



## Advocacy Tips for IEP Meetings

The parent/guardian of a student with a disability eligible for an Individualized Education Program (IEP) will be asked to attend IEP meetings. Such meetings with the IEP team can be stressful for any parent/guardian. If the student is having trouble in school or the parent/guardian disagrees with the IEP services or placement that the school district is proposing, the level of stress increases.

A parent/guardian should receive reasonable notice for any IEP meeting, and the school district must try to schedule the meeting at a mutually agreed on time and place with the parent/guardian. This fact sheet offers advocacy tips to help prepare for the IEP meeting, tips to use during the meeting, and tips for after the meeting has ended. Most meetings will be conducted in person and this is best. It may be necessary for a parent/guardian to attend a meeting by telephone call or virtually. The same tips apply to either kind of meeting.

### Advocacy Tips for Preparing for the Meeting:

#### Notice of the IEP meeting.

Parents/guardians are members of their child's IEP team and it is important that parents/guardians participate in the IEP process. This gives you the opportunity to discuss your child's IEP services, to be a part of the IEP planning, and discuss your questions and concerns. School districts must make efforts to include parents at IEP meetings.

School districts should send parents/guardians notice of the IEP meeting that includes the date, time and location of the meeting. While there is no timeframe in IDEA for when this notice should be sent, it should be reasonable enough for you to arrange to attend or to let the district know that date will not work. If the district proposes a date/time that does not work for you, let the district know and the district should work with you to find a mutually agreeable time and place. If the district cannot convince a parent/guardian to attend an IEP meeting, then the district can hold the meeting without a parent/guardian present.

#### Know the purpose of the meeting.

School districts must notify parents/guardians of IEP meetings. The notice of the IEP meeting should tell you the reason the meeting is being held. If you feel there are other reasons the meeting should be held, then let the district know. This can also help with planning for who should attend the meeting. (If the reason is due to a disciplinary issue then see Disability Rights South Carolina's fact sheet "Discipline of Students with Disabilities")

Keep in mind that if you have concerns about your child's IEP services or a special education issue related to your child, then you can also request the district hold an IEP meeting. Sometimes this is called a "special review" IEP meeting.

### Know who will be present at the meeting.

The notice of the IEP meeting should include who will be attending the meeting. It typically lists the positions of the people invited. You should review this list and make sure that the necessary people are invited to the meeting. Parents/guardians and students can request individuals they would like present. It's best to confirm your request in writing to the school district staff involved, especially if you want someone who does not normally attend the meetings. Sending an e-mail will document you made the request. Example: if school bus matters will be discussed, ask that district transportation staff be present. If an essential member of the team is not present, parents/guardians and students can ask that the meeting be rescheduled so that individual can attend.

### Know what issues you want to discuss at the meeting.

The invitation may tell you only what the school district wants to discuss with you, but the meeting is also an opportunity for you to discuss your concerns with them. It is often helpful to make a list of your issues and carry this list with you to the meeting. This way you won't forget to talk about what is important to you. You may also want to share this with the district, so the district can be prepared to discuss your concerns and/or invite relevant staff to the meeting to address the concerns.

Parents/guardians can request drafting a meeting agenda about topics the IEP team will discuss during the upcoming IEP meeting. Please note: The IEP team can decide to adjourn and reconvene at a later date to discuss any outstanding or unresolved issues that the IEP team was unable to address during the IEP meeting. Meeting agendas are helpful because they can help the IEP team remain focused on the needs of the student with disabilities.

### Request an interpreter for the meeting, if needed.

A school district must ensure that a parent understands the IEP meeting, which includes making arrangements for an interpreter if needed. Parents/guardians should make any requests to help them understand the IEP meeting to the school district. For instance, if a parent/guardian needs a sign language interpreter for effective communication, then one should be requested for the IEP meeting. If a parent/guardian needs a language interpreter, such as Spanish, to understand a meeting, then a Spanish-speaking interpreter should be requested for the IEP meeting.

### Make a list of service providers or persons who may be able to help.

Consult with the student's health care provider, private service providers, or mental health counselor. If needed, invite them to participate in the meeting or ask them to write a note about the student's diagnosis, symptoms, or needs/recommendations at school. (See Disability Rights SC's fact sheet "Health

Needs of Students Attending Public Schools”)

### Bring your copies of records to the meeting.

It is important to bring copies of any information you may need to refer to during the meeting. This includes copies of the student’s current IEP, most recent evaluation, grades, doctor’s notes, and whatever else you would like to have the IEP team review and consider. It is also a good idea to bring along your invitation to the meeting so you can make sure everyone invited is present.

### Review your student handbook or guide to special education services.

It is important that you know what rules or procedures the school will be following and what your rights are if you disagree with the meeting’s outcome. Additionally, look into public trainings, books, or search the internet to help you learn your legal rights. You can find a list of some resources later in this fact sheet.

### Bring along another person.

Whenever possible, it is a good idea for both parents to attend an IEP meeting. If that is not possible, then you should feel free to invite anyone who is knowledgeable about the student or special education process. This person can help you take notes and help you voice your concerns at the meeting. If you have invited a professional to provide the team with information about the student and the professional cannot attend in person, you can check with the district for alternative methods to attend, such as virtually or by phone. If you intend on bringing an advocate or an attorney to a meeting, you should notify the school district in advance. This will help you maintain a good relationship with the school district.

## Advocacy Tips for During the Meeting:

### Make sure accurate notes are taken.

School districts are not required to take meeting notes, but some may do this. If you are uncertain of your district’s practice, you can ask prior to the next IEP meeting. If the district takes meeting minutes, request that they be read out loud before ending the meeting. Make it known if you think anything should be changed or added in the meeting minutes. These notes should reflect both the school district’s understanding and your understanding of what was said during the meeting. We recommend that parents/guardians and students get a copy of the notes and all other papers before leaving the meeting. Often, schools will tell parents/guardians that they want to wait to share the notes until they get a ‘clean’ copy to you. Politely acknowledge that this is fine, but stay firm in getting a copy before you leave the meeting. It’s also important that you write down your own notes for your record, including what you asked for and what people said they would do.

You may also want to consider bringing a recording device to the meeting. You should notify the school or district prior to the meeting if you plan on recording. Most school districts will insist on having their own recorder as well if a parent

brings one to a meeting. This notice allows the school time to get their recording device to the meeting. Keep in mind that recording a meeting when there is already disagreement can sometimes have an impact on the comfort level of conversation during a meeting. Federal special education regulations do not require districts to allow all parents to record IEP meetings. However, school districts have a duty to take whatever action is necessary to ensure that a parent/guardian understands an IEP meeting. This can include recording a meeting if it is necessary to ensure a parent understands an IEP meeting.

### Make sure that introductions are made before the meeting begins.

Ask everyone to state his or her name and position. This helps you to know whether the necessary people are participating in the meeting. If someone attends that you object to participating in the meeting, make your objection known to the group.

### Remain calm, speak clearly, and be courteous.

State your concerns, but also be willing to listen. This can be very difficult to do when you disagree with what is being said. Remember, politeness will typically get a better response and keep the focus on your child than being adversarial at an IEP meeting.

### Stay focused.

Once again, this can be very difficult during a tension-filled meeting. Use your list of issues to help keep yourself focused and do not hesitate to request a (draft) meeting agenda before the IEP meeting to help keep the meeting on track. You could also ask for a break if you feel you need to get some air or compose yourself or if you have an advocate with you and need to speak with them privately.

### Make sure that there is a discussion of the student's strengths and abilities.

Parents/guardians are members of the IEP team and there should be discussion and opportunity for input throughout the meeting. Drafts may be presented, as long as there is discussion and input about the proposals. Be sure to ask any questions that you may have. For example, if an evaluation is being reviewed and you do not understand the results, ask questions. This will help you have informed input as you participate in the meeting.

### Ask for Prior Written Notice.

Prior written notice (PWN) is very important document. If the school district wants to make changes to the student's special education program or will not agree with what you want for the student, then you can request a written explanation. This written explanation is called Prior Written Notice. (See Disability Rights SC's "Prior Written Notice")

### Always read everything that you are asked to sign.

This includes attendance or sign-in sheets. If you don't agree with the information

stated on the paper, then don't sign it.

Ask for copies of the meeting notes and anything else that you were asked to sign.

Keep a copy of everything that you give to the school district or that is given to you at the meeting. They may come in handy in the future if you and the school district cannot agree about what was said at the meeting. It is usually a good idea to make a file of these documents and keep them for at least three years. For example, you may want to organize your file by year or by topic, like medical records or discipline records.

Know what happens next.

At the end of the meeting, make sure you and the school district know what is supposed to happen next. If you are not sure who is supposed to do what, ask before the meeting comes to a close. You may want to set a completion date for any goals. You may also need to schedule another IEP meeting for follow up.

## Advocacy tips for After the Meeting:

Write a follow-up email or letter.

This is a tip for after the IEP meeting or if you have a meeting with school district staff outside of an IEP meeting. For instance, if you have a meeting with district staff outside of an IEP meeting, this can be a way to confirm what was said during that meeting or phone conversation. This writing can be important and should be written soon after the meeting or phone call ends. It should state what was said, who is supposed to do what, and when that task is supposed to be completed. You should ask that anything you have misunderstood be clarified in the response back to you. Keep in mind that you should not send a letter or email when you are upset by the meeting. When you are upset, you may not write as effectively and may say something in the heat of the moment that can later be detrimental to your efforts. This can also be helpful if the district doesn't take detailed meeting minutes or if they do not take meeting minutes at all.

Get a signed receipt if you deliver documents to a school or district office yourself.

If you take your letters to a school or district office, then ask the person in the office to write "received" on your copy along with the date and that person's signature. Never give away your records or documents. Make copies as needed, but keep your own records.

Follow through.

It is very important that you follow through with your part of any agreement as soon as you can. Also, you should stay in touch with the school district until the services you requested have been provided.

Know who can help.

If you do not agree with the decisions made at the meeting or if you have questions that are not answered, then you should contact an attorney or contact the advocacy organizations listed in your guide to special education services. If you do not get what you want the first time, do not be shy about asking again.

## Resources:

Wrightslaw: <https://www.wrightslaw.com/>

South Carolina Parent Training and Information Center, Family Connection South Carolina: <https://www.familyconnections.org/education/>

South Carolina Department of Education Office of Special Education Services Parent Resources website: <https://ed.sc.gov/districts-schools/special-education-services/parent-resources/>

South Carolina Autism Society Parent School Partnership Program: <https://scautism.org/autism-resources/parent-school-partnership/>

South Carolina Centers for Independent Living:

Able South Carolina: <https://www.able-sc.org/>

AccessAbility: <https://www.abilitysc.org/>

Walton Options: <https://www.waltonoptions.org/>

## Sources for the information in this fact sheet:

20 United States Code § 1401 (et seq.) Individuals with Disabilities Education Act, "IDEA 2004"

34 Code of Federal Regulations Part 300 (et seq.) U.S. Department of Education Regulations for IDEA 2004 (effective as of October 2006)

This publication provides legal information, but is not intended to be legal advice. As the law may change, please contact Disability Rights SC for updates. Please let us know if you would like this information in an alternative format.

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