if parents become argumentative?

Ensure *Andrew F.* Compliance

- Present levels
 - Match the skill of the goal
 - Use data
- Measurable goals addressing deficits
 - Discrete, observable behavior
 - Circumstances for performance
 - Level of mastery
- Progress Reports
 - Use data
 - Specify circumstances



Consider Methodology

- If a parent requests a particular methodology, the team must consider it.
- The IEP need not specify a particular methodology unless it is required for the student to receive FAPE.
- Methods used need to be research-based and geared to the student's specific needs.

Problem Solve

- Consider parent requests and provide individualized responses.
- Gather more information:
 - Collect data
 - Invite parents to observe
 - Trial period and meet again
 - Offer an IEE
- Think ahead, long-term.



FRANCZEK

Make Decisions

- Parental consent required for evaluation/reevaluation and initial provision of services.
- You determine the consensus of the team.
- The district has an obligation to create an IEP that provides FAPE.
- Do not avoid reaching a decision simply because a parent disagrees.
 - Parents can request mediation or file a due process complaint.
- Practice saying “no” in a polite, informed, firm way.

Take Meaningful Notes

- Notes are your best evidence of what happened at the meeting.
- For each issue, include
 - the options considered,
 - the decision made,
 - the reasons for that decision, and
 - whether everyone agreed.
- Also include
 - Parent concerns AND the district's response
 - Items for follow up (parent and school)
 - Input from any outside providers or reports
 - Parent praise for the team or the student's progress



Respond to Red Flags

- Records request
- IEE request
- Change of program or school
- Discipline



FRANCZEK

Questions?

