

2014-2015 Annual Report Colorado Special Education Advisory Committee

Submitted to:
Colorado State Board of Education

By:
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What is CSEAC?

The Colorado Special Education Advisory Committee (CSEAC) is a state level committee mandated by federal and state law. According to Colorado Revised Statutes 22-20-104 (2) (a):

In order to assist the state board in the performance of its responsibilities for the implementation of this part 1, the state board shall appoint a state special education advisory committee of an appropriate size. The members of the advisory committee shall be representative of the state population and shall be composed of persons involved in or concerned with the education of children with disabilities, including parents of children with disabilities ages birth through twenty-six years; individuals with disabilities; teachers; representatives of institutions of higher education that prepare special education and related services personnel; state and local education officials, including officials who carry out activities under section 22-33-103.5; administrators of programs for children with disabilities; representatives of other state agencies involved in the financing or delivery of related services to children with disabilities; representatives of private schools, district charter schools, and institute charter schools; at least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities; a representative from Child Welfare Services in the Department of Human Services established pursuant to section 26-5-102, C.R.S.; and representatives from the Division of Youth Corrections in the Department of Human Services and from the Department of Corrections. A majority of the members of the advisory committee shall be individuals with disabilities or parents of children with disabilities. Members shall be appointed for terms as determined by the by-laws of the advisory committee. Any additions to the composition of the advisory committee shall be made pursuant to the procedures of the state board.

Duties of CSEAC [34 CFR 300.169]

The advisory panel must:

- (a) Advise the State Educational Agency (SEA) of unmet needs within the State in the education of children with disabilities;
- (b) Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;
- (c) Advise the SEA in developing evaluations and reporting on data to the Secretary under section 618 of the Act;
- (d) Advise the SEA in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act; and
- (e) Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities.



CSEAC Vision Statement

All learners are respected and challenged with high expectations, their needs are met, and student aspirations for success are fulfilled.

CSEAC Mission Statement

Our mission is to actively represent children and youth with disabilities and impact decisions made on their behalf to enhance the quality of educational services.

CSEAC 2014-2015 Focus

In 2014-2015, the CSEAC committed to creating a collaborative process that includes gathering input from its constituent groups on a particular area as it relates to unmet needs in the education of children with disabilities and then communicating these findings through a guidance document. To achieve this, the CSEAC members voted on special education areas to focus on throughout the year. Special education topics identified for spring, summer and fall 2015 meetings include Early Dispute Resolution, Extended School Year and Special Education in Charter Schools.

This collaborative process begins by providing research and information to CSEAC members so they can familiarize themselves with the topic area and gain foundational knowledge. Next, CSEAC members poll their constituent groups utilizing specific questions about the topic. Then the response data is collected and compiled for the CSEAC members to review. Experts are sought out to present at the CSEAC meeting on the identified special education area. During the CSEAC meeting, small break-out groups consider the topic in light of the foundational research and information, expert presentations and constituent response data. Following this discussion, the CSEAC identifies any concerns, common themes, ideas and positive strategies that arise. This culminates in the creation of a document that synthesizes the ideas generated at the CSEAC meeting through a comprehensive review of the special education issue, and also includes the CSEAC's advice on how to improve the unmet educational needs of children with disabilities. The document is then distributed to the Colorado State Board of Education (SBE), the Colorado Department of Education (CDE), local special education advisory committees (SEACs), schools, families and other interested individuals. The intent of the document is to provide advice for the previously mentioned groups to take action on the designated topic area to better meet the educational needs of children with disabilities.

Highlights of 2014-2015

- Created a collaborative process to generate, develop and then communicate CSEAC advice on the unmet educational needs of children with disabilities.
- Created a CSEAC guidance document on Early Dispute Resolution and sent it to CDE, local SEACs and PEAK Parent Center. The document is available on the CSEAC website.
- Reviewed the CSEAC bylaws and approved amendments to support the CSEAC's mission.
- Added a new CSEAC membership position from the Colorado Parent Training and Information Center (PTI), PEAK Parent Center.
- CSEAC Co-Chair presented at the Colorado Special Education Directors' Fall Meeting.
- Held Fourth Annual State "People First" Meeting and recognized five recipients.



- CSEAC Co-Chairs contributed to the State Systemic Improvement Plan (SSIP) meeting that included personnel from the Office of Special Education Programs (OSEP).
- CSEAC members served on the CDE Advisory Group on Early Dispute Resolution, State Graduation Guidelines Committee and the Preschool Special Education Advisory Committee.
- Reviewed the Special Education State of the State Report with regard to goals, performance of Colorado students and OSEP indicators.
- CSEAC Co-Chair and other CSEAC members attended the National Institute on Legal Issues of Educating Individuals with Disabilities.
- CSEAC member representative attended Exceptional Student Services Unit (ESSU) staff meetings.
- CSEAC member representative attended SBE meetings.
- Reviewed updates from Colorado’s Due Process Resolutions and State Complaints.
- Received legislative updates from Debora Scheffel, Ph.D., State Board of Education Liaison.
- Received updates and presentations on the following topics:
 - “Early Intervention from Infancy and Beyond” by Jennifer Martin, Emily McNeil and Tora Spratt, Early Intervention Providers, Adams County Neonatal Intensive Care Unit Team.
 - “The Landscape of Preschool Special Education” by Penny Dell, 619 Coordinator/Preschool Education and Child Find, CDE, ESSU; and Lenita Hartman, Community Coordinator, Early Intervention Colorado, Colorado Department of Human Services.
 - “Annual Performance Report (APR) and State Systemic Improvement Plan (SSIP)” by Wendy Sawtell, SPP/APR Coordinator.
 - “CSEAC Basics and Advisory Responsibilities of State Advisory Panels” by Pat Chamberlain, CSEAC Co-chair.
 - “Understanding the Seven Advisory Panel Functions” by Pat Chamberlain, CSEAC Co-chair.
 - “State Performance Plan (SPP) and State Systemic Improvement Plan (SSIP)” by Wendy Sawtell, SPP/APR Coordinator.
 - “Accessible Parking” by Gina Robinson, Governor’s Council for Persons with Disabilities; Program Administrator, Health Care Policy and Financing; Chair, Colorado Advisory Council for Persons with Disabilities.
 - “Improving Parent Participation in Individualized Education Program (IEP) Meetings and Resolving Disputes” by Alison B. Daniels, Esq., and Jennifer Purrington, Esq., Disability Law Colorado.

The CSEAC continues to build working relationships with CDE, SBE, the Colorado Legislature, statewide special education directors and educators, local SEACs, families, agencies and other partners in special education.



2014-2015 CSEAC Subcommittee Reports

CSEAC subcommittees worked diligently on the following priorities:

- to align and give input on legislation and contribute to CDE rulemaking;
- to strengthen relationships between CSEAC, communities and other stakeholders;
- to promote “People First” philosophy and language statewide; and
- to increase the number of local SEACs and build grassroots family involvement in special education by reaching out to and supporting existing ones.

Bylaws Subcommittee

Purpose: To review and update bylaws as needed.

Goals: Advise on and draft amendments to bylaws as requested.

Chair: David Aarestad

Members: none

Accomplishments:

- Updated language and clarified legal duties and responsibilities.
- Added a new CSEAC member from Colorado’s PTI, PEAK Parent Center.
- Changed subcommittees to:
 - 1) Communications
 - 2) Membership
 - 3) Public Policy and Legislation
 - 4) Student Outcomes



Communications Subcommittee

Purpose: To increase the presence of the CSEAC and to create two-way communication with the SBE, CDE, local SEACs and other stakeholder groups.

Goals:

- Educate others about People First Language.
- Create a CSEAC social media presence.
- Assist local SEACs.
- Increase recognition of CSEAC and its role, duties and responsibilities.

Co-Chairs: Roberta Curtis, Cheryl Gaines

Secretary: Lori Smith

Members: Liz Freys, Tom Gribble, Linda Hayes, Cindy Holden, Zoe Ann Holmes, Dr. Tracy Mueller, Dr. Karin Pappadakis, Anna Stewart, Greg Sullivan, Mellisa Umphenour

Accomplishments:

- People First Language:
 - Distributed flyer to stakeholders.
 - Created table tents for CSEAC meetings.
 - Held Fourth Annual State “People First” Meeting.
- Web/Social Media:
 - Created private Facebook group for subcommittee members.
 - Organized system for posting CSEAC information to CDE’s Facebook page.
- Local SEACs:
 - Updated local SEAC list and contact information.
 - Distributed constituent group surveys to local SEACs to gather information on identified CSEAC focus areas.
 - Invited local SEACs to CSEAC meetings.
- Constituent Collaboration:
 - Organized CSEAC representation at SBE meetings.
 - Continued two-way communication with SBE liaison, Debora Scheffel, Ph.D.
- Fourth Annual State “People First” Meeting:

Recognized the following individuals for their outstanding contributions to children and youth with disabilities:

 - Connie McKenzie, Educational Advocate – The ARC, Pikes Peak Region.
 - Carolina Steen, Ph.D., Assistant Superintendent for Student Services – Cheyenne Mountain School District 12.
 - Terrie Watts, Teacher – Discovery Canyon High School, Academy District 20.
 - Student Recipient – Amy Lightfoot, Rampart High School, Academy District 20.
 - Lifetime Recipient – Linda Hayes, Assistant Director of Special Education – Academy District 20.



Membership Subcommittee

Purpose: To actively recruit members to fill vacant positions, including positions that become vacant due to members reaching their term limit.

Goal: Fill vacant positions with well-qualified and motivated individuals.

Co-Chairs: Zoe Ann Holmes, Renee Niskanen

Members: Joanne Irons, Greg Sullivan, Teresa Wright

Accomplishments:

- Distributed a notice of vacancies for the 2015-2016 CSEAC year with a focus on recruiting representatives from Congressional Districts 1, 2, 3, 4 and 7 in order to increase statewide representation.
- Interviewed six well-qualified applicants and recommended appointment of each as new CSEAC representatives to the SBE.
- Recruited five individuals to fill interim positions.
- Filled the new position representing Colorado's PTI, PEAK Parent Center.
- Obtained CSEAC members' commitment for service and followed up with absentee members.
- Implemented a mentorship program for new CSEAC members.



Public Policy and Legislation Subcommittee

Purpose: To stay abreast of and disseminate information affecting education of children and youth with disabilities through electronic mail to members.

Goal: Increase the participation of CSEAC in legislation and policy-making prior to issues becoming law.

Co-Chairs: David Aarestad, Patti McVay

Members: Adric Arndt, Cassidy Dellemonache, Tom McMillen, Kat Rains, Lori Thompson

Accomplishments:

- Worked with CDE and CSEAC's Membership Subcommittee to develop a plan to recruit a current legislator to serve on CSEAC.
- Identified a list of education lobbyists and organizations to contact to identify potential special education policy issues that are being watched, discussed, or are in process.
 - Reached out to CDE, Colorado Association of School Boards (CASB), Colorado Association of School Executives (CASE), ARC and National Disability Rights Network.
- Each member tracked one pending bill throughout the 2014-2015 legislative session.
- Attended SBE meetings when ESSU issues were on the agenda.



Student Outcomes Subcommittee

Purpose: To advise CSEAC members and the State on unmet needs and issues to help improve outcomes for students with disabilities in Colorado.

Goal: Provide advice for the improvement of Results Driven Accountability (RDA) for students with disabilities.

Chair: Kathy Mortenson

Members: Irwin Faaiu, Beverly Harris, Rich Humphrey, Kindra Sanchez-Marble, Missy Sieders

Accomplishments:

- Maintained subcommittee connection to SSIP and RDA development through Wendy Sawtell (CDE) and Beverly Harris (CSEAC member).
- Summarized and shared survey results on student outcomes for students with disabilities.



Discussions Surrounding Parental Concerns

- Early/Alternative Dispute Resolution
- Extended School Year
- Individualized Education Programs (IEPs)
- Statewide standardized testing
- Graduation rate of students with disabilities and implementation of new guidelines
- Transition services across the State and postsecondary outcomes, including employment for students with disabilities
- Significant need for post-school opportunities for students with disabilities
- Inclusive opportunities for students with disabilities
- Funding for special education in Colorado
- Language and cultural diversity needs for students with disabilities

Looking Ahead

- CSEAC developed a process to better fulfill its legal duty to advise the SBE and CDE on unmet educational needs of children with disabilities. In the upcoming year, the CSEAC commits to continuing consideration of specific special education areas. After following the collaborative and representative process described above, CSEAC will create guidance documents on these areas. CSEAC will share these documents throughout the year with the SBE, CDE, local SEACs, constituent groups including families, and will also have the guidance documents available on the CSEAC website.
- CSEAC offers specific advice on Early Dispute Resolution (EDR) in its guidance document and values the CDE initiative to reduce disputes, complaints and related costs for families and school districts.
- CSEAC encourages continued support of the Results Driven Accountability (RDA) process to monitor the results of students with disabilities on statewide standardized testing and tracking the achievement and progress of these students from year to year.
- CSEAC continues to urge meaningful transition planning and options to increase student graduation rates and improve postsecondary outcomes, including employment, for students with disabilities.
- CSEAC recognizes the benefits of appropriate Extended School Year (ESY) services.
- CSEAC continues to support Colorado's SSIP and its collaboration with CDE to accomplish the State-identified Measurable Result (SiMR).
- CSEAC reviews and update CSEAC publications, including the Mental Health Position Statement and State Performance Plan brochure.



CSEAC Members 2014-2015

Name	Role	County	Congressional District
David Aarestad	Parent of a child with a disability	Arapahoe	6
Adric Arndt	Special education administrator	Teller	5
Pat Chamberlain 2013-2015 Co-Chair	Parent of a child with a disability	Larimer	2
Dean Cockroft	Grandparent of a child with a disability/legal guardian	Larimer	4
Roberta Curtis	Parent of a child with a disability	Douglas	6
Cassidy Dellemonache	Parent of a child with a disability	Jefferson	7
Irwin Faaiu	Representative from the Division of Youth Corrections	Arapahoe	6
Elisabeth Freys	Facility school administrator	Weld	4
Cheryl Gaines	Parent of a child with a disability	Mesa	3
Tom Gribble	Special education administrator	Larimer	2
Beverly Harris	General education administrator	Arapahoe	6
Nancy Harris	Representative from the Department of Human Services, Child Welfare Services	Denver	1
Linda Hayes	Special education administrator	El Paso	5
Cindy Holden	Parent of a child with a disability	Eagle	3
Zoe Ann Holmes	Parent of a child with a disability	El Paso	5
Richard Humphrey	Parent of a child with a disability	Summit	2
Joanne Irons	Parent of a child with a disability	Archuleta	3



Tom McMillen	Parent of a child with a disability	Jefferson	7
Patti McVay	Administrator of a program for students with disabilities	Arapahoe	4
Sarah Metsch	Individual with a disability and self-advocate	Douglas	6
Kathy Mortensen	Special education administrator	Alamosa	3
Tracy Mueller, Ph.D.	Representative from an institution of higher education	Larimer	4
Renee Niskanen	Parent of a child with a disability	El Paso	5
Karin Pappadakis, Ph.D.	Representative from the Department of Corrections	El Paso	5
Debra Paul 2014-2016 Co-Chair	Parent of a child with a disability	Boulder	2
Katherine Rains 2014-2015 Co-Chair Elect	Representative from a district charter school	Denver	1
Kindra Sanchez-Marble	Representative from the Charter School Institute	Adams	7
Missy Sieders	Parent of a child with a disability	El Paso	5
Lori Smith	Special education teacher	Arapahoe	6
Anna Stewart	Parent of a child with a disability	Boulder	2
Greg Sullivan	Representative of an organization concerned with the provision of transition services	Douglas	6
Lori Thompson	Representative from a state agency involved in the financing or delivery of related services	Larimer	4
Mellisa Umphenour	Parent of a child with a disability	Jefferson	7
Shari Watson	Parent of a child with a disability	Boulder	2
Teresa Wright	Parent of a child with a disability	El Paso	5



New CSEAC Members 2015-2016

The following new members were appointed by the Colorado State Board of Education and will join CSEAC in July 2015:

- Bruce Ediger – Parent of a child with a disability (Congressional District 1)
- Julie Harmon – Representative from the Parent Training and Information Center (Congressional District 5)
- Kirstin Kurlander – Parent of a child with a disability (Congressional District 6)
- Dana Lange – Parent of a child with a disability (Congressional District 1)
- Ray Merenstein – Parent of a child with a disability (Congressional District 1)
- Jennifer Wilger – Private school administrator (Congressional District 2)
- Dan Wright – Special education administrator (Congressional District 6)

The following new members will serve on an interim basis and join CSEAC in July 2015:

- Roxanne Bradley – Parent of a child with a disability (Congressional District 7)
- Karla McKechnie – Parent of a child with a disability (Congressional District 5)
- Alicia McKinney – Parent of a child with a disability (Congressional District 7)
- Laurie Pacht – Parent of a child with a disability (Congressional District 4)
- Lori Werhane – Parent of a child with a disability (Congressional District 6)

Schedule of Meetings 2015-2016

- Thursday-Friday, July 16-17, 2015 (Planning Meeting)
- Thursday, September 17, 2015
- Thursday, November 19, 2015
- Thursday, February 18, 2016
- Thursday, April 21, 2016



Additional Information and CSEAC Contacts

For further information about the Colorado Special Education Advisory Committee, please visit <http://www.cde.state.co.us/cdesped/CSEAC.asp> or contact one of the following persons:

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2015-2017 CSEAC Co-Chair
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Addendum

Guidance Document on Early Dispute Resolution

Submitted by:
Colorado Special Education Advisory Committee

2015

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Introduction

In the spring of 2015, the Colorado Special Education Advisory Committee (CSEAC) gathered input from a wide base of constituent groups including families, educators and other agencies on the topic of Early Dispute Resolution (EDR). The following questions were used as a foundation for gathering input.

1. What can be done throughout the school year and summer to help the Individualized Education Program (IEP) process go smoothly?
2. When disagreements or conflicts arise over an IEP, what can be done to work through these to help resolve issues and maintain a positive relationship between families and the school?
3. If there seems to be an issue that cannot be resolved, what else could be done to help families and schools avoid litigation?
4. Do you have any other thoughts about improving the IEP process?

In addition, information on EDR from the Colorado Department of Education (CDE), PEAK Parent Center, Disability Law Colorado and various other resources was reviewed. After completing this collaborative process, the CSEAC offers the following considerations on the topic of EDR. This document is intended to provide ideas that will increase positive and collaborative relationships of IEP team members and to encourage teamwork that focuses on the student and the early resolution of any disputes.

Training

Joint training for families, educators, administrators, service providers, support staff, advocates, and others who are interested in the following:

- Legal foundation and requirements for IEPs.
- “Back to School with an IEP” training for families and school employees.
- The basics of federal and state special education law.
- Parental rights, prior written authorization, dissenting IEP opinions, testing, extended school year, transition, dispute resolution, how to modify goals without a full IEP meeting, functional behavior assessment, functional behavior support plans, alternatives to calling the police, retention and special education, the role and place of doctor and private practitioner recommendations.
- Collaborative decision making and positive communication.
- How to write meaningful and effective IEP goals.
- In order to reduce district costs, CDE may wish to create and maintain a current video or webinar library that families and team members could watch on special education topics like the ones above.
- Teacher preparation and alternative licensing attainment to include training on all of the above.



Positive Relationships

- Every team member should remain focused on the student and place student needs above all else.
- Everyone should presume positive intent of all team members and remember that all team members care about the child.
- Focus on the student's goals and objectives, collect regular data on progress including both formal and informal assessments, then make evidence-based decisions as a team.
- Value all team members and their knowledge and experience, including parents, family members, teachers, professional staff, administrators and support staff.
- All IEP team members are encouraged to send information to the whole team at least one week before the IEP meeting. Include all reports, along with information about how to read and interpret them for parents. Parents and families are encouraged to send any reports or concerns at least one week before the IEP meeting so that school staff can consider them. When all IEP team members come to the meeting with the same knowledge and understanding of the student, they can all work together for the child.
- Parents and families should be encouraged to bring other people to the IEP meeting who know their child, such as therapists, advocates, tutors and/or former teachers.
- Districts may choose to create an IEP preparation packet for families. This could include a way to convey what concerns the parents have, what they think the child's needs and goals should be, questions they have, resources parents can access, upcoming trainings they might want to attend, etc.
- All IEP team members are encouraged to think of the whole child, not only what is on the IEP. Are there clubs that might include the student where she might thrive? Will the sports teams support this student as an athlete or manager? Are there peer programs to pair students with disabilities with general education students? Can you connect the child with other students who will eat lunch together? On the playground? At school dances and other after-school events? These things are not written in most IEPs, but when a child and his parents feel like they are valued and belong in a school, almost all obstacles can be overcome.
- Send out a draft IEP and any testing results preferably two weeks in advance of the IEP meetings. Testing results should be discussed with parents. Include a layman's guide to testing which explains testing and reporting – such as percentile rank, standard score, etc. Always include grade equivalents – parents understand these. Don't spend most of the IEP meeting going over testing. When sending test results, include contact information for a representative from the school and encourage parents to call with any questions prior to the meeting. Relate the test results to the IEP.
- Schedule IEP pre-meetings with individual team members and families to develop some draft goals and to discuss possible concerns.
- Learn about and respect diverse cultures, races and family units.



Year-Round Communication

Before school starts, create and send to parents a packet outlining the IEP process for the upcoming year. Information in this document may include:

- Case manager's name and contact information.
- Special education bussing contact information, guidelines and schedule.
- Date of last IEP meeting and date of upcoming IEP meeting, for example "before XX/XX/XXXX."
- Names and contact information of service providers who will work with the child, especially if this changes over the summer.
- Information about any special education assessments in the upcoming year, including re-evaluations or special evaluations.
- Information on any external evaluators (outside the teachers who work with the student).
- Information about any assessments with which parents will be asked to assist (for instance, adaptive behavior or communication matrix).
- Information about state testing, including dates and available accommodations.
- Information about how progress reports will be provided (each service provider adds his own information to the document).
- A general timeline for the IEP process (can use ballpark dates – "by mid-February"):
 - Mailing date of letters requesting permission to assess.
 - Assessment timeline.
 - Date when a draft copy of the IEP will be available for viewing.
 - Whom to contact with questions.
- Helpful links to information about IEPs, including how to write goals and objectives, what best practices are, what the legal requirements for IEPs are, etc.
- Information and links to other resources that might be helpful to parents, such as local and state Special Education Advisory Committees, PEAK Parent Center, Parent to Parent of Colorado, ARCs, Community Centered Boards, the CDE website, child advocates, mental health resources, individual disability groups (such as the Autism Society), websites (such as Wrightslaw.com), and other online resources.
- Information and links to district and other trainings for parents.
- A copy of the district calendar (on paper, magnet or card) for quick reference.

Throughout the Year

- Have the IEP team agree on a progress report format and how this will be shared with all members of the team (a back and forth book between the family and the school, daily text, weekly wiki, email, etc.). Base the progress report on tracking IEP goals. Team members, including parents, can share any concerns so that these might be addressed through the course of the year.



- Send home weekly samples of work that the student has completed independently.
- At the beginning of the school year and quarterly, create an IEP calendar that informs teachers and staff when meetings will be held, what is required of them and due dates for expected completion.
- Establish regular communication procedures among general education teachers, special education teachers and professional staff to track progress on IEP goals and other academic, social and behavioral observations. Include regression recoupment data on IEP goals after breaks.
- Send home materials to support the student in academic subjects that are on the grade level the child can understand and use.
- Request that families keep the school up-to-date on what's going on at home, how to provide this info and to whom it should be sent.
- Inform parents and families of the process of determining whether their child qualifies for Extended School Year (ESY). Cooperate with parents and other community agencies to create an ESY plan that is individual and meaningful and will help the student make progress on her IEP goals.
- Administrators should review the caseload of case managers, professional staff and support personnel prior to the beginning of the school year and throughout the year. Additional staff should be added as needed so that caseloads are manageable and student progress on IEP goals is not compromised due to inadequate time or staffing.
- Administrators should provide special education staff with adequate time to progress monitor students and prepare IEP progress reports.
- Administrators should be actively involved in IEPs and special education staff meetings.
- The district should create guidelines and define expectations of the IEP process, provide mentoring and individual support to staff, and require formal training on policies, procedures and the mechanics of the IEP process for all professional and support staff. These trainings should be made available to parents; they are a good tool for building trust and rapport between families and schools.

The IEP Itself

- Call the parents the week before the meeting and ask if they have any questions or concerns. Offer help in interpreting data or testing if needed.
- Schools and families should let each other know who will be attending the IEP meeting.
- Since goals are what guide the IEP for the year, dedicate as much time as possible to developing meaningful ones.
- Establish and share meeting norms and expectations. Ask all team members to place phones on vibrate and to avoid using electronic devices except as needed to facilitate the IEP.
- Send the meeting agenda to the parents along with the draft IEP; follow the agenda at the meeting.
- Utilize a neutral facilitator to guide the IEP meeting when disagreements are experienced.
- Document parent-expressed needs for the child and any concerns they might have.
- Recognize that all team members may not come to agreement and make a formal record of the family's dissenting opinion on the IEP.



- Attach a resource page to all IEPs which includes information on the local and state SEACs, PEAK Parent Center, other parent groups, child advocates, mental health resources, Community Centered Boards, individual disability groups (such as the Autism Society), etc.
- Assign someone – not the case manager – to take notes during the meeting.
- Follow up with parents after the meeting.

Other Ideas to Help Schools and Families Avoid Litigation if IEP Issues Cannot be Resolved

- Encourage parents and team members to make a list of the concerns they have and possible resolutions. Bring these to a meeting with the team and/or coordinator/director. Encourage parents to bring an advocate or other support. All concerns should be discussed with the intent of all team members collaborating to address concerns and to meet the child's needs. After the meeting, document what the agreed-upon solutions are, why some specific solutions were disregarded and the next steps that will be taken. Agree on timelines for actions to be taken then follow up on progress to resolution.
- Give parents resources for advocacy and encourage them to bring an advocate to help team members agree.
- Follow facilitated IEP strategies and processes and employ a trained facilitator at the IEP meeting.
- Utilize an impartial mediator upon which both the family and school have agreed.
- Change the law to promote low-cost arbitration or other low-cost alternatives that would be binding for all parties.
- Inform parents of options other than litigation, such as the ones above.
- Districts should have a neutral special education mediator, such as a Teacher on Special Assignment (TOSA).
- Have trained paid CDE mediators with neutral backgrounds and work experience who can be utilized prior to litigation; assign them to geographic regions.
- Maintain clear records and provide copies to parents.
- Reach out to other families and other school or district employees for input or ideas to help resolve issues and create solutions to meet the needs of the child.
- Encourage parents to bring an advocate or outside agency representative to meetings. Request all team members to write down and detail the conflict(s), reflecting on what is best for the student. Then change the "players." The parents choose a representative (such as an advocate, case manager, other family member or friend). The school also selects a representative (such as an uninvolved teacher, staff member or administrator). The representatives meet separately to find a resolution, then they meet with their respective constituents to discuss the resolution. Finally, all parties reconvene.
- One of the difficulties in many of the school districts in Colorado is that the teachers report to their school's principal, whether they are general education teachers or special education teachers. The district's director of exceptional student services has the responsibility for the welfare of the students with special needs, but does not have authority over the personnel providing services for those students. Principals should be trained in all aspects of special education: federal and state law, IEP processes, best practices for individualization and modification of instruction, etc. They should also



understand the complex and time-consuming preparation, documentation and work load of special education teachers, professional staff and support staff. Manageable caseloads and adequate prep time should be supported.

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