Novice Coordinator
Meeting
2019-20

WiFi passcode: school

August 21, 2019
Welcome & Introductions

Dr. Richard Templeton
Muscle Shoals City
CASE Purpose & Membership

Mrs. Courtney Utsey
Selma City

Dr. Kristin Harrell
Talladega City
LEArn & LEAd

IEP Meeting Facilitation and Legal Compliance

Julie J. Weatherly, Esq., RISE, Inc. – Mobile, Alabama

Dr. Tim Havard, Havard Educational Consulting – Auburn, Alabama
OUR SPECIFIC GOALS FOR LEARN & LEAD TRAINING

To provide an overview of IDEA rules and regulations relating to the role and responsibilities of LEA Representatives as an IEP Team member and LEAder;

To increase strategies needed for LEAding a productive and legally compliant IEP Team meeting;

To increase skills needed to support effective collaboration and conflict resolution between parents and school staff.
THE ALIGNMENT OF AN IEP MEETING & THE ALIGNMENT OF OUR WORKSHOP

IEP Team Meeting

Legal Framework

“When, Why, What, Who”

Facilitation Framework (Tools & Strategies)

“How”

Strategies/Tools Manual, p. 3
The “Process/Content” Rowley/Endrew Standard

The 2-pronged legal inquiry for determining whether an IEP is appropriate:

1. First, in the development of an IEP, has the school agency complied with the procedures set forth in the IDEA? (the “process” piece);

2. Second, if so, is the IEP developed through the IDEA’s procedures reasonably calculated to enable the child to make progress appropriate in light of the child’s circumstances? (the “content” piece)
DEFINING THE LEA’S “MEETING PROCESS LEADER” FRAMEWORK

Not Every Process Violation Will Amount to a Denial of FAPE

A process violation will deny FAPE only if it:

1. Impeded the child’s right to FAPE;

2. Significantly impeded the parents’ opportunity to participate in the decision-making process regarding the provision of FAPE to the child; or

3. Caused a deprivation of educational benefits.
WHO ARE YOU? WHAT IS YOUR ROLE?

• Principal?
• Assistant Principal?
• School Counselor?
• Psychometrist/Psychologist?
• Special Education Teacher, Case Manager?
• Special Education Coordinator/Assistant?
• Other?
The LEA Representative is defined as a district representative who is:

--qualified to provide, or supervise the provision of, specially designed instruction;  
--knowledgeable about the general education curriculum;  
--knowledgeable about the availability of and can commit district resources; and  
--responsible for ensuring the provision of IEP services.
The LEA is the IEP Team’s “Meeting Process LEAder”
DEFINING THE LEA’S
“MEETING PROCESS LEADER” FRAMEWORK

**WHO are the other mandatory Team members?**

1. The parents of the child (must be invited);
2. Not less than one regular education teacher of the child;
3. Not less than one special education teacher (or special education provider) of the child;
4. An individual who can interpret the instructional implications of evaluation results (who may already be a member of the team); and
5. The child, if a purpose of the meeting is to address transition goals/services (must be invited)
WHO **are** the discretionary Team members?

1. At the discretion of the parent or district, other individuals who have knowledge or special expertise regarding the child; including related services personnel as appropriate; and

2. Whenever appropriate, the child with a disability

Legal Manual, p. 9
FUNCTIONS OF A FACILITATION FRAMEWORK FOR LEADING IEP MEETINGS

Provides an efficient and organized process framework

Promotes participation from all team members

Accentuates student focus

Offers alternatives for conflict resolution

Strategies/Tools Manual, p. 4
TEAM

TOGETHER

EACH

ACHIEVES

MORE
Effective Team Characteristics

• Each team member has a specific role
• Each team member has a specific responsibility
• Some team members share responsibilities
• No team member is overloaded!
• There are no “token” team members
THE IMPORTANCE OF PREPARATION

Tools:

Parent Questionnaire – p. 18
IEP Meeting Checklist – p. 19
IEP Issues-Positions-Shared Concerns/Goals – p. 41

Strategies/Tools Manual, p. 5
Instructions for Observers during IEP Meeting Demonstration

- **Odd-Numbered Tables:** Observe Demonstration Using Critical Functions Chart (*Strategies & Tools Manual*, page 33) and be prepared to comment.

- **Even-Numbered Tables:** Observe Demonstration Using Roles and Responsibilities Chart (*Strategies & Tools Manual*, page 35) and be prepared to comment.
Visual Tools

Create organization and efficiency

Educate and guide team members

Prevent meeting challenges

Reset the meeting toward its goals
IMPORTANCE OF INTERVENTIONS

IN THE PREVENTION & RESOLUTION OF CONFLICT

Strategies/Tools Manual, p. 11
BENEFITS OF INTERVENTIONS

*Reduce high-jacking of the agenda

*Increase participation

*Conduct data-based and objective information-sharing

*Diffuse emotions

*Move from positions to shared interests

*Develop understanding and relevance of the student’s needs

*Preserve dignity of participants

*Move discussion toward closure

Strategies/Tools Manual, p. 11
INTERVENTIONS: REFRAMING DIFFICULT CONVERSATIONS

Small Group Table Activity

From “Reframing Difficult Conversations” sheet, read conversation starter assigned to your table number

Determine how you will use the intervention listed to reframe/resolve the situation (refer to Intervention Descriptions Chart, pp. 25-28)

Assign roles, practice and be prepared to briefly demonstrate or describe the scenario
OUR OVERALL GOAL.....

To provide an education for the kind of kids we have,

not the kind of kids we used to have,

or want to have,

or the kid that exists in our dreams.
Dangerous Roadblocks to Avoid in Special Education

Special Education Services (SES)
Alabama State Department of Education
Novice Coordinator Meeting August 21, 2019
DaLee Chambers, Ph.D., J.D.
334-694-4782
daleec@alsde.edu
LEARNING OBJECTIVES

A  Audience
Novice coordinators

B  Behavior
Describe situations to avoid in critical areas for special education
Identify effective methods for dispute resolution

C  Conditions
To special education teachers and staff

D  Degree
With 100% accuracy and a lot of confidence 😊 ✅
1. Child Find
Ignoring parent and/or staff referrals or requests for an evaluation.
Telling a parent the child **must**
go through the RTI process
even when you suspect a
**disability.**
Keeping a student in the PST/RTI process for years!!!
Not conducting a comprehensive evaluation in all suspected areas of disability.
2. Evaluation/Eligibility
Not meeting timelines for the initial evaluation (60 calendar days) and each reevaluation (at least every 3 years.)
Relying solely on test scores for eligibility determination.
Relying solely on a medical diagnosis for eligibility determination.
Refusing to discuss the right to an IEE, when the parent disagrees with the LEA’s evaluation.
Refusing to consider the results of independent educational or private evaluations that the parent presents.
3. IEP Meetings
Not allowing the parent to participate in meetings where decisions are made regarding:
* Identification
* Evaluation
* Placement
* Provision of FAPE
Forgetting that educational performance is not just about grades or passing from grade to grade.
Predetermining placement.
Not having prepared adequately for meetings.
Not having a properly composed IEP Team for the entire meeting.
Not allowing a parent to bring invitees to an IEP Team meeting.
Making decisions based on what is available and not based on the student’s needs.
Forgetting to consider ESY services.
Not clarifying the frequency, duration, and locations of services in the IEP.
4. IEP Implementation
Forgetting to inform service providers of his/her specific responsibilities for implementing the IEP.
Forgetting to properly train staff.
Forgetting to progress monitor.
Failing to send required, regular progress reports.
Failing to review and revise when the Individualized Education Program warrants change.
Providing services (or not providing services), without making a good faith effort to assist the child in achieving the goals and benchmarks listed in the IEP.
Not giving the parent procedural safeguards and prior written notice when required to do so.
5. Discipline
Noncompliance with discipline procedures.
Using the 45 day rule to remove a student when it is not one of the 3 allowable reasons.
Disproportionally when disciplining students with disabilities.
Not following seclusion and restraint policies.
Failing to collect data and monitor progress.
Dispute Resolution
Ignoring parents’ escalating frustration, and/or failing to monitor and address barriers to communication.
Not responding timely to parent requests.
Failing to work with parents to resolve IDEA complaints.
Putting up barriers with parents after a due process filing.
Failing to prepare your employees for due process.
Dispute Resolution

- Disputes related to special education and related services should be resolved as quickly as possible so the best interest of the child may be served.
Conflct
Early Detection & Rapid Response

- What promotes early detection?
- What are some rapid responses?
<table>
<thead>
<tr>
<th>Stages of Conflict</th>
<th>Stage I</th>
<th>Stage II</th>
<th>Stage III</th>
<th>Stage IV</th>
<th>Stage V</th>
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<tbody>
<tr>
<td>Levels of Intervention</td>
<td>Prevention</td>
<td>Disagreement</td>
<td>Conflict</td>
<td>Procedural Safeguards</td>
<td>Legal Review</td>
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<td>Assistance/Intervention Options</td>
<td>Family Engagement</td>
<td>Participant &amp; Stakeholder Training</td>
<td>Collaborative Rule Making</td>
<td>Parent to Parent Assistance</td>
<td>Case Manager</td>
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<td>Stakeholder Council</td>
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<td>Telephone Intermediary</td>
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<td>Mediation Models</td>
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<td>Third Party Opinion/Consultation</td>
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<td>Mediation Under IDEA</td>
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<td>Written State Complaints</td>
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<td>Due Process Hearing</td>
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<td>Hearing Appeal (Two-Tier Systems)</td>
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<td>Legislation</td>
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### Dimensions that help clarify placement of the options along the Continuum

- Third-Party Assistance
  - Decision Making by Parties
  - Interest-Based
  - Informal & Flexible

- Third-Party Intervention
  - Decision Making by Third-Party
  - Rights-Based
  - Formal & Fixed

**CADRE**
Continuum of Dispute Resolution Processes & Practices
Federal special education funds **may not be used** to pay attorneys’ fees, or costs of a party related to any due process action or proceeding.

Paying for private mediation
SCENIC DRIVE

49 MILE

KEEP CALM AND STOP CONFLICT!