

LEA Representatives: Facilitation of IEP Meetings

Shiloh Lewis, Director of Policy (Special Education Services)

- A representative of the Local Education Agency (WCPSS) who:
 - Is qualified to provide or supervise the provision of specially designed instruction
 - Is knowledgeable about the general education curriculum
 - Has the authority to make decisions on behalf of the district and to commit resources
- Who can serve?
 - The principal
 - Assistant principals
 - A principal designee with exception of
 - Beginning special education teachers
 - School psychologists
 - Administrative interns (unless otherwise classified)
 - Speech language pathologists
 - Guidance counselors
 - Social workers
- The LEA Rep plays a critical role in
 - Representing the student's unique needs
 - Medical needs
 - Social skills support
 - Communication needs
 - Representing the school system's interests
 - Safety needs
 - Extra adult assistance
 - Transportation
 - Regional programs
- LEA Rep and School Resources
 - Prior to the meeting, be aware of all topics that will be discussed
 - Consult with SES prior to the meeting if additional resources will be discussed
 - Be careful not to commit resources that are not appropriate or required
 - The finalization of the Prior Written Notice commits the school's resources
 - Always keep FAPE in mind
- LEA Responsibilities
 - Ensure the meeting was scheduled appropriately with a written Invitation to IEP Meeting
 - Follow appropriate process for type of meeting
 - Facilitate decision making
 - Ensure IEP team remains intact
 - Decisions are data driven
 - Ensure the IEP is implemented
 - Ensure Progress Monitoring of IEP Goals
 - Ensure Special Education Teachers are utilizing Best Practices
 - Meetings are held compliantly and adhere to timelines
- Legal IEP Team
 - Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment)

- Not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child
- A representative of the LEA
- An individual who can interpret the instructional implications of evaluation results (This person has always been there...Who is going to interpret the data? Who did the evaluation?)
- 14-year-old must be invited
- Parents must be invited
- Definition of Parent Policy NC 1500-2.24 Parent
 - Biological or adoptive parent
 - Family member acting in the place of a parent (grandparent or stepparent) with whom the child lives
 - Foster parent
 - Legal guardian
 - Surrogate parent
 - Cannot serve as parent
 - Therapeutic foster parents (work for agencies)
 - Social worker from DSS or CPS assigned to this case
- Surrogate parents
 - Required if parental rights have been terminated (rights must be terminated first)
 - If parent rights not terminated, document good faith efforts to involve them
 - Who: retired teachers, ministers, sped parents, PTA members, volunteers, etc.
 - Surrogate Parent PowerPoint Training in ECATS
 - Submit approval of Surrogate form to Shiloh Lewis - surrogate is the responsibility of the parents to sign
- Who else can attend
 - Another individual whom
 - Has knowledge or special expertise about the child (may require special management - they should not be running the meeting)
 - Advocate
 - Agency? Role? Ask them
 - Are they also an attorney? - see below
 - Do they work for an attorney? - see below
 - Attorney
 - If the parent brings an attorney, the meeting must be rescheduled so that our attorney can also attend
- Ensure that parents are informed of rights (best practice is to offer at each meeting)
 - Procedural safeguards: Handbook on Parents Rights
 - Participation and involvement in all decisions
 - Explain dispute resolution process when parents disagree
- Provide explanation of the Dispute Resolution Process
 - Facilitation - can be requested by the school or by the parent
 - Mediation - come to a mutually agreed upon agreement in order to move forward
 - State complaint - parents file
 - Due process petition - legal counsel involvement
- [Parent Rights and Responsibilities](#)
- Prior to the meeting
 - Be aware of any issues that may come up
 - Pre-conference with team members if issues are expected

- Ask case manager?
 - Purpose of the meeting
 - Has an invitation to IEP been provided (7-10 days)
 - When will s/he have drafts ready
 - How you can assist at the meeting (What role should I play?)
 - Will the documents be projected for all team members to see
- Know who will fulfill the roles of facilitator, minutes taker, timekeeper, etc.
- Facilitator/LEA Rep
 - Plans and leads meeting process in partnership with members
 - Sets a positive and welcoming tone
 - Clarifies purpose of meeting and desired outcomes
 - Keeps discussion focused on child
 - Encourages full participation from all team members
 - Monitors pace of meeting
 - Focuses on child's needs - not parent's expectations or district's resources
 - Addresses what is most important for the student's needs
 - Builds consensus - focus on what team agrees on (eventually the LEA may have to make the decision)
 - Facilitates decision-making process based on data
- Team Member Roles: Note Taker for Meeting Minutes
 - Document important points and actions
 - Capturing team disagreements
 - Highlight discussion and reasons behind decisions made or rejected
 - Capture information not on forms
 - Help with memory recall
 - Capture follow-up actions
 - Meeting Minutes Decisions
 - The minute taker depends on the circumstance
 - Typed is preferred
 - Reading aloud minutes at the end or throughout the meeting is a good practice
 - Participants initial to indicate that they were in attendance
- Compliance Tips and Resources
 - The official invitation to IEP meeting is required because it includes parental rights and safeguards required by law
 - Invited three times to the same meeting using two different methods (one in writing) - document attempts in parent contact section
 - The invitation to IEP meeting is a type of Prior Written Notice
 - When parents don't attend
 - Meeting can be held without parent if parent signed and returned invitation or didn't respond to 3 documented attempts by 2 methods (one must have been written)
 - Parent may also indicate that the meeting may proceed without their presence
 - Try calling parent; if parent answers, have them attend via phone
 - If you have proper notice and the IEP will lapse, hold the meeting as scheduled
 - Be sure that case manager sends copies of all documents
 - Document all communication attempts in ECATS and continue to print and place in green folder
 - Timing of meetings
 - Start date of the IEP will coincide with when decisions can be reasonably implemented

- Also need to consider when the parents will receive the Prior Written Notice
- This means the start date may NOT be the day after the meeting
- Make sure meetings are being scheduled 30 days out
- Do NOT allow IEPs to expire prior to implementation date
- Ethics and ECATS
 - Prior to a meeting the teacher should draft (cannot draft anything that is decision-based):
 - A NEW IEP (a new IEP should never be a copy of last year's IEP or repeated annual goals) - must do something different
 - Assessment Summary (NOT Eligibility Determination)
 - Reevaluation - Review of Existing Data (NOT Reevaluation Decision)
 - Teachers should NOT
 - Draft a Prior Written Notice prior to a meeting
 - Draft an Eligibility Determination prior to a meeting
 - Pre-determine decisions
 - FINALIZING a document in ECATS means that the legal IEP team has contributed to its development during an official meeting
 - Documents should be finalized only during the meeting
- At end of meeting
 - Develop the Prior Written Notice with the full team present
 - Restate the decisions reached
 - Develop an action plan for who does what
 - Ensure all documents are finalized
 - Give and/or send copies to parents
 - End on a positive note and thank participants for their contributions

Resources

- Learning Central - LEA Representative
- Learning Central - Building Skills in IEP Development
- Learning Central - ECATS Special Education
- Policies Governing Services for Students with Disabilities
- Parent Rights and Responsibilities in Special Education
- DPI Website <http://ec.ncpublicschools.gov/>
- Your Special Education contact/department chair
- The SES SA and CT assigned to your school
- The SES Policy Team

