

USMC EFMP

PARENTS AS ADVOCATES

ACCESSING SPECIAL EDUCATION SERVICES

The IEP decision-making process is a formal one that must meet regulatory requirements. And while it is more comfortable to discuss an individual's educational plan over the phone or in informal gatherings, this can diminish a parent's rights and ability to effectively advocate for their child. In fact, without proper documentation of IEP meetings, it is likely not possible to pursue resolution safeguards.

As a parent, and a member of the IEP team, it is critical that you understand your role and procedural safeguards in order to successfully advocate for your child. You must understand the process. EFMP can support your efforts, but you must engage in IEP process and understand the Do(s) and Don't(s) of this important and formal IEP processes. EFMP wants to help you navigate the system,

THE DO(S) OF ACCESSING SPECIAL EDUCATION

Maintain a file, notebook of relevant documents to bring to meetings. Evaluations, medical reports, school records from other districts, old IEPs, and other documents all have value in the IEP process. They provide evidence and information in tracking your child's progress as well as what works and what does not. They can be useful in meetings or as supporting information to either prove or disprove a point that is being dealt with in the IEP process. Such documentation must be considered and such consideration should be noted on the Prior Written Notice. The Prior Written Notice is a required section that should be included on ALL Special Education documents.



HELPING YOU NAVIGATE THE SYSTEM

MORE DO(S)

- Take notes during the meeting.
- Tape record the meeting.
- Ensure that required IEP Team members participate in the meeting. State, Local or DoDEA Parent Safeguard notices will tell you who is required to attend..
- If there is lack of agreement between the parent and school team members, request that someone from the district or region attends.
- If related services are discussed, then related service providers should attend the meeting. (Example, the Speech Language Pathologist, the Social Worker, the Occupational Therapist, etc.)
- Do not sign for consent if you do not agree!

ENTER MONTH/YEAR

TOP #1 DON'T....

DON'T SKIP THE PRIOR WRITTEN NOTICE SECTION OF THE IEP?

DoDEA REGULATIONS CAN BE FOUND AT

<http://www.dodea.edu/curriculum/specialEducation.cfm?cType=se&cld=res>

Understand the difference between the "Notice of Meeting" and the critical Prior Written Notice.

The Notice of Meeting will inform parents extra "who will be in attendance" at the IEP meeting. This notice is required to list all the people who will actually attend and is sent to you before an IEP meeting. As a parent, you have the right to invite people who have knowledge of your child, and to have them included in the Notice of Meeting. The second notice is written after an IEP meeting. This document is called Prior Notice and is the subject of this article. This is not a new document, but many people, including parents, are not aware of its importance in the IEP process. It can be a parent's best friend at a meeting, fully documenting all recommendations, including the parent's recommendations.

Prior Notice says it all

When Prior Written Notice is filled out properly, all decision making is documented. The Prior Notice now should say it all. The Prior Written Notice, when properly written, eliminates all doubts, misunderstandings, and critical questions regarding decisions made. Notice the qualifier, "when properly written". You, as parent, may be responsible for seeing that Prior Written Notice contains everyone's recommendations.

What does it say?

You must receive Prior Notice before any change in placement takes effect. This generally happens at the very end of the meeting after the decisions have been made. Prior Notice must include among other things all changes in services and placements. If your district is not familiar with the requirements of Prior Notice you might ask them to please read those requirements to the team so there is a common understanding of those requirements.

Why does it matter?

Documentation of the reasons for decisions and what YOU requested is a prerequisite to taking further action in the unfortunate situation when there is not an agreement. Parents should never underestimate the importance of this information. If your school does not follow this requirement, YOU may want to keep a record of disposition during the meeting. Then, ask the team to make a decision on each item, accept it, reject it, and if rejected, why. If they cannot give you an answer immediately on a recommendation then ask them to write down when you may expect a decision, and who will be in charge of the follow up on that proposal.

Prior Written Notice must include the following elements:

1. A description of the action proposed or refused by the school division;
2. An explanation of the school division's proposal or refusal to take action;
3. A description of other options considered and the reasons for the rejection of those options;
4. A description of the evaluation, test, record, or report used as a basis for the action;
5. A description of other relevant factors;
6. A statement regarding protections provided under procedural safeguards;
7. Sources for assistance for understanding prior written notice.
8. A statement of your procedural safeguards and information about where you can obtain a copy of your procedural safeguards.



#2 DON'T – DON'T SKIP THE TRANSFER IEP MEETING

Parents should expect both DoDEA and public schools to hold a “TRANSFER IEP MEETING” before initiating services in the new location. This meeting serves as the vehicle to interpret the received IEP and discuss how services will be provided at the new school.

Parents have the right to consider proposals and give consent, or not give consent, for any changes or adjustments proposed.

Schools do not have the right to JUST DECIDE and tell parents how it is going to be. Parents must understand that their right is for comparable services and not same services. This is probably one of the most difficult and contentious processes in Special Education.

For example, schools do not always have the same services at every location and are not required to have the same exact services. Schools are required to provide the services needed to enable the student to make progress on IEP Goals. Comparable services can look many different ways. In one location, a social worker may provide counseling support. In another, the psychologist might provide that support. Both are more than qualified to provide counseling services.

As long as the services are comparable, they are viable.

What schools cannot do is to change services without an IEP meeting so that consent can be provided.

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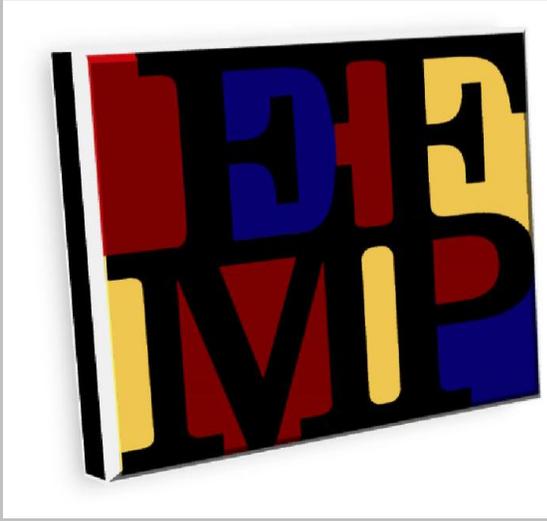
YOU must consent!!!!

CHECKLIST FOR TRANSFERRING

- Have your documents ready.
<http://www.militarychild.org/military-parent/checklist-for-transferring-students/>
- Enroll your child in the new school ASAP and, if possible, schedule the transfer IEP meeting when you enroll.
- Expect the transfer meeting within a few days.
- Expect services to begin right away.
- DO NOT accept delays!

HQ EFMP QUICK HINTS

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SCHEDULING IEP MEETINGS.

IEP meetings are to be held at a mutually agreeable time for the school and parents. Mutually agreeable does not mean that the time is agreeable with only one party. The time must be convenient for the school division and parents. It IS permissible for a school division to insist on meeting during the school day, especially when the parents have been offered multiple IEP meeting dates and times and have been offered the opportunity to participate by telephone.

Find Local EFMP Office Contact Information

at <http://www.usmc-mccs.org/efmp/index.cfm?sid=fl&smid=1>

If you need help...

Call your Family Case Worker!

**EFMP Family Case Workers support parents
and can attend IEP meetings with you.**