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This **FOCUS on Results** document offers ideas for participants of individualized education program (IEP) teams to prevent problems that can disrupt team meetings, including how to manage disagreements. This document provides communication tips and tools to help participants prepare for meetings.

Key Ideas:

- IEP teams often fear disagreement, but disagreement among people with different perspectives—when handled respectfully—can result in better IEPs.
- Many factors can interfere with productive discussion, but good communication skills can minimize the effect of these factors.
- IEP team meetings can produce better results when all team members prepare and participate.

Planning and Prevention Strategies Reduce Problems at IEP Meetings

by Judith Greenbaum, Ph.D.

Many parents and educators approach an individualized education program (IEP) team meeting with a certain amount of caution. Parents and educators feel this way even though evidence shows that most IEP team meetings proceed rather quickly and quietly. IEP team participants may worry that something will go wrong or that participants will disagree, or they may feel unprepared.

The *Individuals with Disabilities Education Act* (IDEA) requires that a team of individuals prepare a student's IEP (see Figure 1). By requiring a team approach, lawmakers hoped to ensure that each student would have the benefit of several good minds working together to create a quality student IEP. It's not that lawmakers thought they could prevent disagreement among team members; they actually thought that some disagreement among people with different perspectives might result in a better IEP.

In other words, disagreement can be good—if it is handled respectfully. This can result in an IEP team meeting far richer than one in which no one voices an opinion. Differences of opinion about what is best for the student are part of the problem-solving process, and problem solving is the heart of IEP

planning. Disagreement that is thoroughly discussed and results in consensus, usually produces a more appropriate, effective IEP for the student.

Communicate for Student Success

Many factors can interfere with a full and productive discussion of what is best for the student. These include:

- Misunderstandings or miscommunication.
- Lack of information or misinformation.
- Differing expectations of schools and instruction.
- Lack of understanding of teacher roles and responsibilities.
- Differences in communication styles.
- Differing interpretations of the law.
- Non-compliance with the law.
- Shortage of resources or financial constraints.
- Lack of trust due to broken promises, lack of success in the past, gossip, and innuendo.
- Direct or implied blame.
- Little or no preparation for the IEP process.

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The words "child" and "student" as used in this document describe the following persons eligible for services under federal and state law. In Michigan:

Early Intervention Services (under Part C of the IDEA) and special education services (under the Michigan Mandate) are available to eligible infants and toddlers (birth through two years of age) and their families.

Special Education Services (under Part B and Section 619 of the IDEA) are available to eligible children through age 21 and are available under the Michigan Mandate to age 26.



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Misinformation, Misunderstandings, or Lack of Information

Problems caused by misinformation, misunderstandings, or lack of information can cause disagreements where none actually exist. IEP team members can prevent many of these problems from occurring in the first place or from going further, by listening carefully, speaking accurately, and correcting misunderstandings as early as possible. Paying careful attention to the accuracy of others' and one's own statements, and providing clear, corrective explanations can enhance communication and understanding. School staff members have a major responsibility for keeping themselves informed and up to date about the IEP process as practiced in their particular school district. They also have the

responsibility of ensuring that parents fully understand the process. Parents have the responsibility to ask questions if they don't understand something. Parents should also correct any misunderstandings school staff may have about their child or themselves as early as possible.

Differing Values, Expectations, and Communication Styles

Other communication problems arise from the differing values, expectations, and communication styles of the different members of the IEP team. Staying aware of these differences, and bridging the gaps, can lead to sound decisions. For example, some parents expect more than schools and teachers can deliver. Differences in expectations need to be uncovered and clarified.

Figure 1:

Who should attend an IEP meeting?

The *Individuals with Disabilities Education Act* (IDEA) calls for the following people to participate on the individualized education program (IEP) team:

(B)(d)(1)(B) Individualized education program team.--The term 'individualized education program team' or 'IEP Team' means a group of individuals composed of--

- (i) The parents of a child with a disability;
- (ii) Not less than 1 regular education teacher of such child (if the child is, or may be, participating in the regular education environment);
- (iii) Not less than 1 special education teacher, or where appropriate, not less than 1 special education provider of such child;
- (iv) A representative of the local educational agency who--
 - (I) Is qualified to provide, or supervise the provision of,

specially designed instruction to meet the unique needs of children with disabilities;

(II) Is knowledgeable about the general education curriculum; and

(III) Is knowledgeable about the availability of resources of the local educational agency;

(v) An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in clauses (ii) through (vi);

(vi) At the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and

(vii) Whenever appropriate, the child with a disability.

Source: *Individuals with Disabilities Education Act* (2004). Final Enrolled Bill, Sec. 614.

Differing Interpretations of the Law or Suspected Non-Compliance With the Law

It is better to leave differing interpretations of the law or suspected non-compliance with the law to compliance officials and legal authorities, rather than constantly rehashing them at an IEP team meeting. IEP team members, however, do need to acquaint themselves with the law, how their district is interpreting the law, and administrative procedures their district has put in place to serve children.

Resource Shortages and Financial Constraints

Shortages of resources, financial constraints, and the extra-high case load of a particular staff member are generally not good topics to discuss at an IEP team meeting. These topics should be discussed by administrators and staff in other settings.

Trust

Lack of trust on the part of a parent, stemming from a difficult history with the schools, can be very hard to overcome. Lack of trust can be the strongest barrier to successful completion of an IEP team meeting. The school members on the IEP team should do all in their power to impress upon the parent that this year can be better for the student, while presenting compelling reasons for their belief. They should encourage all participants to consider each new IEP team meeting as a fresh start.

Teachers, too, need to approach each meeting professionally and without preconceived notions based on old "war wounds." In order to prevent the past from getting in the way of current discussions, both parents and school staff can try to develop and implement a new belief system, such as the one that follows:

- Everyone wants the student to be successful in school, including the student.
- The student is not happy when he or she is behaving badly.
- Everyone needs encouragement, praise, and thanks.

- The student is not lazy, controlling, or unmotivated; the student's educational program may need adjusting.
- The student can be taught new ways of thinking and behaving.
- Parents, teachers, and students prefer to work well together.
- Parents, teachers, and students can work through their problems.
- There are creative solutions to most problems.
- Many heads are better than one.

Prepare for Student Success

Often, parents—and students—don't know how to prepare for an IEP team meeting. School staffs are generally prepared to present information but may be caught off guard by misunderstandings, misinformation, and lack of trust on the part of parents—and students. If school staffs, parents, and students prepare for the IEP meeting using a standard set of guidelines, the meeting will proceed more quickly, easily, and productively.

IEP team members can use the checklist in Figure 2 to gather information in advance and prepare themselves to discuss the pros and cons of various suggestions that can arise at the team meeting.

Conclusion

In order to keep the IEP team on track, remember a few simple rules:

1. Communicate honestly, directly, and to the point.
2. Think creatively.
3. Don't blame.
4. Make sure that everyone is prepared to discuss student needs.

Teams that follow these rules are more likely to end up with an effective and appropriate IEP for the student.

If IEP teams can address problems related to the factors that can interfere with full and productive discussions, they can eliminate many of the things that can go wrong at IEP team meetings. With these issues resolved, the team can focus on the student's IEP.

The *Individuals with Disabilities Education Act* (IDEA) requires schools to provide a copy of a booklet called *Procedural Safeguards Available to Parents of Children with Disabilities* to the parents of any child who is eligible for special education services. Copies of the document are available for download at www.cenmi.org/products.asp or for purchase by calling the Center for Educational Networking at (800) 593-9146, ext. 4.

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Figure 2

Predict, Prepare, Participate

Although this individualized education program (IEP) team meeting checklist is designed for parents, it can be used by school staff as well.

Predict (Call the school in advance to get the following information.)

- What is the purpose of this IEP team meeting?
 - Decide on student eligibility.
 - Plan educational program.
 - Decide on placement.
- Who will be at the meeting? What are their titles and roles?
- What do teacher reports and psycho-educational evaluations say? Ask for copies or explanations at least a few days before the meeting.
- What are the teacher, principal, psychologist, and others recommending?
- What will they say?

Prepare

- Gather important information:
 - Samples of student work.
 - Student progress reports.
 - Current IEP.
- Ask the student for his/her ideas and recommendations. Discuss your recommendations and concerns with the student.
- Does the student need additional evaluation? Call the school.
- Do you need more information about how to help the student? Call a parent group such as the Learning Disabilities Association, United Cerebral Palsy, The Arc, CAUSE, etc.
- Ask the school for a copy of the IEP manual and blank form so you know what will be discussed (available at www.cenmi.org).
- Study all evaluations you received from the school (see above).
- Ask yourself why others are making the recommendations they are making.
- What are your recommendations? List them along with your other concerns.
- What are the areas of agreement and disagreement between you and the school?
- What compromises are acceptable to you?
- What will you say? Write notes to yourself.

Participate

- Bring your notes and supporting information to the IEP meeting.
- Ask questions if you don't understand something that is being said. Keep asking until you understand.
- Remember, you have the legal right to:
 - Speak for your child (or yourself, if you are the student).
 - Be a full participant at the meeting.
 - Be fully informed before you make a decision.
 - Appeal the IEP decision if you disagree.
- Bring a spouse, friend, or advocate with you to the meeting for support.
- State your opinions and concerns. Remember, you can give as well as receive information.
- Ask for more time if you need it.

Resources to Help You Understand IDEA and Michigan Law

IDEA and Its Regulations

Because states base their programs for students with disabilities on the *Individuals with Disabilities Education Act* (IDEA) and its final federal regulations, it is helpful for educators and parents to read and become familiar with the law itself. This law is reauthorized every five years—most recently at the end of 2004. New regulations are expected to be released in late 2005 or early 2006.

To obtain a copy of the the law and/or the final federal regulations, contact: Superintendent of Documents, U.S. Government Printing Office, Attn: New Orders, P.O. Box 371954, Pittsburgh, PA 15250-7954. Charge orders may be telephoned to: (202) 512-1800. A copy is also available at the CEN Web site: www.cenmi.org/ProductList.asp.

For a copy of the revised statute, request a copy of *The Individuals with Disabilities Education Improvement Act of 2004*.

For a copy of the federal regulations, request the most recent version of IDEA's regulations. For the regulations related to IDEA 1997, ask for the Code of Federal Regulations: Title 34; Education; Part 300-399. Final regulations for IDEA 2004 are not expected until late 2005 or early 2006. There will be a minimal charge for both of these documents.

A useful Web site for obtaining these materials is the OSEP-funded IDEA Partnership Projects at: www.ideapractices.org/law/index.php.

IDEA 2004 and the federal regulations for IDEA 1997 are also available at no cost by download from www.cenmi.org or for purchase through the Center for Educational Networking (CEN) at (800) 593-9146 ext. 4.

Michigan Law and Regulations

IDEA provides minimum requirements that states must meet in order to receive federal funds to assist in providing special education and related services. Michigan law and regulations may go beyond federal requirements in some areas, so it is important to learn more about Michigan's laws as well. The following resources can help:

2002 Revised Administrative Rules for Special Education. The State rules, effective June 6, 2002, include revisions as of May 2005 and references to selected federal regulations.

Procedural Safeguards Available to Parents of Children with Disabilities. Revised July 28, 2005, this 18-page document provides Michigan parents of children with disabilities, from birth to age 26, an overview of their educational rights with respect to special education.

These state documents are available at no cost by download from www.cenmi.org or for purchase through the Center for Educational Networking (CEN) at (800) 593-9146 ext. 4.

Statement of Compliance with Federal Law

The Michigan Department of Education complies with all Federal laws and regulations prohibiting discrimination and with all requirements and regulations of the U.S. Department of Education.

Compliance with Title IX

What Title IX is: Title IX of the Education Amendments of 1972 is the landmark federal law that bans sex discrimination in schools, whether it is in curricular, extra-curricular, or athletic activities.

Title IX states: "No person in the U.S. shall, on the basis of sex, be excluded from participation in, or denied the benefits of, or be subject to discrimination under any educational program or activity receiving federal aid."

The Michigan Department of Education (MDE) is in compliance with Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et seq. (Title IX), and its implementing regulation, at 34 C.F.R. Part 106, which prohibits discrimination based on sex.

The MDE, as a recipient of federal financial assistance from the United States Department of Education (USDOE), is subject to the provisions of Title IX. MDE does not discriminate based on gender in employment or in any educational program or activity that it operates.

The designated individual at the Michigan Department of Education for inquiries and complaints regarding Title IX is:

Roberta E. Stanley, Director
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Department of Education,
Hannah Building, 608 W.
Allegan, P.O. Box 30008,
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WEB LINKS

IEP Tools

The IEP: A Synthesis of Current Literature Since 1997. (2003). Prepared for Project FORUM, National Association of State Directors of Special Education (NASDSE). Visit www.nasdse.org/publications.cfm or call (703) 519-3800 ext. 312.

Facilitated IEP Meetings: An Emerging Practice. (2004). Published by the Technical Assistance Alliance for Parent Centers. Published for the Consortium for Appropriate Dispute Resolution in Special Education (CADRE). Visit www.directionservice.org/cadre/facilitatediep.cfm or call (952) 838-9000.

Preparing for a Successful IEP Meeting: An LDA Fact Sheet (2004). Learning Disabilities Association Education/Transition Committee. Visit www.ldanatl.org/aboutld/parents/special_ed/preparing.asp or call (412) 341-1515.

Attending Meetings to Plan Your Child's Individualized Education Program (IEP). (2000). PACER Center Inc. Visit www.pacer.org/parent/php/PHP-c27.pdf or call (800) 537-2237.

Two Organizations With IEP Information

Parent Advocacy Coalition for Educational Rights (PACER)
www.pacer.org (type "IEP" in the search box)

National Center for Children and Youth with Disabilities (NICHCY)
www.nichcy.org (click on A-Z Topics, then IEP resources)

Michigan Special Education Web Sites

Citizens Alliance to Uphold Special Education (CAUSE)
Michigan's designated parent training and information center
www.causeonline.org

Project Perform
www.wash.k12.mi.us/perform or call (800) 552-4821

Center for Educational Networking (CEN)
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