



# The Top 5 IEP Mistakes (and How to Avoid Them)

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# INTRODUCTION



- Who is ADAMS ESQ?
- Brief Introduction to the IDEA
- The Importance of Parent Participation in the IEP Process

# TOP 5 IEP MISTAKES



#1

Failing to  
Attend

#2

Failing to  
Question  
Authority

#3

The  
Endless  
IEP  
Meeting

#4

Failing to  
Prioritize

#5

Failing to  
Prepare

# Mistake #1- Failing to Attend

- Common reasons for failing to attend IEP meetings:
  - Trust and respect for teachers and school administrators
    - They are the “experts”
    - No translations
    - The reports are too complicated to understand anyway
    - The IEP is already completed before the meeting starts and the school district won’t change the form
  - Too Busy
    - IEP meetings are boring and take too long
    - Meetings are scheduled for inconvenient times
    - My boss won’t allow me to leave work
    - I’m physically exhausted
  - Fear
    - Feeling pressured to sign the IEP
    - Fear of making a mistake in agreeing to the IEP
    - It feels like all of the school district representatives are against me
    - Fear of deportation

# More on IEP ATTENDANCE

- Importance of Mental Attendance:
  - Emotion
    - Gearing for collaboration instead of “battle”
    - Listening to understand before responding
    - Tempering anger
  - Fatigue, Depression and Anxiety
    - IEP meetings are mentally draining
    - IEP Post-Traumatic Stress?
    - It’s just me against an entire school system
    - I’m all alone
  - Cynicism
    - No one (from the school district) cares about my child
    - No one understands what I have to go through
    - It doesn’t matter what I say because the school district won’t change its mind.



- Request (in writing) that the IEP meeting be rescheduled for a time when you can attend. Indicate in your note that they do **NOT** have permission to proceed without you. Provide two or three alternative meeting dates.

- IEP meetings are generally held annually. Provide available dates to your child's case manager *before* she schedules the next meeting.

If you simply can't make it in person, consider attending via telephone, Skype or FaceTime or send a grandparent or other responsible relative.

Always attend an **Initial, Triennial, Manifestation Determination or Transition** IEP meeting in person as they are especially important.

- Always keep an open and positive attitude (even if you have to work hard at it). This will help to make the meeting more collaborative instead of combative. Bring special treats or snacks.
- District representatives may have children with disabilities too. Look out for the "angel" in the IEP meeting who may gently be attempting to help you.
- **Remember that your input at the IEP meeting is equal to all of the school district representative combined.**
- Bring a friend, religious leader or advocate for support.



Helpful  
Tips

# Mistake #2 – Failing to Question Authority

- You are *the* Advocate for Your Child
  - Many teachers are simply untrained and do not know the law
  - School officials may not understand (or respect) parent rights or are too busy
  - Special concerns related to Clark County SD decentralization
- Formal Evaluations and Assessments
  - What tests are you giving to my child?
  - Who is giving the testing?
  - Is the assessor qualified?
  - What areas of disability do these tests cover?
  - What information do you need from me?
  - What do the results mean (in plain language)?
- The IEP form
  - Can I receive this in my primary language?
  - What do all of the codes mean?
  - Are the check-boxes important?
  - Do I have to sign the IEP in the meeting or can I take it home for review?
  - How do I make changes to the IEP?

# Questioning Authority

- Remember that you are your child's main advocate. In order to fully understand what your child needs, is entitled to, and will receive from school, you must not be timid about asking questions.
- Some teachers are untrained (or simply ill-suited) to work with or evaluate your child. Don't assume that they are. Remember that you are the "expert" regarding your child and your full input is important.
- "School psychologists" are rarely clinical psychologists. They cannot diagnose your child.
- Recognize that some school districts intentionally use complicated language and jargon to intimidate parents.
- Be polite. Often, school personnel have not been trained on even basic IDEA laws or how to conduct an IEP meeting. They simply do not know how to answer your questions.
- At every IEP meeting you will be given a Notice of Procedural Safeguards. Read it! This Notice contains important information regarding your rights, including your right to a "second opinion" (an Independent Educational Evaluation) regarding your child's testing.
- Read all Assessment Plans carefully and add any additional areas of testing as appropriate. Insist (in writing) that your child's main teacher or aide be included in the evaluation process. Attach private medical or other evaluations if helpful. Request a copy of all testing well in advance of your child's IEP meeting so that you have a chance develop questions.





# Mistake #3

## The Never-Ending IEP Meeting

- IEP meetings typically include parents, general education and special education teachers, school district administrator and any assessors.
- Usually last 1-3 hours.
- Triennial IEP meetings will last longer than Annuals.
- The purpose of a Triennial IEP is much more than just to “determine eligibility”. It includes full re-evaluations in all areas of suspected disability. Never waive a triennial assessment.
- Can lead to fatigue and loss of continuity
- Serial IEP meetings
- Addendums and Amendments

# Avoiding Endless IEP Meetings

- If possible, consult with your child's case carrier in advance to develop an agenda. Be clear as to what the time expectations are on both sides. Provide a doctor's letter or report in advance of meeting if applicable.
- Review your child's file and any recent testing before the IEP meeting and prepare your questions in advance. You may even provide questions to the case carrier prior to the IEP meeting so that the school district can be prepared to answer them.
- Avoid serial IEP meetings if possible. If you do anticipate the need for them, work with the district to calendar them well in advance to ensure continuity and that all participants are present.
- Avoid raising new areas of disability or major issues during the IEP meeting. This should be done in *advance* (and once again, in writing).
- Arrive early.
- Both parents are encouraged to attend but do *not* bring a lot of people to your child's IEP meeting. Avoid negative emotion (e.g. anger, distress, feeling victimized) as this can make the IEP meeting more combative and distract the focus from your child.
- Bring a nice picture of your child (if not in attendance) to help the team remember that they are all working together to educate him or her.
- Schedule follow-up time with your child's case carrier or service provider after the IEP meeting to address any minor typos, issues or questions.
- Consider an Addendum IEP meeting via phone.

# Mistake #4 – Failing to Prioritize

- Consequences:
  - Too many goals and objectives
  - Focus is diverted from the child's true needs
  - Boilerplate accommodations
  - Overly complex IEP
  - Can mask regression
  - Attorneys and Hearing Officers have difficulty understanding parent's real concerns
  - False appearance of many services and support
  - Can result in never-ending IEP meeting

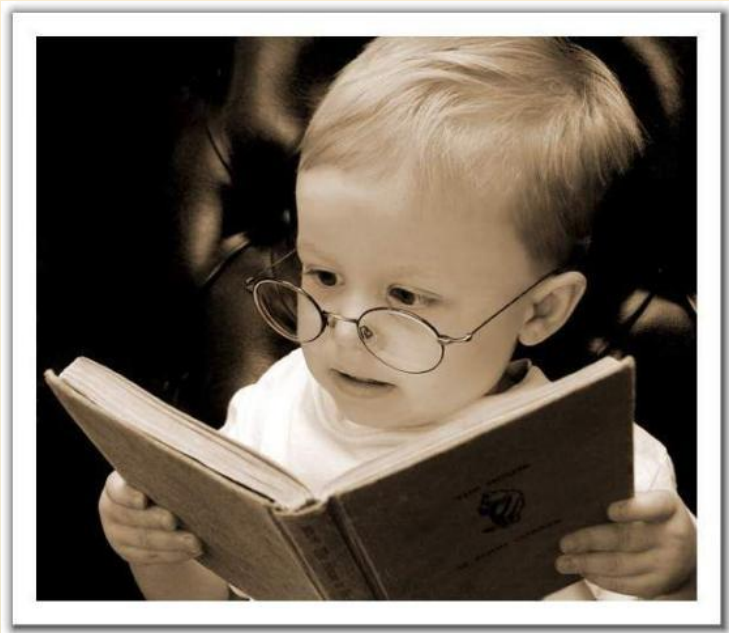
# How to Prioritize

- Prioritize *your* child's needs regarding placement, services and supports.
- Avoid relying on what other parents received for their child—every child is different and your child may (and probably does) require a different program. Your child's IEP should never mimic a one-size-fits all general education program, but instead should be customized for her.
- Remain flexible and open to suggestions.
- Have realistic expectations regarding the number and intensity of yearly goals. Consider what skills your child *must* have in order to achieve independence as he transitions to adulthood. Target goals and objectives designed to master those basic building blocks.
- Consider requesting an IEE. Review all school district standardized testing and reports and exercise your right to a “second opinion” if you don't understand or don't agree with school district recommendations.
- Choose your battles. Every parent wants the “best” for their child—but that is not the law. Fight for the two or three top placements, services or supports that will be the most beneficial to your child. Here, an IEE (Independent Educational Evaluation) may help in determining those top interventions.
- Build on success. Look to prior IEPs and speak to your child's teachers and service providers to help you to judge what works and what does not. Focus on the successful goals and build from there.

# Mistake #5 – Failing to Prepare

- School Districts generally do not train parents on the IEP process and jargon.
- Parents generally trust the school district “experts” to know (and really care about) their child.
- Some school districts “take a vote” of team members regarding IEP services, placement or even special education eligibility. However, Parent opinion is equivalent to all of the school district team members combined.
- Parents can and should seek training and prepare themselves for every IEP Team meeting. This is especially important for Initial, Triennial, Transition and Manifestation Determination IEP meetings.
- Remember that you are not alone. Consult with local advocacy agencies and experienced parent advocates. If you believe you require additional legal help, contact a special education attorney in your area.

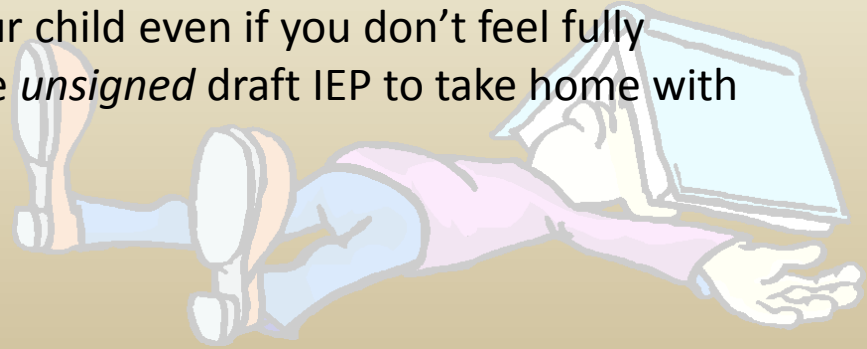
# How to Prepare for the IEP Meeting



- **2 to 3 weeks before IEP meeting.** Review Notice of IEP Meeting carefully before signing. Note who will (and will not) be invited as part of the team. Confirm the type of IEP meeting (e.g. annual, triennial, etc.)
- **1 to 2 weeks before IEP team meeting.** Every member of the IEP team should review your child's school file so that they can be reminded of his history and unique needs.
- **2 to 7 days before IEP meeting.** Request standardized test results or assessments *before* your child's annual or triennial IEP meeting so that you can ensure the testing results are accurate, consult with an advocate and frame any questions.
- **2 to 3 days before IEP meeting.** If you have had independent reports prepared for your child, consider sharing them with your child's IEP case carrier.

# Preparing for the IEP Team Meeting

- **1 to 2 days before the IEP meeting.** Review the Goals and Objectives pages from last year's IEP. Jot down any new goals that you believe would be helpful for your child in addressing his unique needs.
- **24 hours before the IEP meeting.** Deadline to provide written notice of intent to audio record the IEP meeting.
- **The evening before the IEP meeting.** Log-in to your school district's online program and review any attendance, report cards, grades and disciplinary records. Print a hard copy and bring it to the IEP meeting with you if you have any concerns.
- **During the IEP meeting.** Consider bringing snacks and bottled water for the entire IEP team. Attend the IEP meeting and listen to the school district's offer of special education programming for your child even if you don't feel fully prepared. Obtain all assessments and the *unsigned* draft IEP to take home with you for your review.



# Questions and Answers





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