

Legal Aid of North Carolina, Inc.

ADVOCATES FOR CHILDREN'S SERVICES

2101 Angier Avenue, Suite 300 • Durham, NC 27703
919-226-0052 • www.legalaidnc.org/acs

Dear Youth Justice Advocate:

We are sharing the enclosed resources to support you in your ongoing efforts to ensure that your student's educational needs are met. These materials include information about the special education rights of students and guardians in schools, as well as additional tips and tools for use in making sure your student gets all of the support that they need and to which they are legally entitled. You can use these tools on behalf of your student and/or you can share them directly with other families who may need them to advocate for their children.

Specifically, you will find the following information enclosed:

- ✓ An overview of when, how, and why a student may be found eligible for special education services (*"Special Education Eligibility"*)
 - ✓ A template form to use to request that your student be evaluated to determine eligibility for special education services
- ✓ An overview of the service and supports that a student must receive once they are found eligible for special education services (*"Special Education and Service Delivery"*)
 - ✓ A template form to use in requesting that your student's IEP Team have a meeting to discuss your concerns
 - ✓ A template form to use in requesting that your student's IEP Team conduct a reevaluation (updated testing) for your student to better identify and meet their needs
 - ✓ A template form to use to request that the school pay for you to obtain a free second opinion of their evaluation (Independent Education Evaluation) if you disagree with the testing completed by the school
- ✓ An overview of the protections that a student should receive when they are having behavior challenges and/or facing school discipline (*"Special Education and School Discipline"*)
- ✓ A checklist, created by the Exceptional Children's Assistance Center, to help you prepare for IEP Team meetings.

We hope that these resources will be helpful to you in your advocacy efforts. Please note that every student's situation is very different, and so the **tips and recommendations included in the enclosed materials should not be interpreted as legal advice in your specific situation.**

Visit our website (www.legalaidnc.org/acs) for additional resources related to students' rights in school. If you have general questions about students' rights or would like to request training for a group of students/parents/advocates, contact Advocates for Children's Services at 919-226-0052 or acsinfo@legalaidnc.org. If you need direct legal assistance, contact our helpline at 1-866-219-5262.

Sincerely,

The Advocates for Children's Services Team
Legal Aid of North Carolina

Special Education Eligibility

(Does my student qualify for special education services?)

Who is eligible for special education services?

Children may be eligible for special education services if they have a physical or mental disability that falls into one of the categories below:

- Autism
- Deafness
- Developmental delay
- Emotional disability
- Hearing impairment
- Intellectual disability
- Multiple disabilities
- Orthopedic impairment
- Other health impairment (such as ADHD)
- Specific learning disability
- Speech or language impairment
- Traumatic brain injury
- Visual impairment

To be eligible for special education services, the student must:

- be between the ages of 3 through 21;
- have a disability that fits into one of the categories above;
- struggle within the school environment as a result of the disability; and
- require specially designed instruction to address any disability-related struggles.

How does a child become eligible to receive special education services?

- **School districts** are required to be on the lookout for children who may need special education services. If teachers or administrators become concerned that a child might be in need of special education services, they must speak to the parent about their concerns and about beginning the special education evaluation process.
 - If a school staff member believes your student may have a disability, the school **must** get your permission before conducting an evaluation.
- A **parent/guardian** can also start the special education process at any time by submitting a written request to the principal that: 1) describes your concerns and 2) asks that your child be evaluated for special education services.
 - The request can be in any format (email, letter, note, etc.) as long as it is written.

Could my student be in need of special education services?

If you notice any or some of these **red flags** with your child, you may want to request an evaluation.

- ✓ Chronically failing grades or test scores
- ✓ Trouble reading, writing, or doing math
- ✓ Repeated behavior problems in school; many suspensions for similar behaviors
- ✓ Trouble concentrating or paying attention in school
- ✓ Trouble listening to others or expressing themselves
- ✓ Difficulty with basic life skills
- ✓ Mental health or emotional issues that impact school performance



GOLD STAR TIPS!




When you have concerns or requests that you want to share with the school, always **put them in writing and make a copy for yourself with the date submitted.**

When you request an evaluation, be sure to **share with the school anything you are concerned about** – struggles with academics, behaviors, study skills, etc.

If English is not your first language, you can **submit the request in your native language**

What happens after an evaluation is requested?

- **Referral Meeting:** Once your child is identified as possibly needing special education services, the school must hold a meeting to determine next steps in the evaluation process. At that meeting, the team can determine eligibility based on information they already have or can refer the student for additional testing to gather more information. Generally, unless the school has already done a formal evaluation or you have provided the school with the results of one, it is not appropriate to decide a child is eligible or ineligible without conducting a full evaluation.
 -  **RED FLAG:** Sometimes, if the school thinks your student has a disability, it may first try some general education intervention strategies in the classroom to see if those help. This is often called a “multi-tiered system of support” (MTSS) approach. These interventions can be useful to avoid unnecessarily identifying a student as needing special education, BUT:
 - Schools **cannot** refuse to evaluate a child simply because they haven’t completed MTSS
 - If a parent/guardian provides evidence that the child may be in need of special education services and requests an evaluation, the school **must** move forward with conducting an evaluation, even if MTSS is conducted at the same time as the formal evaluation
- **Evaluation:** The evaluation **must** assess the student in all areas related to your child’s suspected disability. This could include academic functioning, behavior and social/emotional functioning, ability to pay attention, communication skills, and daily living skills. An evaluation may include: 1-1 testing by a psychologist, filling out parent rating scales, and providing information on your child’s development.
- **Eligibility Meeting:** After the evaluation is completed, the parent/guardian will meet with a group of school professionals, which must include someone qualified to interpret and explain the testing results, to decide whether the student is eligible for special education services.
 - To be eligible, your student must be “a child with a disability,” meaning: 1) the child’s disability meets the requirements of a listed category, 2) the child’s disability has a negative impact on his/her educational performance; **and** 3) the child must need specially designed instruction.
 - A student can have more than one area of eligibility.



Evaluation Timelines

The school has **90 calendar days** from the date you submitted your written request for an evaluation to:

- complete the evaluation,
- determine your student’s eligibility for services, and
- if the student qualifies for services, create an IEP and begin providing services.

***** The 90-day timeline does not stop for holidays, including summer vacation*****



GOLD STAR TIPS!



You should **ask to receive a copy of the evaluation report at least 48 hours** before the eligibility meeting. You may also request a meeting with the school or district psychologist to review results and ask questions before the team meeting

If your student has **community-based supports**, including mentors or medical or mental health providers, you can ask that they can attend the eligibility meeting to share additional information about your child

If you disagree with the evaluation results, you have a **right to a second opinion through a free independent educational evaluation (IEE)**. You can ask the school for IEE resources.

If your child is not eligible for an IEP, request that their **eligibility be reviewed for a 504 plan**, a less intensive support plan for students with disabilities.

Advocates for Children’s Services of Legal Aid of North Carolina

For additional resources: www.legalaidnc.org/acs

To apply for legal services: 1-866-219-5262



You may want to contact a lawyer if the school refuses to evaluate your child, refuses your request for an IEE, misses important timelines, or if you believe the school should have evaluated your student much earlier but failed to do so.

The information included here is not legal advice and does not cover all rights and remedies, or apply in every situation

Form: Request for an Evaluation to Determine Eligibility for Special Education Services

Student Name	
Student School	
Parent/Guardian Name	
Parent/Guardian Address	
Parent/Guardian Phone	
Parent/Guardian Email	

Dear Principal:

I request that my student be evaluated to determine if they are eligible for special education services. I believe my student may be eligible because they are struggling a lot at school in the following area(s):
(Check all that apply)

- Reading/Writing/Language Arts
- Mathematics
- Behavior/Social Interactions
- Physical/Mental Health
- Communication/Speech Skills
- Motor Skills (*e.g. walking, jumping, climbing, writing, picking up objects, etc.*)
- Study/Work Skills (*e.g. paying attention, staying organized, completing tasks, taking notes, etc.*)
- Daily Living Skills (*e.g. using the bathroom, eating and drinking independently, staying safe, etc.*)
- Other: _____

Additional information:

Please contact me within 10 school days to schedule a time to meet with you to discuss the process and for me to sign any necessary paperwork so that my child's needs can be addressed as soon as possible. Also, please accept this request as written consent to evaluate my child.

Thank you.

Signature of Parent/Guardian

Date Submitted to the Principal

Special Education and Service Delivery

(What special education services should my student be getting?)

What services is a child entitled to receive if eligible for special education?

- Students must have an **Individualized Education Program (IEP)** that meets their unique needs.
 - An IEP is a written plan that **must** describe in detail:
 - what the student's current strengths, weaknesses, and needs are;
 - ambitious and measurable goals for the student to achieve during one year;
 - the accommodations, related services (*see below*), and special education instruction services needed to help the student reach their goals; and
 - how and where those services will be provided (e.g., in the general classroom, in a special education classroom for part or all of the day, in a special education school).
- A student whose behaviors interfere with their classmates' ability to learn **must** be receiving appropriate, therapeutic **behavioral interventions** to address those behaviors. Those supports may include a functional behavioral assessment (FBA) and behavior intervention plan (BIP).
- A student's IEP is created and monitored by an **IEP team**. At a minimum, an IEP team **must** include: the parent/guardian, the student (if appropriate and/or if the child is 18 or older), a school district representative (usually the principal or assistant principal), a special education teacher, and a general education teacher. If evaluations are being reviewed, the school psychologist should also attend.
 - An IEP team **should** also include related services providers and anyone either in the school or in the community who has important knowledge about the student's strengths or needs.
- **Timelines for IEP and Reevaluation Reviews**
 - *Every year:* The IEP **must** be reviewed and updated at least yearly, but it can and **should** be reviewed and updated with additional supports more frequently if concerns arise.
 - *Every three years:* A student **must** receive updated testing at least once every three years, unless the team decides new information isn't needed to ensure the student's needs are being fully met. A parent/guardian **can** request a reevaluation before the three-year deadline if there are concerns.

More info: Classroom Accommodations

Classroom accommodations help students better access the general education curriculum by changing their environment or the materials with which they are taught. Accommodations include, but aren't limited to:

- Preferential seating in the classroom
- Repeated directions
- Frequent breaks
- Chunked or shortened assignments
- Extra set of books for home
- Copies of teacher's notes
- Enlarged print materials
- Test read aloud
- Small testing environment

More info: Related Services

Related services help students better access the general education curriculum by providing extra support in related areas of non-academic, disability-related need. Related services include but aren't limited to:

- Physical therapy
- Speech therapy
- Occupational therapy
- Counseling
- Social work services
- Paraprofessional support
- Transportation
- Health or nursing services
- Parent counseling and training



GOLD STAR TIP: Don't rely on pre-set options for deciding what classroom accommodations or related services a child needs. Ask for whatever you think may help, even if not listed on IEP forms. A district is not allowed to deny your child a service because they do not currently provide it.

What are the key legal rights for students who are eligible for special education?

- A child who is eligible for special education services is entitled to a **Free and Appropriate Public Education (FAPE)** in the **Least Restrictive Environment (LRE)**.
 - In order to provide your student with access to a **free and appropriate public education**, a school must ensure that their IEP includes services that:
 - ✓ are provided at no cost to you
 - ✓ will enable your child to make progress from year to year on their IEP goals
 - ✓ will enable your child to make progress towards graduation and post-high school goals
 - ✓ are provided if your child is suspended for more than ten total days in a schools (*Note: a school can provide these services to a suspended child in a different setting than what is in their IEP*)
 - A child's IEP must also ensure that the child is being educated in the **least restrictive environment** appropriate.
 - This means your child should be educated in the same classroom and school as their peers without disabilities to the greatest extent possible.
 - Generally, your child should **not** be placed in special classes or a special school, placed on homebound, or placed on a modified schedule *unless* he or she cannot succeed in a less restrictive environment with appropriate interventions (including new classroom accommodations, related services, and behavioral interventions).

Special Education Red flags

You may want to request an IEP meeting if you notice any of these issues:

- The IEP does not appropriately reflect your concerns or your student's individual needs and strengths.
- The IEP does not clearly state what your student can and cannot do in each area of need, or there is no data to back up what the IEP says.
- The IEP does not have goals for all areas in which your student is struggling (ex: math, reading, organizational skills, and peer interaction).
- The IEP does not have all the accommodations and assistive technology (ex: access to a laptop) your student needs to do well in school.
- The goals and services are unclear; a teacher who wasn't at the IEP meeting would be confused about how to help your student.
- The IEP is missing related services that are needed to help your child.
- The IEP goals did not meaningfully change at the yearly review.
- Your student is not spending enough time with their peers without disabilities, and could be successful in a less restrictive setting with added supports (ex: more accommodations, related services, etc.).
- The IEP does not include Extended School Year (ESY) services (instruction over school breaks), and your student needs these services.
- Your student has not been reevaluated within the last three years.
- Your student is not making meaningful progress on their IEP goals.
- Your student is struggling to pass their classes and/or their end-of-grade/end-of-course tests.
- Your student is frequently getting suspended.



GOLD STAR TIPS

Don't wait until the yearly review to bring up concerns or request changes to the IEP

Prepare for IEP meetings – Request an agenda & drafts, and share concerns or requests with the team ahead of time

Bring community partners to IEP meetings with you for support and to provide additional information about your child

Make sure the IEP focuses and builds on your **child's strengths**

Get copies of everything **in writing**

Advocates for Children's Services of Legal Aid of North Carolina

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To apply for legal services: **1-866-219-5262**



You can request an IEP meeting, in writing, at any time to make changes to or review the IEP. You may want to speak to a lawyer if required services aren't being provided, your child has not been making progress under the IEP, or if you believe your child's placement is unnecessarily restrictive and IEP meetings have not resolved the issue.

The information included here is not legal advice and does not cover all rights and remedies, or apply in every situation

Form: Request for an Individualized Education Program (IEP) Team Meeting

Student Name	
Student School	
Parent/Guardian Name	
Parent/Guardian Address	
Parent/Guardian Phone	
Parent/Guardian Email	

Dear Principal:

I would like to meet with my student's Individualized Education Program (IEP) Team to discuss the following concerns: (Check all that apply.)

- My student is having **behavioral struggles** (*examples could include avoiding work, not staying organized, regularly getting into arguments or fights, etc.*) that aren't being met by their IEP
- My student is having **academic struggles** (*examples could include having a hard time keeping up in math, reading, writing, etc.*) that aren't being met by their IEP
- I think my student may qualify under an additional or different **area of eligibility**
- I have concerns about how my student's IEP services are being provided by their **teacher(s)**
- I think my student needs more or different **special education services** to meet their needs
- I think my students needs new or different **related services** (*examples could include occupational therapy, speech therapy, counseling, social work services, parent counseling, etc.*) to meet their needs
- I think my student needs new or different **accommodations** (*examples could include extended time on tests, opportunities for sensory breaks, chunked or modified assignments, etc.*) to meet their needs
- I think my student needs a **functional behavioral assessment (FBA)** and **behavior intervention plan (BIP)** to help address ongoing behavior needs
- Other: _____

Additional information:

Please have someone contact me within 10 school days with a possible date, time, and location for an IEP Team meeting.

Thank you,

Signature of Parent/Guardian

Date Submitted to the Principal

Form: Request for a Reevaluation

Student Name	
Student School	
Parent/Guardian Name	
Parent/Guardian Address	
Parent/Guardian Phone	
Parent/Guardian Email	

Dear Principal:

I request that my student's IEP Team meet to begin the reevaluation for my child. I believe my student needs to be reevaluated in order to:

- _____ Determine whether they still qualify for special education services;
- _____ Make sure that my student's ongoing academic needs (math, reading, writing, etc.) and developmental needs (motor skills, behavioral/emotional skills, etc.) have all been identified;
- _____ Determine whether changes need to be made to the special education services that my student is receiving in order to make sure that they have the support needed to make progress on their IEP goals and participate in the general school curriculum.

Additional information:

Please contact me within 10 school days to schedule a time for the IEP Team to meet to discuss the process and for me to sign any necessary paperwork so that my child's needs can be addressed as soon as possible. Also, please accept this request as written consent to evaluate my child.

Thank you.

Signature of Parent/Guardian

Date Submitted to the Principal

Form: Request for an Independent Educational Evaluation at Public Expense

Student Name	
Student School	
Parent/Guardian Name	
Parent/Guardian Address	
Parent/Guardian Phone	
Parent/Guardian Email	

Dear Principal:

I write to inform you that I do not agree with the most recent evaluation that the school conducted of my student, and so am requesting that the school pay for me to get a second evaluation of my student (independent educational evaluation). Please provide me information about where I can get another evaluation, as well as any requirements regarding who can conduct an evaluation of my child and what the evaluation must cover.

Additional information:

Please have someone contact me within 10 school days with the requested information regarding my request for an independent educational evaluation at public expense.

Thank you.

Signature of Parent/Guardian

Date Submitted to the Principal

Special Education and School Discipline

(What rights does my student with a disability have when facing a suspension?)

How should schools respond when students with IEPs have behavior struggles?

Many children with disabilities experience behavior challenges in school. If your student's education – or that of others – is affected by your student's behavior, the following interventions *should* be implemented.

- A **Functional Behavioral Assessment (FBA)** is used to help the IEP team figure out *why* the student's behaviors are happening and what supports will best address the behaviors. The FBA should identify a target behavior, and then include a review of observations, interviews, and other information, such as previous discipline referrals and teacher behavior logs related to that behavior.
 - A parent/guardian may request a FBA at any time.
 - If a behavior is found to be related to a child's disability following a manifestation determination review (MDR) (*see below*), the school **must** conduct or review a FBA.

More info: Functional Behavioral Assessments

- Target behaviors can include externalizing behaviors (e.g. disruptiveness, aggression, talking back, leaving the classroom), internalizing behaviors (e.g. sleeping, daydreaming), or other behaviors (e.g. tardiness).
- Aim of FBA: The FBA should answer the following questions:
 - In what settings does the behavior occur?
 - Are there any settings where the behavior does not occur?
 - Who is present when the behavior occurs?
 - What activities or interactions (triggers) take place just prior to the behavior?
 - What usually happens immediately after the behavior?
 - Is the student trying to gain attention or approval of a classmate, avoid instruction/difficult assignments, or achieve some other goal?



- A **Behavior Intervention Plan (BIP)** is a tool to assist parents, teachers, and the student in dealing with a child's behavior in a therapeutic and beneficial way. The BIP is created using the information obtained in the FBA.
 - Creation of a BIP, or revision of the BIP, can be requested by the parent/guardian at any time. If the school has not already done so, they should complete an FBA prior to a BIP.
 - If a behavior is found to be related to a child's disability following an MDR (*see below*), the school **must** conduct or review a BIP.
 - Once created, the BIP becomes an enforceable part of the student's IEP.

More info: Behavior Intervention Plans

Effective BIPs are not punishment; instead, they should:

- be preventative and strengths-based;
- include multiple interventions or support strategies;
- make changes to the child's school environment to prevent the behavior;
- teach the child coping strategies and self-management skills;
- identify supports or strategies that will improve behavior;
- be developed with input from the student;
- establish constructive steps to be taken when misconduct happens;
- establish when and how the plan will be reviewed to determine its effectiveness;
- establish when and how information will be shared between home and school; and
- determine how the student's behavior will be handled should it reach a crisis, particularly without the use of seclusion, restraints, or law enforcement involvement.



When are special protections triggered during the discipline of students with IEPs?

- Once a student with an IEP has been suspended for more than 10 days in a school year, special protections (*see below*) must be provided to that student. The following “suspensions” can trigger protections:
 - A long-term suspension (LTS) (e.g. a suspension lasting more than 10 days)
 - A series of short-term suspensions (STS) that involve similar types of behaviors
 - A series of in-school suspensions (ISS) that involve similar types of behaviors if the student doesn’t receive all services in their IEP or spends less time with non-special education peers while removed
 - A series of removals in which a parent/guardian is told to come pick their child up before the end of the school day and, as a result, the child misses required services under their IEP
 - A disciplinary transfer to an alternative program
 - An expulsion

What special protections must students with IEPs receive when facing a suspension?

- Once a suspension that falls into one of the categories above occurs, the following protections are triggered:
 - a. Beginning no later than the 11th total day of suspension and continuing throughout any resulting suspension, the student must be provided **uninterrupted access to an appropriate education**.
 - This includes any educational and related services needed to help the student make progress on their IEP goals and in the general curriculum
 - These services may be provided in a different environment.
 - b. The student’s IEP team must meet as soon as possible (but no later than 10 days after the suspension) to hold a **Manifestation Determination Review (MDR)**.
 - The purpose of the MDR is to answer two questions:
 - 1) Was the student's conduct caused by, or did it have a direct and substantial relationship to, the student's disability?; or
 - 2) Was the student's conduct the direct result of the school's failure to follow the IEP?
 - If the answer to either of the questions above is yes, then the student may not be suspended.
 - **EXCEPTION:** If conduct involved a weapon, drugs, or serious bodily injury, the student can still be removed to a different environment for up to 45 school days.
 - c. Creation or review of a **FBA and BIP** (*see above*) to prevent future incidents
 - If the behavior is found to be a manifestation, an FBA/BIP is *required*
 - If the behavior is not found to be a manifestation, and FBA/BIP is *strongly recommended*

Red Flag: Students who need but don’t yet have an IEP

If a student does not have an IEP, these protections must still be provided ***IF*** the school had reason to know the student needed an IEP **before** the incident occurred:

- a. Parent/guardian requested an evaluation, or put in writing concerns about child’s need for an IEP
- b. A teacher or other staff member expressed specific concerns about the child to an administrator; or
- c. The child's behavior and educational performance clearly showed the need for special education.

If an evaluation is requested during a suspension, it must be completed **faster than the 90-day timeline**



Be proactive – don’t wait for a suspension to request an FBA/BIP or other changes to your child’s IEP.

At the MDR, **be prepared** to discuss why the behavior is related to the student’s disability. If possible, **bring your child’s therapist, mentor, or physician** with you.

If the MDR does not end the suspension, **use the district’s general appeal process** to challenge the LTS.

Advocates for Children’s Services of Legal Aid of North Carolina

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To apply for legal services: **1-866-219-5262**



You can request a FBA/BIP creation/revision at any time. If helpful, you can use the attached sample form. You may want to contact a lawyer if your child has missed a lot of school due to disciplinary incidents, or if your child is facing LTS or expulsion.

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IEP Checklist: Prepare and Participate

Your involvement...

in developing an effective and appropriate Individualized Education Program or IEP for your child is essential to your child's success.

While IEPs typically cover a 12-month period, they help to create the foundation for your child's future. Think of the adult your child will become. When planning, think well beyond just one year.

*Get ready early,
actively participate
and stay connected
throughout the year!*

STEP ONE:

Before The IEP Meeting:

Review!

The Individuals with Disabilities Education Improvement Act of 2004 (IDEA) requires schools to give parents of students with disabilities adequate notice to participate in the IEP meeting. This notice is called **Invitation to Conference/Prior Notice**. The NC Department of Public Instruction considers "adequate" notice to be 7-10 calendar days. The notice must be given to you in writing and in your native language.

Carefully review the invitation/notice and consider the following:

- Is the *purpose* of the meeting clearly stated?
- Is my child 14 years old or turning 14 during the next 12 months? If so, did he/she receive their own written invitation to the IEP meeting as required when planning for their transition to adulthood?
- Who is attending? What are their roles in the meeting?
- Are there any team member excusal requests attached to invitation?
- Is the Date/Time/Location convenient for your schedule?

Respond!

Read, sign and return the Invitation to Conference/Prior Notice as soon as possible and keep a copy for your records. Include in writing any of the following that apply:

- Suggestions for alternative meeting dates or times, if necessary
- A request to participate by conference call or other way if you are unable to participate in person
- A list of whom you are inviting, if anyone
 - consider inviting a friend, relative, outside professional or note taker
- A list of concerns or issues that you wish to discuss: this is your **agenda**
- A request for a copy of any proposed IEP draft, well in advance of the meeting
- Your approval or disapproval of any team member excusal request
- A note, if you plan to audio record the meeting

Be sure enough time has been scheduled for the meeting to discuss:

- Items listed on the Invitation to Conference
- Concerns or issues on your agenda

Organize!

Carefully organize your child's records/files in an order that works well for you. If you notice that you are missing an important document, ask your child's school for a copy.

Your child's records/files should include (*as appropriate for your child*):

- Current and past IEPs
- Report cards
- Work samples
- Evaluation/assessment results
- Progress reports on academics and IEP goals
- Notes/email/phone call logs of communication about your child
- Functional Behavior Assessments (FBA)
- Behavior Intervention Plans (BIP)
- Other documents, such as Person-Centered Plan, tutor reports, behavior logs/reports, discipline referrals, medical records, therapy/treatment reports, etc.



Prepare!

As you prepare for the IEP meeting, review your child's records/files and consider the following:

1. **What has been accomplished?**
2. **What has worked well?**
3. **What needs more work?**
4. **What are my concerns? What are my child's concerns?**

- Visit ECAC's web site, www.ecac-parentcenter.org, to download or review the following tools:
 - Positive Student Profile
 - Blank IEP documents and other worksheets or forms
 - NC Policies Governing Services for Children with Disabilities
 - NC Procedural Safeguards: Handbook on Parents' Rights
 - Select the **YouTube** icon and watch ECAC's IEP videos
- Write down and prioritize a list of any questions, concerns or requests that you have.
- Create a vision statement for your child's life both now and for the future.
- Make copies or ask the school to make copies of your agenda (*those topics or issues that you want to discuss and address*).
- Gather supporting documents such as private evaluations, therapist notes, research-based fact sheets, records of past trials, etc.
- Ask your child about how things are going. What is working or not working?
- Prepare your child to participate in the meeting, if they are attending.
- Consider bringing pictures or a short video of your child to the meeting.
- Give or send a reminder note to anyone you have invited to the meeting.
- Ask the teacher(s) about your child's progress and any specific concerns or ideas they have for the upcoming year.



STEP TWO:

The IEP Meeting:

Participate!

It is important for every member of the IEP Team, including you, to be prepared to work together. The Team must consider and use a wide variety of data and other information, including the information you share, to create an IEP that is appropriate for your child.

The following steps will help you to effectively participate in the IEP meeting:

- Remember to bring your notes, records and any other information you need for the meeting. Don't forget a pencil/pen/paper and remember to bring your child's pictures or video if desired.
- Arrive 10-15 minutes before the meeting's start time.
- Connect with any person(s) that you invited before entering meeting.
- Request introductions, if necessary, and clarify everyone's role at the meeting.
- Ask who is responsible for taking the meeting notes or minutes. *Review notes periodically during the meeting to ensure that they are clear, accurate and have adequate detail.*
- Review the IEP meeting agenda.
- Give copies of your agenda (*if you made one*) to each team member.
- Share your ideas, opinions and feelings throughout the meeting.
- Listen carefully to what is being said.
- If something is not clear, ask questions as needed to be sure you fully understand before moving forward.
- Request a brief break if you need one.

Remember that YOU are the expert on your child!

Fifteen minutes before the meeting ends:

- Review the meeting minutes and the Prior Written Notice for accuracy. (form DEC 5)
- Check to see if all your concerns have been addressed.
- Make sure that the wording throughout the IEP is clear and specific enough to be understood by anyone – even if they were not present at the meeting!!
- Schedule another IEP meeting if there is an unresolved issue or if you ran out of time.
- Identify who is responsible for each part of the IEP and any follow-up activity.
- Sign the IEP. Your signature documents your **attendance and participation** in developing the IEP.
- If you disagree with any part of the IEP, state your concern(s) in writing on the IEP form next to your signature or in the margin.
- Thank the other team members for their participation, efforts and ideas for your child.

IMPORTANT NOTE: You are entitled to a copy of your child's completed IEP. If it is not offered to you, ask for a copy before leaving. Be sure to take it with you even if a cleaned-up copy will be sent.

You may also receive copies of other special education related documents at the end of the meeting. Once home and while the meeting is still fresh in your memory, take time to review everything. Contact the school in writing if any clarifications or corrections are needed. As always, keep these documents with your child's other records!

STEP THREE:

After The IEP Meeting:

Follow Up!

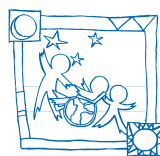
Congratulations, you have completed an important step in your child's education. This is a great time to reflect on your IEP meeting experience and to make some notes about how to improve this process for the next meeting.

- Write *"Thank You"* notes or letters to those you invited and other team members.
- Write letters of clarification to address any concerns, questions, overlooked areas, etc., if needed.
- Consider sharing a copy of the IEP with other professionals working with your child.
- Ensure ALL of your child's teachers are aware that the IEP has been updated.

Remember...

the end of the IEP meeting is the beginning of an appropriate education for your child. Stay connected throughout the year:

- MONITOR** your child's education to ensure proper implementation of the IEP and to ensure that your child is making adequate progress.
- COMMUNICATE** with your child's teachers and others. Share successes and address any issues as they arise.
- MAKE TIME** to review the IEP periodically and request an IEP meeting to discuss changes if needed.
- CONTACT ecac** at 1-800-962-6817 or visit www.ecac-parentcenter.org



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