Why Parents Call Us

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Camels can carry a lot of straw...
What finally brings parents to our door?

Sometimes they sound like this . . .

And in the worst cases . . .
Parents’ Rights under the IDEA

PROCEDURAL SAFEGUARDS:
FUNDING FOR PARENTS’ RIGHTS
SEPTEMBER 3, 2016

Parent Rights & Responsibilities
in Special Education
Version of Procedural Safeguards
July 2016

Child Find Obligations

• The public school has the obligation to find these students both in the school and in the geographic area served by the school.
Child Find

• Eligibility
• IEEs
• Removal of services
• What is your district’s evaluation process?
• Does the referral have to be in writing?

Identification

A parent can file a due process petition when a school district:

- Fails to refer for an evaluation.
- Knew or should have known that the child had a disability.
- Fails to consider all eligibility categories and properly identify the child.
- Fails to comply with eligibility procedures.
Twice Exceptional

- 504s
- IEPs
- Testing Accommodations
- Services
- Why is this so difficult?

Evaluation

- Fails to comply with 90 day timeline.
- Fails to conduct a proper evaluation.
- Fails to allow for/provide an independent evaluation upon request.
- Fails to recognize a parent referral.
- Fails to evaluate in all suspected areas of disability.
Placement

• Fails to place the child in the least restrictive environment.
• Makes a placement based on administrative convenience.
• E.g., Places student due to funds and resources available.
• Determines placement based on programs available.

FAPE

• Fails to develop appropriate goals.

• Fails to develop measurable goals.

• Fails to develop goals that are based on the individualized needs of the student.

• Fails to develop meaningful goals designed to make educational progress.
Fails to implement the IEP

- No data?
- No services provided?
- No highly qualified teacher?
• Fails to develop an appropriate transition plan.

• Fails to allow parents to meaningfully participate in the development of the IEP.

• Fails to provide transportation services.

• Fails to consider the need for ESY.

Under IDEA, each school district must ensure that the IEP Team:

- “Reviews the child’s IEP periodically, but not less than annually, to determine whether the annual goals for the child are being achieved; and

- Revises the IEP as appropriate to address any lack of expected progress toward the annual goals...and in the general education curriculum, if appropriate.”


The requirement that IEP Teams meet and revise a student’s IEP when that student is not making academic or nonacademic (i.e., behavioral) progress toward his/her annual goals is a way to address:

• inadequate specialized instruction;
• the need for related services;
• other supplementary aids and services;
• a BIP that is not working; and
• the need for a FBA and BIP.
• Manifestation Determination
• Functional Behavior Assessments
• Behavior Intervention Plans
Rebuilding and Maintaining Good Working Relationships

re·build (rē·bild) v. b.
: to build (something) again after it has been damaged or destroyed
: to make important improvements or changes
: to make extensive repairs to, changes in, or restore to a previous state

TRUST

10/24/16
Accountability
(a-koun’tə-bal’i-te)
1. Taking responsibility for your actions and the actions of your co-workers.