

Response to Recommendations, Based on the Directors' Meeting

November 13, 2009

Documentation provided to parents before the IEP is implemented on the web

Coordinating Council discussion/recommendation. The Special Education Procedures Coordinating Council took the position that something should be provided to parents in writing at the IEP meeting or as soon as an amendment without a meeting is completed and recommended the following (page 2):

- On the day of the IEP meeting (or the concluding IEP meeting if several sessions are required) or the day when an amendment without a meeting is ready to be put in effect, provide parents with as complete a record as possible. The record must include, in all cases, the goals for the child, the service commitments made and the date upon which the IEP will be in effect. This may take the form of the completed (i.e., ready to submit on the web) IEP, a draft IEP with notes and revisions based on the decisions made at the meeting, a Prior Written Notice, or another document.

Thomas Mayes's input. Following the Coordinating Council meeting, Thomas Mayes was asked, among other things, what documentation parents needed to be provided and when. His response (see complete text, page 3) included:

- To avoid confusion, parents should be given a copy of a draft IEP at the conclusion of the IEP meeting or within a specified number of days, a number which should be communicated to parents at IEP meetings. The Department is preparing language for a watermark on the IEP, which would advise parents (1) the IEP will be implemented immediately or at a time certain determined by the IEP team, (2) the draft IEP will be proofread and reviewed for accuracy of information, (3) any changes made to the IEP without a meeting will not be substantive, and (4) any substantive changes proposed during the review will be discussed at a subsequent IEP meeting or through an IEP amendment process.

Director response. Provide parents a copy of a draft IEP at the conclusion of the IEP meeting, when an amendment is completed, or within a specified number of days that is communicated to the parents.

Compliance/quality reviews

Coordinating Council discussion/recommendation. All AEAs have carried out review processes following web submission of IEPs. The Special Education Procedures Coordinating Council recommended:

- Review IEPs for data accuracy and completeness, weighting and, at AEA discretion, provide an editorial review.
- Remove any compliance/quality reviews from the web submission to web implementation process and time window. Carry out compliance/quality reviews of a sample of IEPs. These reviews would occur outside the submit-to-implement process and time window and would be in addition to I-STAR reviews.

Director response. Carry out the following reviews, **only**: data accuracy and completeness, weighting and, at AEA discretion, an editorial review. Discontinue compliance/quality reviews on or before January 1, 2010. AEAs may choose to provide focused reviews in response to AEA/LEA needs (e.g., Indicator 13 reviews).

Manual revisions

Coordinating Council discussion/recommendation. The Council felt that providing manual revisions, interpretations, Q&A's and errata outside of annual updates risked confusion rather than providing clarification. Annual updates, only, were recommended unless current language created a clear compliance problem or would lead to inappropriate practice.

Director response. Update the manuals periodically with annotations to direct the reader to updates and revisions.