

B.E.S.T. Services, Inc.



411 S. Magnolia Avenue

El Cajon, CA 92020

Phone: (619) 442-1271

Fax: (619) 444-8182

www.bestautismservices.com

Preparing for Your Child's IEP: A Guide for Parents

2009

Table of Contents

| | |
|--|-----------|
| Becoming an Effective Advocate for Your Child | 3 |
| How to Prepare for the Individualized Educational Program Meeting | 3 |
| How to Have an Effective IEP | 4 |
| How to Monitor the IEP | 4 |
| What to Do If All Else Fails | 5 |
| Steps for Writing Goals and Objectives | 6 |
| Goal vs. Objective..... | 7 |
| Parents' Rights..... | 8 |
| Booklist | 13 |
| Additional Resources..... | 13 |

Becoming an Effective Advocate for Your Child

- Recognize and accept the extra stresses that come from having a child with a disability
- Empower yourself by learning about your child's disability and your rights and responsibilities
- Develop good relationships with your child's teacher, therapists, and other professionals and administrators within the special education system while respecting professional boundaries.
- Educate yourself about Special Education services offered within your child's school district.

How to Prepare for the Individualized Educational Program Meeting

- Get to know how your child learns and the teaching techniques that are out there
 - Be proactive at your child's school
 - Ask questions
 - While internet searches can be informative, do not trust *everything* you read.
- Review the legal rights and responsibilities
 - Read all of the paperwork.
 - Parents may call an IEP meeting whenever needed (i.e. more than one IEP can occur within a school year).
- Get copies of all assessments ahead of the IEP meeting date
 - Keep a file for these assessments and file them in chronological order.
- Review the long-term goals you have for your child.
 - Write specific goals for your child. This may include monthly or yearly goals.
- Talk with the IEP team members and assessors prior to the meeting.
 - Document every conversation in writing. Keep an accurate log.
 - If you would like to tape record the IEP meeting, ask the IEP team ahead of the IEP meeting.
- Invite the team members you need.
 - Do not go to an IEP meeting alone.
 - Always have a witness.
 - Make sure that you coordinate schedules in advance recognizing the importance of certain people being in attendance

How to Have an Effective IEP

- What needs to be discussed
 - Be specific when discussing your concerns and your child's history
 - Describe specific behaviors, difficulties and/or other observations you have made concerning your child in the school environment.
 - Bring documentation if appropriate.
 - Inform the IEP team members of which assessments, if any, your child has completed prior to the IEP meeting.
 - Goals and objectives
 - Behavioral vs. emotional goals only
- IEP Must be Specific
 - An IEP is designed to attend to the child's needs within the school's environment, not at home.
- Helpful Hints
 - You don't have to sign the IEP on the day of your IEP meeting. If you don't agree, take a copy home and review it before signing.
 - Your child does not have to attend the IEP.
 - Schools are reactive in nature, not proactive.
 - Always offer to assist the IEP team in meeting your child's specific needs!

How to Monitor the IEP

- What is Monitoring? (The Paper Trail)
 - Keep track of what's going on.
 - Make sure that your child is receiving the services outlined in his/her IEP.
 - Compare the IEP goals to your child's progress reports and report cards.
- Maintain Good Communication
 - Send Thank-You notes
 - Communicate with *everyone* that is involved with your child.
- What to Monitor
 - The services agreed to on your IEP.
 - Child's progress via parent-teacher conferences, progress reports, report cards and IEP meetings.
- Keeping Accurate Records
 - Keep track of "Who, What, When, Where and How" of every conversation and meeting concerning your child.

What to Do If All Else Fails

- Compliance Complaint
 - When the district is not complying with what was written and agreed upon in the child's IEP, parents may file a due process complaint.
- Mediation
 - Once a due process complaint is filed with the school district, a 30-day resolution period goes into immediate effect. Parental participation in this resolution process is a prerequisite to an impartial due process hearing.
- Due Process
 - An impartial due process hearing occurs when a parent(s) has filed a due process complaint, participated in the 30-day resolution process and has not yet resolved the disagreement with the school district (e.g. their child's placement) or service.
 - This process is very time consuming and stressful, so districts want to come to a resolution as quickly as possible.
 - If you can resolve the disagreement without a due process hearing, do it!
 - During due process, your child's placement and services continue according to the most recent agreed upon IEP.
- Lawyers and Advocates
 - You can hire an attorney or advocate to assist you with the process.

Steps for Writing Goals and Objectives

1. Think about what your child needs to be able to do.
2. Consider all the steps that would be involved in accomplishing this goal.
 - a. Do you have enough information to make a plan on how to proceed with this goal? Assessments?
 - b. Prioritize. What comes first?
3. Goals/areas of need come from the assessments. You cannot write a goal if there is no recognized need. So, make sure that the assessments are thorough and complete and that you understand them.
4. Now, you need a baseline.
5. Make a reasonable judgment about how much progress will be made for the next year.
6. Decide who will be responsible for collecting the data (teacher, therapist, parent), how that data will be collected (student work samples, teacher log, standardized test scores, etc.) and the "level of mastery."
7. Clearly state the benchmark dates (these often coincide with the dates when report cards are sent out for the entire school). Break the goal down into a logical sequence.
8. Be careful to make note of the person(s) responsible.

Goal vs. Objective

- Goals and objectives are statements of what the student will do, not what the teacher will do or what the school will provide.
- A goal identifies a specific area of learning in which the student is deficient and should be reasonably limited in range. It is based on a need identified through an evaluation process.
- An objective is observable or measurable learning. It is a specific skill, development, ability or change within the goal area in which the student is expected to achieve. So, any "objective" that cannot be seen or measured is not an objective.
- An objective includes an acceptable means of measuring performance. It must be specific enough for other people to be able to verify it.

Parents' Rights

<http://www.cde.ca.gov/sp/se/qa/pssummary.asp>

A brief summary of Procedural Safeguards for students with disabilities receiving special education services.

Parents of children with disabilities from ages three through twenty-one have specific educational rights under the Individuals with Disabilities Education Act (IDEA). These rights are called procedural safeguards. Individuals serving as surrogate parents and students aged eighteen receiving special education services, are also entitled to these rights.

A number of staff in the child's district and special education local plan area (SELPA) may answer questions about the child's education and the parents' rights and responsibilities. When the parent has a concern, it is important that they contact their child's teachers or administrators to talk about their child and any problems they see. This conversation often solves the problem and helps maintain open communication.

Parents must be given opportunities to participate in any decision-making meeting regarding their child's special education program. Parents have the right to participate in individualized education program (IEP) meetings about the special education eligibility, assessment, educational placement of their child and other matters relating to their child's free appropriate public education (FAPE).

When a parent cannot be identified or located, a district may appoint a surrogate parent to represent a child with a disability.

What Are Parents' Rights in California Special Education?

Parents and students over age eighteen have the right

To Participate

Parents have the right to refer their child for special education services, to participate in the development of the IEP and to be informed of all program options and alternatives, both public and nonpublic.

To Receive Prior Written Notice

Parents have a right to receive prior written notice, in their native language, when the school district initiates or refuses their request to initiate a change in their child's identification, assessment, or educational placement in special education.

To Consent

Parents must provide informed, written consent before their child is assessed or provided with any special education services. Parental consent must also be provided before any change in special education services may occur. The district must ensure that parents understand proceedings of the IEP team meeting including arranging for an interpreter for parents with deafness or those whose native language is other than English.

To Refuse to Consent

Parents may refuse to consent to an assessment or the placement of their child in special education.

To Be Given a Nondiscriminatory Assessment

Children must be assessed for special education through the use of methods that are not culturally biased or discriminatory.

To Receive Independent Educational Assessments

If parents disagree with the results of the assessment conducted by the school district, they have the right to ask for and obtain an independent educational evaluation (IEE) at public expense.

The parent is entitled to only one IEE at public expense each time the public agency conducts an evaluation with which the parent disagrees.

When a parent requests an IEE at public expense, the school district must, without unnecessary delay, either ensure that an IEE is provided at public expense, or request a due

process hearing if the district believes their assessment was appropriate and disagrees that an IEE is necessary. The school district also has the right to establish the standards or criteria (including cost and location) for IEEs at public expense.

To Access Educational Records

Parents have a right to inspect, review, and obtain copies of their child's educational records.

To Stay in the Current Program If There is a Disagreement About Placement

If parents disagree with the district regarding their child's special education placement or a proposed change in placement, the law requires the student to "stay put" in the current program until the dispute is resolved.

To Be Given a Hearing Regarding Disagreements About an IEP

Parents have the right to present a complaint relating to the provision of a FAPE for their child; to have an attorney, an advocate, and the student, if appropriate, present at the due process hearing; and to make the hearing public. Under certain conditions, the hearing officer may award, reduce, or deny the reimbursement of attorneys' fees and fees paid to nonpublic institutions by parents in the settlement of a case. To request a due process hearing or to receive a complete notice of procedural safeguards related to a due process hearing, contact the Office of Administrative Hearings (see contact information below).

To Receive Mediation

Parents are encouraged to consider settling disagreements regarding their child's special education program through voluntary mediation, a process through which parties seek mutually agreeable solutions to disputes with the help of an impartial mediator. Parents may seek mediation alone or separate from due process, or they may participate in mediation pending a due process hearing. Mediation cannot be used to delay parents right to a due process hearing.

To File a Complaint Against Your School District

If parents believe their child's school district has violated the law, they may file a complaint with the California Department of Education. The Department must investigate complaints alleging violations of noncompliance with IDEA, state special education laws, or regulations, and issue a written report of findings within 60 days of receiving the complaint.

To Be Informed of School Discipline and Alternative Placement

There are specific rules regarding the suspension and expulsion of students with IEPs. Generally, a student with a disability may be suspended or placed in an alternative educational setting to the same extent that these options apply to students without disabilities.

If the student with a disability is in such a placement for more than ten days, an IEP meeting must be held to consider the appropriateness of the child's current placement and the extent to which the disability is the cause of the misconduct. Regardless of the child's placement, the district must provide FAPE

To Be Informed of Policies Regarding Children Who Attend Private Schools

School districts are responsible for identifying, locating and assessing students with disabilities enrolled in private schools by their parents. However, school districts are not required to provide special education or related services to these students. There is no entitlement for services, though some private schools and students attending private schools may receive some services from the school district.

Additional Resources

This notice is an abbreviated summary of procedural safeguards under federal and state laws (20 USC Section 1415(d); 34 CFR 300.504; EC sections 56301(d)(2), 56321, and 56341.1(g)(1)). Special Education Rights of Parents and Children, a more extensive description of these rights, is available from the California Department of Education, Special Education Division.

To obtain more information about parental rights or dispute resolution, including how to file a complaint, contact the California Department of Education, Special Education Division, Procedural Safeguards Referral Service, by telephoning 800-926-0648 or writing to:

California Department of Education
Special Education Division
Procedural Safeguards Referral Service
1430 N Street, Suite 2401
Sacramento, CA 95814
Telephone: 800-926-0648
Fax: 916-327-3704

To file for mediation or a due process hearing, contact:

Office of Administrative Hearings
Special Education Division
2349 Gateway Oaks, Suite 200
Sacramento, CA 95833-4231
Telephone: 916-263-0880
Fax: 916-263-0890

Booklist

Negotiating the Special Education Maze – A Guide for Parents and Teachers

By Winifred Anderson, Stephen Chitwood, and Diedre Hayden
Publisher: Woodbine House

You, Your Child, and “Special Education” – A Guide to Making the System Work

By Barbara Coyne Cutler
Publisher: Paul H. Brokes Publishing Co.

Special Education Rights and Responsibilities

By Community Alliance for Special Education (CASE) and Protection and Advocacy (PAI)

Special Educational Programs – A Composite of Laws

By California Department of Education

Wrightslaw: Special Education Law

By Peter W.D. Wright and Pamela Darr Wright
Publisher: Harbor House Law Press

Additional Resources

Please remember that you can get free Internet access at your local library. In addition, much information about special education is now available in many different languages.

Autism Society of America

Phone: (301) 657-0881

www.autism-society.org

Protection and Advocacy, Inc.

Phone: (800) 776-5746

www.pai-ca.org

Community Alliance for Special Education (CASE)

1031 Franklin Street, Suit B

San Francisco, CA 94109

Phone: (415) 928-2273

Association for Retarded Citizens (ARC)

www.thearc.org

Learning Disabled Association

www.ldanatl.org

SearchDisabilities.com

SearchDisabilities.com is a resource for anything related to disabilities, from independent living to assistive technology. It was launched to provide timely breakthrough research and health news to people interested in disability research and assisted living programs. For more information, go to <http://www.searchdisabilities.com>

REALCHOICES: ACCESS FOR ALL, MORE CHOICES FOR YOU!

This website is designed to empower people of all ages and abilities giving them the opportunity to make self-determined choices to participate in their communities in ways meaningful to them. The user-friendly, universally designed information system will provide consumers, professionals, government agencies, and employers access to information and statewide services. For more information, go to <http://www.realchoices.com>