

	Effective IEP Meeting
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	IEP Meeting Notice

	<p>Indicate the purpose, time, and location of the meeting and who will be in attendance; and</p>

	<p>Inform the parents of the provisions in Section 300.321(a)(6) and (c) (relating to the participation of other individuals on the IEP Team who have knowledge or special expertise about the child) and Section 300.321(f) (relating to the participation of the Part C service coordinator or other representatives of the Part C system at the initial IEP Team meeting for a child previously served under Part C of the Act.</p>

	<p>What about Tape Recording and Videotaping IEP Meetings?</p>

	<p>Must take whatever action is necessary to ensure that the parent understands the proceedings of the IEP Team meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.</p>

	<p>An SEA or public agency has the option to require, prohibit, limit, or otherwise regulate the use of recording devices at IEP meetings.</p>

	<p>At least one federal court has held that the IDEA permits parents to audiotape meetings in cases where it will help them understand the program and participate meaningfully in the process.</p>

	<p>OSEP has advised that IEP meetings can be videotaped or audiotaped, to the extent a SEA or other public agency allows such activity.</p>

	<p>Note that any recording (or for that matter, any other document, including the IEP) maintained by the public agency that contains personally identifiable information about a student is considered an "education record," as defined under the Family Educational Rights and Privacy Act, subject to both FERPA's and the IDEA's confidentiality requirements.</p>

	<p>Provision of Transcripts of IEP Meetings to Parents</p>

	<p>Under the IDEA, a district is not required to make a verbatim recording of an IEP meeting.</p>

	<p style="text-align: center;">Minutes of the IEP Meeting</p>

	<p>The IDEA does not require that a district prepare minutes of IEP meetings. The minutes of an IEP meeting are not technically part of the IEP document.</p>

	<p>Why Take Minutes of the IEP Meeting?</p>

	<p>The minutes can be used to document who attended the meeting, all key issues discussed, and outline the agreements reached at the IEP meeting.</p>

	<p>IEP minutes can be crucially important to reviewing administrative and judicial authorities and resolving conflicts between the minutes and other evidence.</p>

	<ul style="list-style-type: none">■ The notes can show procedural and compliance with the FAPE factors regarding when an IEP is reasonably calculated to confer educational benefit on a child.■ The notes can show compliance with LRE factors.

	<ul style="list-style-type: none">■ When a child transfers to another school district, the notes are very helpful for the new staff to understand the child's program and needs.

	<p>IEPS –DEVELOPING THE DOCUMENT</p>

	<p style="text-align: center;">Key Tip</p>
	<p style="text-align: center;">Not a Court-Reporter but Key Information, Discussions and Decisions are Important!</p>

	<p style="text-align: center;">Important Points to Document</p>
	<ul style="list-style-type: none">(i) The results of the initial or most recent evaluation of the child;(ii) The academic, developmental, and functional needs of the child;(iii) The present levels of performance of the child--academic and behavioral progress;(iv) The recommended IEPs, LRE and placement of the child; and(iv) The recommendations and concerns of the parents regarding enhancing the education of their child.

	<p>Documentation of Persons Who Attend IEP Meeting</p>

	<p>The district must document who attend the IEP meeting. However, there is nothing in the IDEA that requires IEP members to sign the IEP.</p>

	<p style="text-align: center;">Excusal of Participants: Requirements</p>

	<ul style="list-style-type: none">• Parents and the school district may jointly excuse an IEP team member from attending the meeting if service/curricular area will not be discussed.• Parents and the school district may excuse an IEP team member even if service/curricular area will be discussed; the excused member must provide written input to the team.• Agreement must be in writing and include parent consent.

	<p>TIMELINE FOR REFERRAL TO IEP DEVELOPMENT</p>

	<p>Development of the IEP</p>

	<h2 style="text-align: center;">Content of the IEP</h2>
	<p>Be sure to review:</p> <ul style="list-style-type: none">▪ Progress toward goals▪ Results of reevaluation▪ Information provided by the parents▪ Child's anticipated needs

	<h2 style="text-align: center;">Review Progress (Academic)</h2>
	<ul style="list-style-type: none">– Standardized grades– IEP Goals and Objectives results– State assessment scores– Benchmark testing results– Work portfolio– Input from all teachers– Information from parents– Attach or clearly identify any supporting documents– Record in detail in lay language

	<h2 style="text-align: center;">Review Progress (Behavioral)</h2>
	<ul style="list-style-type: none">- Conduct grades- Student discipline record- Behavioral progress on the BIP (if any)- Teacher observations and documentation

	<h2 style="text-align: center;">Recommended IEP</h2>
	<p>Make sure the IEP includes:</p> <ul style="list-style-type: none">▪ Short-term objectives and benchmarks are eliminated, except for students who are assessed using alternate achievement standards (students with significant cognitive disabilities).▪ Annual measurable IEP goals must include academic and functional goals.▪ Special education and related services must be based on peer-reviewed research to the extent practicable.

	<p>Transition as IEP Component</p>

	<p>Appropriate measurable post-secondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and</p>

	<p>The transition services (including courses of study) needed to assist the child in reaching those goals.</p>

	<p>ESY</p>

	Special Factors

	In the case of a child whose behavior impedes the child's learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior.

	<p>In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP.</p>

	<p>In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of a child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child.</p>

	<p>Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode.</p>

	<p>Consider whether the child needs assistive technology devices and services.</p>

	<h1>LRE and Placement</h1>

	<h2>How is LRE/Placement Determined by the Courts?</h2>
	<p><i>Daniel R.R. v. State Bd. of Educ.</i>, 441 IDELR 433, 847 F. 2d 1036 (5th Cir. 1989), adopted for 10th Circuit by <i>L.B. and J.B. v. Nebo Sch. Dist.</i>, 41 IDELR 206 , 379 F.3d 966 (10th Cir. 2004)</p> <ul style="list-style-type: none">■ Can education in the regular classroom with supplemental aids/services be achieved satisfactorily?■ Has the school district mainstreamed the student to the maximum extent possible?

	<p style="text-align: center;"><i>Daniel R.R. v. State Bd. of Educ.,</i></p> <p>In determining the LRE/Placement issue, <i>Daniel R.R.</i> analyzes answers to the following questions:</p>
	<ol style="list-style-type: none">1. Does the child's IEP require regular education instructors to devote all or most of their time to the child or to modify the regular education program beyond recognition so that the child is not required to learn any of the skills normally taught in a regular education classroom;2. Is the child receiving an educational benefit from being in the regular education classroom and grasping elements of the regular education curriculum;3. Considering that the child may receive non-academic benefits from being in a regular education classroom such as language or behavior/social modeling, does balancing non-academic benefits to educational deficits tip the balance in favor of mainstreaming even if the child cannot flourish academically;4. Is the child's presence in the regular education classroom disruptive (or positive); and5. Has the child has been offered a continuum of services.

	<p style="text-align: center;">Key Documentation Recommendations</p>
	<ul style="list-style-type: none">• DO have a separate note taker• DO make sure the minutes are clear, complete and extensive• DO document even if the meeting is tape recorded• DO take the time to re-read and correct• DO have everyone sign who has attended• <u>DO NOT</u> ALTER AFTER THE FACT

	<p>Providing Copy of IEP to Parents</p>

	<p>The public agency must give the parent a copy of a child's IEP at no cost to the parent.</p>

	<p style="text-align: center;">Amendment to IEPs</p>

	<p style="text-align: center;">IDEA 2004 IEP Amendments</p>
	<ul style="list-style-type: none">• IEP may be amended between the annual IEP meetings without calling a new IEP team meeting, if agreed to by the parents and school district.• IEP amendment shall be in writing.• Upon request, the parent shall be given a revised IEP with the amendments incorporated.

	<p>Thank you!</p>
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