

Top 10 IEP Tips

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1. Organize, organize, organize

Notebook

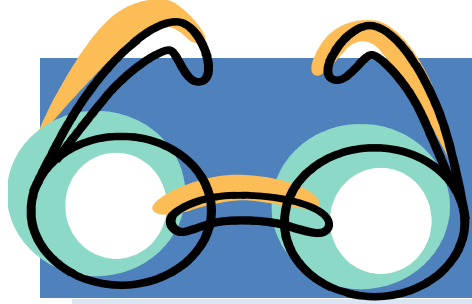
- Meeting notices
- REDs a/k/a Pre-MET or MET-I
- Evals – school, outside (IEE, private)
- METs
- IEPs – drafts and final
- PWNs
- PSN, emails, statutes, notes



Create a Cover

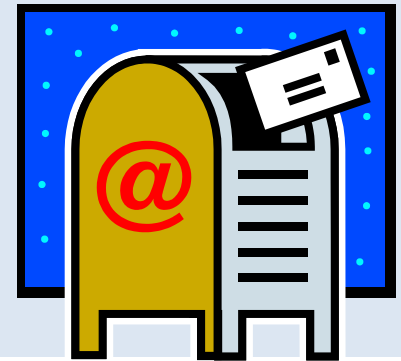
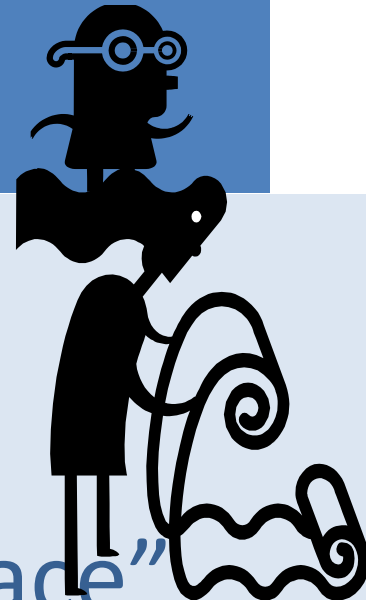
Johnny's IEP Book





2. Read notice

- Notice requirement 34 C.F.R. § 300.322
- *Early enough*
- “Mutually agreed on time & place”
- Purpose, time & location
- *Attendees*
- PSN 34 C.F.R. § 300.503
- Sign & return



A word about parent participation

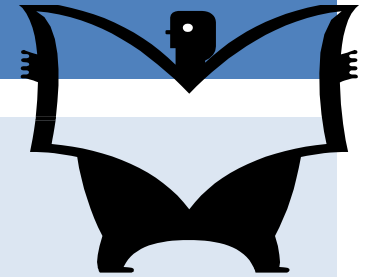
- Can schools hold IEP meetings w/o parents?
- *Doug C.* case
- Can schools hold the following w/o parents:
 - Teaching methodology?
 - Lesson plans?
 - Coordination of services?
 - Placement decisions?

• Alternative



means 34 C.F.R. § 300.3287

Know your rights – Read the PSN



- IEPs
- PWN
- Consent
- Access to ed records
- Resolving disputes
- Mediation
- Stay-Put

- IAEs
- Unilateral placement at private school
- DP hearings
- Appeals
- Civil actions
- Attorneys' fees

3. The IEP Team

IEP Team 34 C.F.R. §300.321

- Teacher (gen ed & SPED)
- PEA rep
- Someone to interpret
- Parent
- Child
- Others with knowledge



*******Quiz*******



Who is NOT a member of the IEP team?

- The child
- The child's siblings
- A regular education teacher
- The SPED teacher
- The school's attorney
- Another student
- A parent's cousin

4. Prepare

Review MET and Evals

Examine education records

Request and review DRAFT IEP & Agenda

Have someone else review

What do you hope to accomplish?

Prepare list of questions, concerns



Understand assessments

Standard Scores (SS)

Percentile ranks

Grade levels

Grade equivalents

Stanines

www.wrightslaw.com

5. What to expect at the meeting

What do you hope to accomplish?

Sequence:

PLAFP (needs) → Goals → Services →
.....**Placement**

Discuss ESY, nonacademic services

Can members be excused?

Anatomy of an IEP



- Demographic information
- Documentation of participation – attendance
- Present Levels of Academic Achievement and Functional Performance (PLAFP/PLEP),
- Goals and Progress Reporting
- SPED and RS - location, frequency, provider
- Placement (level of service)

34 C.F.R. § 300.320



Keep in mind

Not just academics!

Purpose of IDEA: To ensure that all children w/ disabilities have available to them a FAPE that emphasizes SPED & RS designed to meet their unique needs & **prepare them for**



further education



employment



independent living



6. Placement

- LRE placement to “maximum extent appropriate” w/ typical peers 34 C.F.R. § 300.114 (a)(2).
- Continuum - from gen ed → RTC/hosp/institutions

Rachel H. 4-factor test:

1. Ed benefits gen ed vs. SPED
 2. Non-acad benefits gen ed vs. SPED (social interaction)
 3. Effect of others
 4. Cost associated w/ providing svcs/aids in gen ed
- Sacramento City Unified School District v. Rachel H.*, 14 F.3d 1398 (9th Cir. 1994).

Placement vs. Location

Educational placement = type of educ'l program

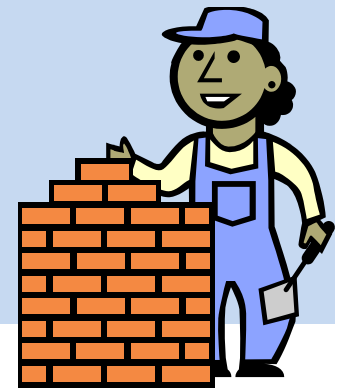
- Class size
- Individualized attention
- Disabilities of other students
- Opportunities for socializing with typical peers



Location

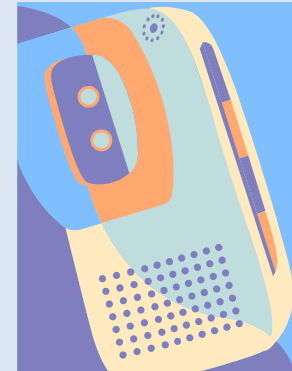
Bricks & mortar

still must be appropriate



7. Helpful hints

- Signing – attendance only
- Tape record
- Notes
- Excusing attendees
- Be practical
 - ❖ Know what you are entitled to, *Rowley*
 - ❖ Work collaboratively
 - ❖ Think outside the box



8. Participating, consensus, predetermination

- IDEA requires parents be “afforded the opportunity to participate in the decision-making process” 34 C.F.R. § 300.322(a)(2)(ii); 501(b)
- Reaching decisions – the “consensus”
- Predetermination

*****Quiz*****

Is it predetermination?

“We don’t do that.”

“The district refuses to do that.”

“Yeah, we can’t do that.”

“We think a better program for Johnny is ...”

“We decided that program is best for Johnny.”

“We think ...”

“The data shows ...”

SMART Goals



- **S**pecific
- **M**easurable (baseline)
- **A**ction words, **A**chievable
- **R**ealistic, **R**elevant
- **T**ime-limited



A word about goals

- Include academic & functional goals
- To meet child's needs that result from the child's disability &
- Enable child to be involved in and make progress in the general education curriculum

34 C.F.R. §

300.320(a)(2).

Measurable or Not Measurable?

Draw
Understand
Turn in
State
Determine
Say
Appreciate
Develop
Enhance
Trace
Read orally

Improve
Retell
Maintain
Match
Feel
Sequence
List
Label
Participate
Seek
Appropriate

Measurable or Not Measurable?

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Sequence

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Seek

~~Appropriate~~

IEPs for students with ASD

Designed to meet unique needs AND

Prep for further ed, employ and indep living

34 C.F.R. § 300.1

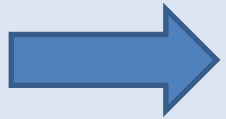
- Goals & services to address:
 - ✓ Social
 - ✓ Behavior (FBA & BIP)
 - ✓ Communication / speech and language
 - ✓ Sensory / OT
 - ✓ Functional / adaptive life-skills / hygiene

Case

IEP statement: Student will "improve his functional academic skills from a level of not completing assignments independently to a level of being able to read, write and do basic math skills **independently**"

Vague, general statement fails to demonstrate IEP is reasonably calculated to result in educational benefit

Vague, immeasurable, poorly written goals



denial of FAPE.

Independent Sch. Dist. No. 701 v. J.T., (D. Minn. 2006)

9. Consensus & What if I don't agree?

- Obtain PWN
- Mediation 34 C.F.R. § 300.506(a)
- State complaint (1 year) 34 C.F.R. §§ 300.151 - 153
- Due Process (2 years) 34 C.F.R. §§ 300.507 - 508
- Mediation 34 C.F.R. § 300.510 vs. Resolution

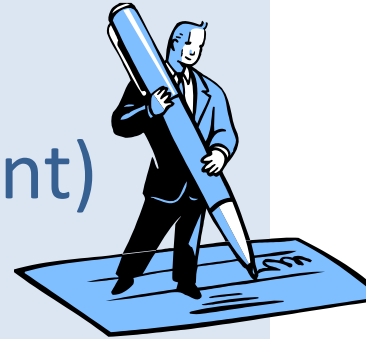
See also Arizona Admin Code R7-2-405.

ADE website



10. What now?

- Review and sign IEP, initial each page
- PWN (34 C.F.R. § 503) (id, eval, placement)
- Progress reports
- Update notebook
- Check school work
- Addendums
- How often are IEPs and how often can I have an IEP? 15 - 30 – annual - triennial



The End

