

Tips for Navigating an IEP Meeting: A Guide for Parents & Guardians

This post was authored by SNA member <u>T. Nikki Mitchell, Esq.</u>, owner of <u>Mitchell, Brown & Associates, LLC</u> in St. Louis, MO. An SNA member since 2021, she focuses her practice on the areas of elder law and special needs planning.

When you are the parent or guardian of a child with special needs, talking to educators about the best way to support your child's learning journey through an Individualized Education Plan (IEP) can feel daunting. Approaching these meetings prepared and informed is crucial to ensure your child receives the necessary support. If this is your first time navigating this process, the following contains information to help you enter the meeting with a greater understanding of what to expect and why you may opt to seek out additional assistance.

Understanding the IEP Qualification Process

The best way to start your familiarization process is first to understand the purpose of an IEP meeting and your child's rights under the Individuals with Disabilities Education Act (IDEA). The IDEA requires schools to provide all children with a free and appropriate education (FAPE). Some private schools are exempt from this requirement. According to the <u>US Department of Education</u>, the requirements for the IEP under the IDEA are:

- The child has to have a qualifying diagnosis(es); and
- The disability must "adversely impact the child's educational performance."

To know if your child qualifies for an IEP, testing is a crucial first step toward determination. The IDEA contains a requirement that schools seek out students who may be in need of testing and educational support, but parents can request testing. If you are experiencing concerns about your child, the school should conduct assessments. If the school is unwilling or unable, parents can explore independent evaluations (which may or may not be covered by the school).

Once testing is complete, to qualify for the IEP, your child must have a diagnosis that adversely impacts their educational performance. The list of qualifying diagnoses can be found <u>here</u>, but the following is a list of disability categories, definitions, and criteria that is easier to read:

Autism

- Deaf/Blindness
- Emotional Disturbance
- Hearing Impairment and Deafness
- Intellectual Disability
- Multiple Disabilities
- Orthopedic Impairment
- Other Health Impairments
- Specific Learning Disabilities
- Speech or Language Impairment
- Traumatic Brain Injury (TBI)
- Visual Impairment/Blind
- Young Child with a Developmental Delay

General Preparation Tips for IEP Meetings

Once your child has completed testing that confirms their qualification for an IEP, you will want to schedule a meeting with your child's school. The meeting likely will include your child's teacher, school education specialists, counselors, and/or the Principal or Vice Principal. In preparation for the meeting, consider doing the following:

Gather and organize documentation

Collect relevant documents, such as assessments, medical reports, and previous IEPs, if applicable, to support your case. Bonus tip: Keep all these documents in a binder for easy reference during the meeting and for future meetings.

Educate yourself

Learn about the criteria for IEP qualification and the services your child may need. Visit websites like the <u>Council of Parent Attorneys and Advocates</u>, <u>Inc. (COPAA)</u> for resources, forums, and checklists to better understand your rights and the IEP process.

Establish clear communication

Maintain open lines of communication with the school, teachers, and professionals involved in your child's education to stay informed and address concerns promptly.

Common IEP Accommodations

Based on the specific needs of your child, accommodation can vary significantly. But if you're unsure where to start, the following are some of the most common accommodations schools can provide:

Extra time for tasks

Schools can provide additional time for reading, tests, or assignments to accommodate your child's learning pace.

Multi-modal instruction

Both auditory and written instructions are provided by the teacher to support your child's different learning style, ensuring that they receive instructions in a way they can better comprehend.

Individual tutoring or subject-specific help

If necessary, ask for one-on-one assistance tailored to your child's needs.

Assistive technology

Explore the use of assistive tools such as iPads, Apple Pencils, or reading aids to enhance your child's learning experience.

Advantages of Having an Advocate

Understanding the laws, the school's requirements, and potential accommodations is not an easy undertaking for most parents. If you are feeling overwhelmed and looking for additional support, hiring an advocate is often the best course of action. An advocate can relieve you of the burden of understanding all the rules and regulations, allowing you to focus on being a parent and actively participating in the meeting.

In general, an advocate is familiar with the legal requirements, timelines, and procedures involved in the IEP process. They will work with you to understand your child's unique needs, preferences, and strengths and communicate them effectively during the meeting. Advocates help ensure that the school follows the law and provides appropriate services for your child's needs. They can guide you through the complexities and uphold your child's rights. Frequently, advocates are attorneys, but they can also be previous educators or even parents who have studied the laws and understand the intricacies of the IEP process.

The school or district does not provide advocates, so hiring one comes at a cost to you, the parent or guardian. If you cannot afford an advocate, consider contacting legal aid

organizations or medical/legal partnerships offering free advocacy services. Law schools may also have clinics specializing in special education advocacy.

IEP meetings play a pivotal role in securing the best educational opportunities for your child. By understanding the importance of organization, communication, and knowledge of their child's needs, parents and guardians can effectively advocate for their necessary support and accommodations. Additionally, the presence of an advocate can provide invaluable guidance and ensure compliance with legal requirements. Remember, your child's education is a collaborative effort, and by being proactive and prepared, you can navigate IEP meetings with the goal of securing the best possible educational outcomes for your child.

About this Article: We hope you find this article informative, but it is not legal advice. You should consult your own attorney, who can review your specific situation and account for variations in state law and local practices. Laws and regulations are constantly changing, so the longer it has been since an article was written, the greater the likelihood that the article might be out of date. SNA members focus on this complex, evolving area of law. To locate a member in your state, visit <u>Find an Attorney</u>.

Requirements for Reproducing this Article: The above article may be reprinted only if it appears unmodified, including both the author description above the title and the "About this Article" paragraph immediately following the article, accompanied by the following statement: "Reprinted with permission of the Special Needs Alliance

— www.specialneedsalliance.org." The article may not be reproduced online. Instead, references to it should link to it on the SNA website.