The Do’s and Don’ts of Being an Effective Participant in the IEP Process

Presented by

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Ignorance is not bliss

- Failure to know the laws and regulations
- Faking your knowledge of the information
- Staying current
Resources

- Having an actual copy of the laws and regulations
- Knowing how to access electronically
- Checking it out yourself
- Engaging in Professional Development and Organizations
- Keeping current—blogs electronic newsletters
Alphabet Soup: How Many of These Acronyms Do You Know?

- FAPE
- IDEA
- FERPA
- BIP
- LRE
- ADA
- CAP
Laws and Regulations

Federal Laws and Regulations—IDEA, Section 504 of the Rehabilitation Act of 1973, ADA, FERPA

State Laws and Regulations

Court Cases, OSEP letters
Which of these components are included in Section 504 or IDEA

- Thirteen Different Types of Disabilities
- Comparable Education
- IEP
- Birth-Death
It’s Like Cherry Pie
Roles and Responsibilities of IEP Team Members

- Evaluator
- Required IEP team member and contributor
- Questioner
- Implementer
- Identifying supports needed
- Monitor
Areas of concern

- NO such things as unilateral action in special education
- The IEP process must be followed—placement, accommodations, behavior intervention plan, parental involvement
Beware!

- Failure to evaluate
- Knowledge of or suspicion of disability
- Implications of RTI
- Failure to recognize independent evaluations
- Multidisciplinary evaluation
- Ignoring the timelines for an evaluation
"A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA)"
One Size Doesn’t Fit All

• Failure to individualize for the specialized needs of the child
• The I in the IEP
• Computerized IEPs may be wonderful but be careful that they are individualized. Be alert to problems with checklists.
• Specially designed instruction
• Individualized PLAAFP and goals and objectives and placement
Special Education—meeting the individualized needs of the child

Specialized Instruction
• Specialized instruction delivered by the special educator based on a thorough assessment
• Remediation and compensation
• Related Services

Differentiation in the General Education Classroom
• Delivered by the General Educator

Accommodations/Modifications
Delivered within the general education classroom
Responsibility of the classroom teacher and the special education teacher
Four Prong Test for LRE

1. Will the student derive educational benefit from the placement considered?
2. Will the student derive non-educational benefit from the placement. The examples used within the case were friendships, improved self-confidence, and excitement for learning.
3. Will there be detriment because the student is disruptive, distracting or unruly, and would the student take up so much of the teacher’s time that the other students would suffer from lack of attention?
4. What is the cost of the proposed placement? Will the placement burden the school district’s funds or adversely impact services available to other children?

Ryan’s disruptive behavior kept him from learning. He has an “overwhelmingly negative effect on teachers and other students.”
Collaborating with Families

- Recognize the needs of the family and the impact of the disability
- Recognize their expertise
- Recognize their positive actions
- Respect their right to disagree
- Link them to other available services
- Seek their input—homework evaluation sheets, being careful with home notes—let the parent know what happened at school that day
Two Truths and a Lie

One of these statements is a lie. Which one?

1. If the parent can only attend an IEP on Saturday, then the school district must schedule the meeting on Saturday.

2. Under certain circumstances, the school can hold an IEP if the parent can’t attend.

3. Parental concerns must be addressed at the IEP.
Collaboration—the IEP is a Team Effort
There is No Such Thing as Unilateral Action in Special Education

- Right or Wrong!
- The principal decides the testing accommodations
- The teacher changes the time the student sees the speech and language pathologist
- The teacher sends a student home for the rest of the day because of the student’s behavior
Remember Doe v. Withers
The IEP

- The student—background, evaluation results, strengths
- Present levels of achievement and functional performance—MOO terms
- Goals and where appropriate objectives
- Where and how can these be met?
Are these statements written in Moo terms?

- Dakota is truant
- Kiara can’t read
- Blaine has weak math skills
“I didn’t see it happen.”

- Failure to provide adequate supervision.
- Issues with para-educators. The teacher is ultimately responsible for the education of the students in his or her class.
- Issues with bullying—pump up supervision, don’t ignore aggression
- Sometimes we don’t want to see things that happen.
- Field trips, hallways, cafeteria, recess, technology
Remember: If it isn’t written down, it wasn’t done!
Written documentation

Event happens or request made

Oral followed by writing—Proof of action

Record—anything shared with anyone

Objectivity

Stranger test-portability
FERPA

- Temporary records vs. Permanent Records
- Private files—anything shared is a record
- Destruction of records
- Parent has the right to the records
- Records custodian
Is This a Permanent Record or a Temporary Record?

- Grades
- Special Education Evaluations
- 504 plan
- Basic identifying information such as birth date
- Special education classes taken
Presenting a Positive Image

- Check and recheck anything sent to someone else
- Share only with those who need to know
- Avoid any negative statements about the profession and individual children
Two Truths and a Lie

Which one is the lie?

1. Off duty conduct can be considered when determining whether an individual should be reemployed.
2. What an employee posts on Facebook is no business of the school district.
3. Educators are not always protected by the Constitution’s First Amendment of freedom of speech.
Our role in moving forward

- Are we keeping abreast of new laws and regulations?
- Are we putting the needs of our students first?
- Are we effective collaborators?