

**ROUGHLY EDITED TRANSCRIPT**

**New Community Opportunities Center at ILRU Presents...**

**An IL Conversation**

**Via Teleconference**

**Strategies for the IEP Process**

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P.O. Box 2780  
Overgaard, AZ 85933  
www.ccproductions.com  
Phone: (602) 456-0977**

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[Please stand by for CART captioning]

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>> Folks, we'll wait just one more minute to see if we have some more people joining us, and then I'll go ahead and start with some housekeeping before we let our speaker take it away. [please mute your phone if you are not speaking]

>> If I could get everyone except the speakers to put their phones on mute or star-6. We're getting some feedback here.

Excellent.

>> What is our mute?

>> If you want to unmute it use \*6 again.

>> Thank you.

>> Good question.

>> Now I'll mute.

>> All right. Well, why don't I start with a little bit of housekeeping while we see if other folks are joining us. First off I just want to say thank you for coming on to our first IL Conversation this year. My name is Mary Olson, and for those of you who don't know, Kathy Hatch our former director of training and technical assistance retired and I'm the new her! IL Conversations are actually a part of the IL NET and that's a national training and technical assistance program of Independent Living Research Utilization, or some of you folks may know them as ILRU. It's organized and facilitated by APRIL. We're the association of programs for rural Independent Living.

Just to get started, I want to let you know we do have CART available. I want to thank

my Buddy Larry Driver for helping us with that. If you go to our website it's WWW.APRIL-rural.org. Right on the homepage there is a link for today's conversations CART. You can also send us questions via the chat line on the CART if you are using that service.

For folks who may just be joining, if you could please keep your phones on mute while the speakers are talking. It really just helps us to keep some of the feedback down. And you can do that by pushing either \*6 and then \*6 again to unmute yourself if you have a question. I know that these speakers are going to be great and engaging, and this is a conversation, so if you have questions, if there's a pause going on, or the speakers are going to ask for questions throughout their presentation, go ahead and take yourself off that mute and feel free to start asking questions away. [static]

[static]

>> Somebody is making very much static. I can't hear anything.

>> Please make sure your phones are on mute, \*6.

[static]

Mike or Melody, was that you?

>> Not me. All I can hear is static. Even picking up my phone I still just hear static.

>> Folks, sometimes this happens.

>> Extreme static also down on the recording end.

>> Please check your phones to see if they are on mute.

[static]

>> MARY OLSON: We could try to hang up and call back in.

>> This is Mike. Let's try that. So if everybody could hang up and call back in as quick as you can.

>> MARY OLSON: As folks come on the line if you could mute your phones or \*6 them.

Hopefully everybody will come back in.

>> That sounds better.

>> MARY OLSON: This happens --

>> I don't hear static anymore.

>> MARY OLSON: Yeah. We'll just have folks call back in. I'm hoping that they're just going to hang up and call right back. But...

>> Right.

>> Hello.

>> MARY OLSON: Hello. Thanks, folks. I'm sorry about the difficulties. I'm hoping as folks come back on the line, if you'll just mute your phones. \*6 them or mute. Then that way we can let the speakers get going, and then as people have questions you can unmute yourself. Hopefully that will cut down on the feedback.

>> This is Michael. Do you have a PowerPoint for this presentation?

>> MARY OLSON: Michael, no, we didn't have a PowerPoint for this one. Some Conversations presenters do have PowerPoints, some don't. There will be, however, audio -- an audio recording as well as a transcript up on our Web site following the call. That way you don't have to take a ton of notes if you don't want to.

>> Great, great. Thank you.

>> MARY OLSON: You're welcome.

>> MARY OLSON: Maybe I'll finish my announcements and as folks come on if they have

questions about what's happening you're welcome to unmute yourself at that time and you can ask questions for the speakers or me if there is something about the conversation.

I'm not sure when we started getting feedback. I'll start again. We do have CART available and that's at [WWW.APRIL-rural.org](http://WWW.APRIL-rural.org). You can go ahead and go on that and it's on our homepage there and there is a link right to the CART, and you can submit questions via the chat line there as well.

Again, I appreciate folks keeping your phones on mute unless you do have a question. Hopefully we don't have a problem like we did earlier. Technical difficulties, technology always works when you don't need it, and when you do, sometimes it just kind of fails you.

Also I want to let you know this particular training is presented by the New Community Opportunity Center at ILRU and organized and facilitated by APRIL. Support for the development of the presentation was provided by the U.S. department of Education Rehabilitation Services Administration. No official endorsement of the Department of Education should be inferred.

With housekeeping out of the way, I want to tell you a little about our speakers. Today's presentation is strategies for the IEP process, and for you we have Melody Beaver and Melody has been a disability services -- in disability services for six years, formerly in employment services, and now as a youth advocate with the Southwest Center for Independent Living. She has a 17-year-old son with ADHD and helped him make accommodations so he can be successful in school. She regularly attends IEP meetings invited by both families and schools for fulfillment of various rolls. Thanks, Melody for being with us. With Melody we have Michael Beer, and Mike Beers has been -- get this -- you have been in had Independent Living for 14 years, and is a transition coordinator at Summit Independent Living center in Missoula, Montana. He travels the country speaking at youth leadership forums for youth with disabilities and other conferences as well. For those of I don't you who don't know Michael, he is also a professional comedian. Hoping today will mostly be about IEPs but you're probably going to laugh as well. Thanks, Melody, and Mike, for joining us today and eye I'll let you get started.

>> Thank you. Can everyone hear me? You're all muted. If you can't hear me, then unmute. You can hear me?

>> I can hear you, Melody.

>> Okay. Is that better? Is that better, Mike?

>> Yeah, you sound good.

>> You're good.

>> Okay. The way I thought that we would start off is I wanted to go ahead and let you all know we broke it down into sections, and so you'd kind of have an idea what's coming later. At the end of each section we'll go ahead and let you know we're kind of wrapping up and see what kind of questions you have. So for the first section we're going to talk about an overview of the law, like the Section 504 versus the IDEA, and for the second part of it we're going to talk about a 504 plan versus an IEP.

Does someone need to mute their phone maybe?

>> MARY OLSON: Folks, if you could mute your phones either by pushing mute on your telephone or \*6, we would appreciate it.

Can everybody please mute their phones?

>> The next section we're going to talk about calling the meeting at the school, just kind of some recordkeeping, keeping a paper trail, making sure that the family stays organized and kind of knows exactly what it is that they're asking for and what they're wanting. Preplanning the meeting. We'll kind of go along with that. For the next section we'll talk about the actual meeting itself. Then following that will be importance of the relationships. And then we can discuss some disagreement resolution.

For the first section we wanted to discuss law. I just wanted to kind of give you a basic overview. The two pieces that are really the most influential that puts all of these plans into place to be able to help these students would be the Section 504 of the Rehabilitation Act of 1973, which is a civil rights law, and that was the one where it called to keep people who have disabilities from being segregated, discriminated against, and this applies to any program or activity that receives federal financial assistance. So it states that every state must provide a free appropriate -- a free appropriate public education, and it covers ages 3 through 21. Because of this act, a 504 plan is what we're able to work with in the schools, which we'll talk about a little bit later. The 504 plan is going to be something that's for someone who needs some accommodation just to kind of help them out through school.

So the next piece, the IDEA, the Individuals with Disabilities Education Act, this is a little different. This came later on. It was put into place to mandate that the individual with disabilities are provided a free and appropriate education in the least restrictive environment. It wants to make sure that there's access to the general education curriculum. They're not just being sent to school to be baby-sat or anything like that. They actually have access to real education. It also gives the right to an appropriate evaluation. IEPs to help that student to be successful in school if they're needing some different accommodations. Parent and student participation in decision-making. We'll talk a little more about that later. Procedural, due process of complaints. If they have a complaint, then there's a process that was set up at that point to be able to handle these things. And then also required alignment with the No Child Left Behind act.

Then just kind of an important time frame, also wanted to make sure that within 30 days of being found eligible the IEP team is going to meet to kind of write the IEP for that child. So that's actually mandated.

So kind of a quick and dirty overview of just the kind of background law piece of it. Mike, do you have anything to throw in there on that one?

>> You know, I would like to point out to the parents as well as a lot of the students we deal with in the high school level, one thing I've noticed over the years that in any of the language in any of these laws the term "special" never appears. For any child who is hung up on the stigma of IEP [indiscernible] it never appears in the law. So wherever "special" came into play it was later and using equal and appropriate education [indiscernible]

>> Do we have any questions about that piece of it? No? Let's move on.

Now we're going to discuss having a 504 plan versus an IEP. There are some major differences between the two, and sometimes people don't qualify for either one and there are other plans that can be put into place. So for both of these they require an evaluation. Now, the school can request the evaluation, the family can request an evaluation. If the family requests it, then the school has to complete that evaluation within a reasonable amount of time. Now, the evaluation can include a psyche eval. It can include maybe some medical

documentation, observations from different [indiscernible] that are involved, any other kind of relevant sources that might be able to have some input into what is going to help the student to be successful. So all of those things will be included in that evaluation. Many times they will take a psyche eval and then they'll just kind of run with that with the opinions of the family, the teachers and just kind of work things out until they can find something that really works. But basically it's a team effort for both of these plans. It is definitely best to have a lot of different perspectives involved because, of course, the more brainstorming you have the better. I've gone into many IEP meetings where they've had a problem for maybe the past year and didn't realize -- didn't think of a few small accommodations that could be made, and so I threw out some ideas and something that's just been drug on was fixed simply by having another perspective come to the table. So you want to make sure this is a team effort. Everybody can kind of get on the same page, make sure that they can throw in their opinions, feel comfortable doing that.

Now, if the school gets this evaluation done, and if the parent does not agree with it, and that happens from time to time, the parent does have the right to ask for an independent educational evaluation. They can ask the school to pay for it. Sometimes they may, sometimes they may not. It just kind of depends on the situation. But the parent does have the right to get a secondary evaluation.

The 504 plan, this is more like -- I like to call it a barrier removal team. Basically a student has a certain barrier, a few barriers maybe, but they may not have enough difficulties to be pulled out of the mainstream classes. They may just need a few little accommodations. Really good example of this, a friend of mine, her son is also ADHD and constantly would not turn in homework. It would go in the backpack. It would just get crumpled up, lost. And so there was communication barrier there because she just wasn't finding out what was happening. He wasn't getting the information -- or the homework turned in, and so she was able to get a 504 plan in place to set up some basic communication between her and the school to make sure that he was able to -- they would tell her whenever he didn't turn in homework. She would make sure that he completed it, turned it in the next day, take away electronics or whatever else she needed to do to get that piece put into place so that he could improve his grades and be able to be successful. My son has the same situation. But he wasn't significant enough -- like his grades didn't reflect the difficulty he was having because I would catch -- you know, I would look through his grades online and I would catch all of his missing assignments, and he'd get in trouble, and then he would have to do all of his homework that he had been missing and turn it on before he got electronics back. So for him since it didn't impact his grades they wouldn't allow me to do a 504.

But basically a 504 plan, a good way of describing it is that it's a discussion. It's just written down on paper. You're going to meet, you're going to discuss what the needs are, what can be done to help out, and then it's going to be written down into a plan. It's not near as detailed as what an IEP is. It's just a plan that's basically a verbal discussion that just gets written down.

Another example, like with the ADHD, a communication plan. Maybe there's some behavioral issues that can be fixed pretty easily by writing a plan for a child to be able to go to a calm room. Maybe -- I have one child that I work with who after lunchtime he goes and he jumps on the trampoline for 15 minutes and then once he is done with that he can go into the

classroom and focus for the rest of the day. So it's -- it's smaller accommodations on this piece, on the 504 plan.

There's no special disabilities that qualify for a 504. They don't specify it. It's really on a case-by-case basis.

Mike, do you have anything to add?

>> No, I don't.

>> Okay. The next part, the IEPs --

>> Was there a question? I thought I heard somebody -- no. Maybe it was just feedback. Sorry. Carry on, Melody.

>> Okay. For the IEPs, a lot of you, if you're a youth advocate, if you are just an advocate in general, if you are going to the schools, typically you are going to be going for an IEP. This is whenever there's a lot more accommodations that need to be put into place for a student to be as successful as they can be. Special ed classrooms may be needed. Maybe there's some mainstreaming. Then there might be some pull-out classes where they go to a special ed room and they have a para working with them one-on-one because they need a little extra attention in certain subjects. It's really a very individualized, IEP, individualized education plan. I mean, individualized completely just relating to that student. They do have a very set -- there's example forms typically on your state education Web site of these forms because they have to be laid out in a certain way, and it's got a lot of information. I mean, there are just packets. But they are going to outline the goals, the accommodations needed.

There are 13 disabilities that qualify. Honestly it's kind of hard to find all 13. I've looked up -- I haven't looked through the big monster book of the actual Act itself. I have looked through a ton of other things. Basically you're going to be looking at learning disabilities, ADHD, typically a little more severe cases of ADHD, emotional disorders, cognitive, autism, hearing impairments, vision impairments, speech or language impairment, significant developmental delays. These are all things that are going to be able to qualify for an IEP if they're significant enough challenges in that person's life.

This plan is always written -- that form sets achievable, measurable goals. The goals have to be measurable. Whether that's from testing, whether that's from observation. You know, a key piece of this is to make sure that the goals are all going to be measurable. It sets out time lines as well. It describes services that are going to be provided to the youth. It specifies. And how much time is given to each service weekly. So you may have different related services that are written into the IEP such as maybe a speech class. They may have occupational therapy. They may have a different type of physical therapy class. All of these different things will be written into the IEP, and it will specify this many minutes per week of this type of therapy.

These plans have to be reviewed at least annually, and, I mean, the parents are supposed to be a part of it. There have been cases where teachers have told me that the parents will just opt out, they'll just come in, sign it, they don't want to come in for a meeting if there's not going to be any changes, but for the most part, it needs to be reviewed every year. Some families go in and they may have six of them in a year. It just depends on that specific case. You can have multiple IEP meetings. We've had situations that I have' gone into where we've gone in for an IEP, we have left, gathered a lot more information that was needed, and then we called another meeting the next month, and we're able to resolve a lot more problems.

>> For anybody that might be confused why Melody, since we're not presenting together but not in the same room, we've devised a system where if we want to jump in we say "unicorn" on the phone and that lets the person know the other one wants to talk. So if you hear that, it's not just you. It is being said!

Just as an example from my own life with my parents, particularly my mother, growing up I had an IEP every year I was in school, K-12, and we'll talk about later, but you're not legally required to be invited to your own IEP until you are a freshman in high school. Before then, like Melody said, the parents have to be invited, and whatever level of involvement they have is certainly their choice. But the students' involvement isn't a requirement at all until high school. But early on when I was in grade school especially, multiple IEPs would have to be called to just get me into the appropriate classrooms. So to a lesser extent this still happens today. But even in a 3rd or 4th grade setting I was put into a classroom where it was basically supervised day-care. It was crossword puzzles and coloring for eight hours a day, which at that point I was perfectly fine with, and now that I say that out loud in this point in my life I would be perfectly fine with, but it was -- it wasn't equal and appropriate. My mother being an educator was very aware of these are the benchmarks that Mike needs to be reaching for academically, and he's not doing that. One of the stories we always tell in class, students fear that the age in which chapter books become something -- picture books become something you used to do, you used to sit in a circle, you used to get snacks, and people used to show you pictures. At some awful age you transition to chapter books and you're expected to read these chapter books with small print and turn in book reports. One of my teachers during this transition pulled me aside because I was freaking out and said Michael, you don't understand, you're not responsible for chapter books. You're "special." I said, what does that mean? She said, well, that means that you don't have to worry about the chapter books. You can pick whatever book you want and turn in a book report because you're "special." I said, cool. So after a week I turned in a very nice book report on "where is Waldo," and I can only assume because you're all muted that you're laughing hysterically, and the sad part, I got a "B" on that book report but my mother immediately called an IEP to say, no, no, no, unless you can offer my son a job with a salary and benefits when he turns 18, a skinny white dude in a striped shirt, he needs to be reading the books that his classmates are. He needs to be learning how to write those reports. He's going to do it a different way. One of my invisible disabilities is I struggle to read. I read very slowly. So an equal and appropriate accommodation was an audio book or extra time to read an assignment, not negating the assignment altogether. Especially in early education when things change so rapidly as a child. IEPs and multiple IEPs are very much called for.

>> Cool. Thank you.

>> That's all I've got.

>> All right. So a perfect exam -- so perfect examples of some of the accommodations that are made right there. Keep in mind, too, an IEP can follow a child to college, but the accommodations may be different. So they may be able to keep the like extended time for taking a test or they may have an area that they can go and take a test when they're not around their -- the other students at all so that they have less distractions. So they can keep that same type of accommodation in college where they have that distraction-free environment. But obviously there's not going to be a calm room at a college. So some accommodations we'll be able to follow, but that IEP can follow. It's just that some of the accommodations will differ.

Along with those two types of plans, there are other types. There are behavioral plans. Maybe a child doesn't need a full IEP. Maybe they don't even need a 504. But they simply need like the one did to jump on the trampoline for 15 minutes after lunch to get calmed down enough to focus. That accommodation can be made. Maybe there's a medical situation where they have to have a plan in place. This is what happens when my daughter has a seizure and here's what needs to happen afterward. We need to be called within this time frame. We need to know how long the seizure happened. Different accommodations to make sure that that child is getting what they're needing even though they may not necessarily need to be pulled out of a mainstream classroom.

So that kind of covers that piece of it unless you have anything else, Mike. Are there any questions?

>> We didn't come up with a word for --

>> Right. Okay. We could go warthog.

>> Okay. We're going with warthog. If I have nothing else to say, it will be warthog.

>> I had a question. I actually serve a community that's, for the most part, a rural community, that when I go into these IEP meetings with the parents, some of the assistive technology is simply not available because the schools don't have the infrastructure to support it. I even have one school that doesn't have Wi-Fi. And one of the things that the child could really use is a tablet, a reader, and they're not really able to utilize that in a way that it's intended because they don't have the technology to back it up. I'm not really sure where to go from there.

>> I have --

>> Here -- let me cover that one quick. Here in Missouri we do have an organization -- or -- we have the Missouri assistive technology association, and they are able to help out schools like that more in the rural areas. They might be able to purchase a Wi-Fi card instead of the school providing Wi-Fi. That may be an accommodation that the school can make. It just kind of depends on that situation. I'm not sure if all states have the same type of state organization that can help with assistive technology or not. But I know ours does. They're able to go in and evaluation needs, train staff, help provide either funding, like grants, to the schools, sometimes they can help find funding for like the families as well if it's something that person may need at home. So do you know if there's a group like that in your state?

>> Actually, I'm in Missouri, and --

>> Oh, you are in Missouri.

>> Hey!

>> Yes, hey.

>> But I'm -- you know, I hadn't even considered contacting Missouri assistive technology about this issue. I know in this particular case they had already begun applying for a grant for their Wi-Fi, but for this child, for this year, it's not really something that's going to happen. So I suppose I could contact them in those cases.

>> Yes, contact them.

>> See what kind of options the school has.

>> Right.

>> This is Jamie from Boston. I just have a follow-up comment for the question that was just asked. My follow-up is that I'm wondering why the reason is that Wi-Fi is necessary

for the tablet when if, for example, the child needs all the books downloaded to their tablet, the school can send that information -- let's say they downloaded the school book from Google or whatever, the family can download it at home, have everything prepared for the child, and bring it to school the next day. Just as all assignments can be emailed to this child's family so that way they can download all assignments and anything on the tablet at home. I'm not sure I see why Wi-Fi is necessary to use the tablet.

>> And this is Mike. Thanks for the comment. In lieu of full access, and thank you for your name, thank you, Boston, there are those short-term, for lack of a better term, Band-Aids where families and individuals and teachers need to be creative on the spot because, yes, there is a grant pending or, you know, a service that we can access, but we need this right now. So those short-term Band-Aids and creativity are very needed, especially in rural communities. But in no way should that be -- those Band-Aids be expected to be permanent or be kept -- you can't reapply Band-Aids over and over again and hope that the cut heals. Wi-Fi is quickly becoming a civil rights issue. So everyone should have access to this, especially in a public school setting. I like the idea of approaching a statewide organization. And all states have some -- how active they are and available they are differs from state to state, but every state has an assistive technology program. I would say, though, for things like that, it would not be necessarily an IEP, but it would be an excellent issue for you as an IL center or advocate to take to the school board and get in front of a camera and on an agenda that says this is -- you know, this isn't a matter of students needing it to play Angry Birds in their free time that we don't have this. This is affecting our ability to provide an equal and appropriate education, and we are sending -- there may be numbers you can access. We are sending "X" number of students out of our district, or are having to move every year because we can't provide this. You know, if it's coming from a school board, it carries that extra weight, and you can start getting that conversation going. So as an advocacy tactic, that is also a place you can go.

>> My follow up --

>> I forgot to add in the introduction Michael Beers is also on the school board in Missoula Montana. So...

>> My follow-up comment to your response would be while, yes, it is a temporary Band-Aid, I feel that this child would need this service as soon as possible and as soon as they have at least something to help them to accommodate them it's better than having absolutely nothing at all and watching them fall further through the cracks because they have absolutely nothing, rather than something, and so the problem is further -- until the problem is further fixed.

>> he's not falling through the cracks. He is going to get his tablet. But his parents are actually going to be providing all of that. The thing is the accommodations need to be made by the school in order for them to be able to provide him with that free and appropriate public education. So ultimately -- now, in this case, it's fine, because the family has the means to supply it, but in other cases, if I had another student in the same district, that would be a huge barrier for him. So it's more of an ongoing thing. But, yeah, we have dealt with it. It's just that's one discussion that I just didn't expect to have.

>> Well, and there's another option, could be like -- like the school could even get a cell phone and make it a hot spot. I mean, there's a lot of different options that maybe they haven't even thought about. If they have more than just the one youth in that classroom that

need access to Wi-Fi because of -- now, what is it -- is it something that the parents can provide, like at home, and send on the tablet, or is it something that they need like active access to?

>> I don't think they are tee going to need active access in this case. They're going to be able to take care of it at home. But even the Wi-Fi, the hot spot, is not really that viable of a solution out here because the -- because in rural areas -- yeah.

>> Look at the CAT grant as well, and especially if you have youth that have that financial need that need a certain type of accommodation or technology, then look at the CAT grant. I know they just ended up receiving funding. It's KAT. I couldn't tell you what it stands for. I know they just received some more funding. And that's in Missouri, specific to Missouri.

>> Okay. Great. Thank you.

>> You're welcome.

>> I have a question.

>> Go ahead.

>> I have a question with that as well. So is it like the ADA where it's whatever the school can afford to the best of their ability, or is it more of a law where if that's an instance or a situation you're in with one of your kids with IEPs that they need an iPad or something like that, is that something the school has to provide legally or is that something that's choice?

>> You know, it really depends on the situation. Can the same accommodation be made with other things? You know, that's a question that would be asked. I mean, you kind of have to think about it this way, the schools are a business, too, and they only have a limited amount of money, just like the rest of us. Of course, if there's a certain kind of expensive technology that is absolutely needed, then what I usually do is I try and find outside grants that might help out, and that way you're coming to the board with other options as well. Because sometimes the schools really can't afford certain types of technology which, yes, they're required to make some types of accommodation -- I mean, they're required to make a reasonable accommodation. So depending on how much certain types of equipment are, that may be unreasonable for the school to be able to afford it.

>> Is there a particular site where you're finding these grants?

>> The grants -- oh, we have an assistive technology department in our IL center and so any time that I need some information on that I go to them, and I know they -- like for us specifically on the Missouri assistive technology Web site they have a ton of different types of grants and funding sources and programs that are available listed there. So I would check the assistive technology agency in your state.

>> Thank you.

[multiple voices]

>> Ask your question, please.

>> This is Carol Lee at Dawn Center in New Jersey. My question is about the 13 disabilities that qualify, and I understand already that there's like a little mystery around that. Let's say a family -- a youth, a student has one of these disabilities, typically a little more severe case of ADHD, where does that line get drawn, and I guess the bottom line is, what do we do if the family comes to us and says, we were told our child doesn't qualify, we think our child should? How does that get -- can that be challenged so that the student can have the IEP?

>> In that case what I usually do is I tell them to go ahead and request a second evaluation, and then write down the reasons why they feel like the student does qualify.

Because it may be that they see certain things that the school is not seeing. Make sure that you're at that meeting where they're determining if that student is going to get a 504 or an IEP, and make sure that all of the points are brought up. You know, we're going to talk about preplanning here in a minute. Make sure that you have got -- I mean, everything lined out, any kind of medical documentation that's needed. It could, honestly, be a breakdown in communication. The parents know what they know. The school knows what they know. But maybe they're not communicating it clearly enough.

>> How about if after the second evaluation there's still no agreement. Is there an appeal process?

>> There is. In fact, that's going to be -- that's actually toward the end of the presentation, but the state Department of Education, your state, there is a grievance policy. You can do what's called a child complaint, and that will kind of go up the line to wherever it's needed, mediation, or whether it needs to go all the way up the line for -- to the commissioner of education.

>> Thank you.

>> you're welcome.

>> My name is Laurie. I have a question for you. What if it's not assistive technology that you need but like I work with a child that has apraxia, and the parents are trying to get -- instead of a speech therapist, a speech therapist that specializes in apraxia. What is the school's obligation, I guess, at that point?

>> My recommendation would be to ask the school to get -- I mean, because obviously they're not going to hire a whole different person for that one child, but I would ask the school to send this therapist to training for that specific situation. Because, I mean, they're not going -- or they may also be able to fund therapy from an outside source. That's done sometimes. If they don't have -- if they cannot provide a service within the school, then they can refer you to an outside source, but they would end up paying for that.

>> Well, they're just saying that they have a speech therapist and that's all that they're required to do.

>> Find documentation, like showing why that's not good enough, because you have to prove everything, and it's not valid unless it's in writing. So find your proof.

>> Thank you.

>> And I would just add to that, if the family has a therapist that specializes in something outside the school, you could have them initially come to that IEP with the documentation kind of as an extra witness to say here is why this is -- why typical speech therapy doesn't quite reach the mark, and minus additional training for your therapist is needed, or you -- we need to look at other funding sources to get the contract with an agency that can, but having them at that IEP. We're going to talk about this later, but who has to be at an IEP versus who can be in an IEP. So as a parent or student your ability to bring who you think is appropriate is -- is written into the law. So that might be an additional step. I like that you brought up not only is advocating for a particular book or A.T. or extra time on a test, but very often it's human capital that you're -- I see it a lot in the form of a paraeducator. So when I went through school, I had a paraeducator all day long until I was in 5th grade, which is increasingly rare even though we have students in special ed who have paraeducation connected to their IEP, but the school district, for whatever budgetary reasons, spreads that out over three different people -- you

might have a different person in the morning versus in the afternoon. Tuesdays, Thursdays might be different. That's really not -- that is strictly a money decision on behalf of the school district and the school because if they pay a paraeducator a certain number of hours, then the union says they need to get benefits and things like that. So in those cases having that documentation to say that doesn't cut it, I need child -- this child needs the same person or this many hours. That paraeducation specifically is something the school is responsible for.

>> Are there --

>> Why don't we go ahead and you guys continue on and we can pause again for questions after the next section.

>> Okay. So we'll talk about a couple of things kind of in line. Calling for a meeting, keeping a paper trail, recordkeeping, that type of thing, and then we'll get into preplanning which is going to be a little more detailed. It's going to have quite a bit in it. So make sure you're writing down your questions and hopefully by the time we get through we'll answer a lot of them.

First of all, calling for the meeting. You know, typically that just entails the parent either calling the school and saying, hey, I need a meeting, or maybe emailing. Sometimes it entails actually writing a letter to request that meeting. Typically the schools are going to jump on it pretty quickly, but it does have to be scheduled within a reasonable amount of time. You know, that can vary just because of schedules and how many people you may need to have at that meeting. Typically with the people that I work with, typically within like two weeks it's scheduled. If they have a really crazy, busy work schedule, it may go as long as three weeks, but we've had it happen within like two days before. So it just really varies and kind of depends on how many people you're having there that you have to kind of work with that -- with their schedules.

One really good method I found is that if a parent can find -- if they're bringing other people, especially, if they can find maybe three different days and times that will work for all of the people that they're bringing, submit that to the school and say, hey, we'd like to have a meeting, and here are three possibilities. Can you please let us know if you can do that. Then the school doesn't have to try and kind of go back and forth with you and everybody else that's invited to try and find good times. They just have to worry about themselves and when they can get everybody there.

Keeping a paper trail, what I have a lot of people do, if they don't already have a really good organization system set up, I will have them get a binder, a big three-ring binder, and then just divide up into sections, and so one section will have their IEP. If they have medical documentation or any other type of documentation that's needed, they keep that in another section. They may keep notes in another section. It just kind of depends on what works for them. But you want to make sure that all of their information, any letters that they've sent requesting anything, it all needs -- copies of everything needs to be in one place. I had one lady who had sent the same piece of paper three times, and they still didn't have it in their records. The last time I had her keep a copy of it, send it where they had to sign for it, and he lo and behold, within two days of them receiving it what we were trying to get accomplished was accomplished, and so make sure you've got copies of everything, proof of everything, and just keep it all in one place, because when you really need that one piece of paper it's going to be missing if it's not in the same place. [chuck].

Preplanning. This part is really important. Sometimes parents will call me and say, hey, we have an IEP meeting tomorrow. We have some major issues and we would like you to be there. And so at that point I say, okay, I'm booked, but try and get your meeting scheduled for next week if you can. We need to talk first and come up with a game plan. And then, you know, I can definitely make it then. I don't like to go into it blind, especially whenever it's the parent calling me, because a lot of the times the parent is calling because they need that advocate. They're not calling you as just to resource typically. The school will call me to IEP meetings, and I know that the role that I'm there for is as a resource, to be able to tell the parents about what we do, and especially like in the transition time frame, hey, here are our services, here's how you get in touch with us. We would like to have your youth come and get involved with us so we can help them with this transition process. But when it's coming from the parent, it's a requirement. They have to come and meet with me in person. I tell them to go ahead and have all of their goals written out, and then we're going to discuss them, and we're going to try and find some solutions to the problems. That way whenever we go into the meeting we have very clear goals, we know what the deal breakers are, we know what might be a fight already, because we're coming at it looking at, okay, the school is like a business, they have limited resources, here's something that we need, and it may be a little bit pricey, and so we're going to do our research and see all the options that are out there, and that way we can present everything to the school and try and come to a resolution.

Before you go into the meeting, make sure that you have -- is that a question or -- make sure you have discussed any rights --

>> MARY OLSON: Sorry. If you don't mind if you could put -- if you're on speaker, if you could put your phone on mute. Sometimes speakerphones give a little feedback.

>> Okay. So make sure -- basically, make sure you're going into the meeting and you have everything lined out. Write out your goals. Write out what you're really shooting for. Make sure that that parent or the student -- you know, in some cases you may be meeting with the student because they're having a problem. I've had one who didn't want their parents involved at all, and they had reached the age of 18, and so without them signing off for their parents to be there, the parents weren't there, and so the student was dealing with me one-on-one. So -- I'm going to say parents, but just keep in mind this may be students as well that you're working with.

If they're new to the process of an IEP, especially with younger children, make sure they know exactly what their rights are. They have the right to inspect and review the student's educational records. If they disagree with something, then they have the right to request that the school corrects it. If they think that some information is inaccurate or misleading, then they do have that right to say, hey, this is not correct. You need to fix this. And then obviously, you know, the privacy issues and everything. You know, the school can't release anything except for just kind of your directory information about the student. But make sure that they know these things going in.

>> Again, emphasizing the rights is huge because from the perspective of someone that's going to teach students about being part of the IEP as well as thinking back to my own experience, I didn't know what the term IEP meant until after I graduated and was in college. I knew what an IEP was by the time I was a senior, you know, I kind of stumbled through learning what the IEP process was, but as far as knowing an IEP comes from the individuals with

disabilities education act, I was completely unaware of that. In fact, we taught a class for years in the high school, and Mary may have been part of this as well, and they actually made students memorize the phrase, if you're not being understood, if we're not in the room with you, and you're getting frustrated, repeat after us, it is my understanding that under IDEA I am he allowed to have this reasonable and appropriate accommodation. And we made them memorize it because you have no idea the shifts in the attitude of everyone around that table is because they -- with few exceptions, they don't expect a student, or even a parent even, to know what that phrase is or to say IDEA. So it really is -- it really helps with that feeling of intimidation. Because a lot of people don't expect that. Probably everybody that's on this phone call has been in that meeting, and it feels like a dentist appointment as opposed to an open, free conversation about an individual's future and successful education. But knowing that going in goes a long ways to defusing some of those things.

>> Right.

Okay. So having the plan, kind of knowing that -- knowing your plan going into it, those are some major things. Whenever it comes to the plan itself, keep in mind what is going to be realistic and reasonable for that student. You may have a student that you're working with and they've been in mainstream classes, but they've had a lot of difficulty. You're coming to the table trying to figure out something that's going to help. You know, if you have a student who maybe they need a para to help them one-on-one with a few topics, now, is it more reasonable for them to be pulled out of that mainstream class, or is it more reasonable for them to have a para right beside them in the mainstream class? Think about all options, because there really are -- you know, there's quite a few options out there if you can get creative.

>> I would just add, one of the most dangerous questions you could ask and that you should with any accommodation, whether it's brand-new or brand-new to the special education and the IEP process or you know you have a child or a student that is -- that has been in it for a number of years, revisiting that in a premeeting and saying, okay, here is the accommodation I was in last year or the previous IEP, and then saying, why? You know, this individual needs extra time on tests in all of his classes. Why? Be able to answer that going in. He is allowed to have modified assignments, or only half the math problems. Why? Because one of two things you're going to see. One is disabilities change like everything else. So it may have been appropriate at one time and it's no longer appropriate, because it's either harder for him than it used to be or you've met so many benchmarks that the individual no longer needs that academically and it is something that's unfair compared to other students.

The other thing you might find just asking this question, and we did a lot in classes, was students, you know -- would -- maybe the same four accommodations for every student in that special ed class, they all had them, but only a certain number of students could answer the question why. And when you question them, they'll say, well, it's just always been like that. It becomes very easy when you have a lot of IEPs to do to present this prepackaged, you know, we got this at Walmart in a box set of accommodations that every student gets, and the educators don't even question why. It's usually typically extra time on tests, books on tape, things like that. And there are more cases than you think where it's completely inappropriate accommodation, or it's one the student doesn't use because they don't need it. So, you know, asking those questions periodically and going in again with those answers, that's important.

>> Thank you.

So one of the things -- here we are, we're IL centers, we're trying to educate the youth on their rights, their civil rights, and advocacy, standing up for themselves and speaking with their own voice, and yet so many times we don't have the youth involved in the IEP meetings until they're a junior, like Mike said. That's whenever they are really -- they're supposed to be there. So before then -- I mean, if at all possible, try and have the youth at the meeting, because, yeah, the parents know him and the teachers know him, but there may be some little pieces that the student says, "Hey, I don't like this, what about if we do this?" I had one just last month where a -- where a form was being used by the student to be able to write down their homework and --

>> MARY OLSON: I'm sorry. Somebody put us on -- [music playing]

>> Do you want me to keep on going over the music? [music playing]

>> Maybe we're good.

>> Maybe? No more putting on hold, okay? I think we're good. Maybe?

Try to have the youth involved -- [music playing] [if you are reading the CART window and have put your phone on hold, please take it off.] [on hold music is interrupting the conference call]

[music]

>> I hate to have people hang up and call in again for the next 30 minutes.

>> And obviously that person is just going to stay on the line.

>> While we're kind of waiting to see what's going on I'll say now, after the call, you're welcome to go to the APRIL Web site again, APRIL-rural.org and you can download the audio transcript, the -- excuse me, the audio recording and the transcript and there's also an evaluation link. So please tell us how you think everyone is doing. I know something you probably will say is hopefully we get the technical difficulties worked out, and we will work on them. But, again, if you could go to the Web site after the call and do the evaluation, we would appreciate it. I think maybe you're clear now.

>> I think we're good. Maybe. No, we're not.

>> Keep going. I can hear you good enough over the music.

>> I will keep on going. At least we would have the transcript afterwards. I know we have a limited amount of time.

My example was with that youth, she was in 10th grade, and there was a form that she was using to keep track of her homework every day so that she would stop forgetting about assignments, and one little thing at the end of the meeting, hey, how do you like this form? Because this was -- everything was being done, put into place to kind of help her be successful, and no one ever asked her, hey, how is the form for you? And she said, oh, well, these two columns could be a little bit wider. Okay. Done. And that just made her life a little bit easier.

Do you want me to kind of keep -- [on-old music]

>> Mike, I can't hear you.

>> Isn't there a way to mute all lines? That usually exists in these types of conferences.

>> With the service we have now there is not a way to do that. However, that's what we're going to be doing for the next one.

>> Okay.

>> And the other thing is I would hate to disconnect. I've been using the notes box, and I really don't want to lose those notes.

>> Right. You know what? Here's -- what I will do, because we still have quite a bit to go just with the hold music and everything I don't think we're going to get through it, but I will send in my notes. In fact, I may just turn it into a PowerPoint and I will get it sent in so that it can be posted.

>> Thank you.

>> Thanks, Melody. We'll get that posted on to the Web site as soon as we get it from Melody. And maybe we could go ahead and go for a little.

>> Yeah. If whoever had the hold music, if you're on the line, please don't put us on hold, please.

Okay. Behavior for IEP meeting, before you go into that IEP meeting, some people get pretty heated. We're talking about their kids here. So make sure that beforehand you have them prepped. If they are a parent who typically goes into IEP meetings and they're yelling and they're crying and things like this, of course, the meetings are not going to be productive. They're going to be on the defensive. The school is going to be on the defensive. And when you have that kind of situation, then it's going to be tense coming in no matter what you do. You have to gain the trust of the family. You have to gain the trust of the school. And the school has to see that you are there as a buffer to try and keep things productive. So talk to the family beforehand, especially if you think that they might be the type of person who is going to get super worked up, crying, yelling, anything along those lines. Have a word where if they're getting upset like our "unicorn" and "warthog," have a word they can turn to you and say "done," or whatever, and, hey, call for a break. You can call for a break. You can end an IEP meeting and say, you know what, this isn't going anywhere, and we need to get this resolved, but let's come back to the table later, let's take a little bit of time, come back to the table, whether it's a 10-minute break or whether it's rescheduling it for the next week, don't be afraid to call that time-out, because sometimes you get to a point where everyone is done listening and they're done trying to work things out. So make sure that you're kind of prepared for that, depending on the situation.

>> I just wanted to mention this is a perfect opportunity to conditionally sign an IEP [indiscernible] if you start running out of time or there is just one issue like Melody said, you need to call that time-out, that doesn't mean it negates all those things you know the student is going to need tomorrow and agreed on being put into effect. So if you do call that time-out, sign the IEP and do it conditionally saying that I'm agreeing to these things, but this is an issue that we need to revisit in the future. That way all those things you agreed on go into effect right away so they're not hold up by whatever the contention is.

>> Right. Then it will help the next meeting to be way more focused. Then you can go in and work on that specific thing.

Something I want to throw out there, make sure -- I mean, there are different approaches you can take to these IEP meetings, and you need to kind of know which approach you're going into it with. Go in being nice, being respectful, professional. Everyone wants respect. You can go in as a bulldog, but what I find is that I am able to work things out pretty much every single time if I go in as that person who is there to kind of mediate. Hey, okay, you're asking for this, and I understand budget restraints, or whatever the situation is. How about this option? You know, you're there to try and work everything out. Now, remember, overall you're there for that student. I had a mother who was a very conservative type who

was very slanted toward religion as being the basis for the education she wanted her son to receive. She saw a lot of the common core stuff, she saw it to be very liberal and kind of a mind-washing type of thing, and so it was literally a 20-person IEP meeting. It was kind of a crazy one that I'm kind of glad I was a part of because it was definitely a new experience, but we had a person there who was able to kind of work with the mom a little more directly. We were there to represent the youth. You know, we had -- we had half the school board it seemed like there. But we had a lot of different people there, but everyone kind of had their role, and the one person that was with mom was there to help keep her focused and keep her calmed down. She only stood up and yelled once, which was really good. But just make sure that you're taking that role where the school is going to want to work with you. Like I said, the schools invite me to IEP meetings and that's because they know I'm not there to bulldog them. I'm not there to try to get money out of them or anything. I'm there as a resource trying to make sure that the student's best interest is being met, whether or not that is the same interest as the parent.

Let's see. Make sure that you've researched everything that you made need to know for that meeting, all of the different options. Make sure that you've got someone to take notes. That may be you. That may be the parent. Typically you want the parent or the student to be able to leave that IEP meeting and you throw in tidbits here and there to help, but make sure that someone knows they are going to be the notetaker. Let's say the parent is starting to get a little upset. They're not going to take clear notes typically. So make sure that somebody is kind of on it for that, even if you need to bring another person into the meeting with you who is going to fill that role.

Then also make sure that the parents are notifying the school that you're going to be there. And not just you. If they're bringing in a therapist, maybe a counselor, other advocates, other caseworkers, voc. rehab, make sure that the parent is notifying the school that those people are going to be involved. I went into a meeting a couple of weeks ago where the grandmother of the child, who was the legal guardian, didn't let the school know that we were there, and when we're there, you know, they are going to automatically throw in a number of administration into the meeting. So they had to scramble. The meeting started a little late because they had to scramble to find someone who could come into this meeting. And then just make sure that you have all of your documentation and everything with you, prepared, ready to go.

So that was all --

>> I was just going to say really quick, so it is, especially from a student's perspective, you know, there is bringing in an advocate, someone from IL, someone from VR, someone with a title, but the ability for a young person or a parent to bring in someone, and it can be a reason as simple as I would feel more comfortable with this person here than not. So I've had friends of friends, friends of the student come in and sit in on the IEP and literally say nothing, but the student's ability to talk and feel like they're not -- they're not being -- it's [indiscernible] and that notification like Melody said.

>> That was the end of that section. Do we have any questions about the preplanning part? We're going to get into the meeting after this.

Let's jump into the meeting. So the meeting itself, like Mike mentioned earlier, you know, typically it's going to be kind of a -- there's going to be some tension there, especially until

the school gets to know you, because they do not know what role you're in whenever you walk in that door. They may know where you're from, they may know what has happened before maybe with other advocates that have come in. They don't know you, and they don't know your personality, and so they're going to be on edge. They're going to have that higher administration person, a principal, assistant principal, or up higher at the meeting. Understand going in. Make sure everybody is prepared for that. Mike brought up something really great the other day. Mike, do you want to tell them about the ice breakers?

>> Yes. So we typically deal with students in transition, and one thing we say is that you are the most important person in this meeting because it's about your future. So in getting people there, we have a very open dialogue about why these suck, and typically we have the teachers go out of the room so they can be honest and really get to why they're not -- what we needs to do better. One of the things we've landed on, and maybe putting together a PowerPoint or simply allowing the student to set the tone of the meeting right away. So using an icebreaker, like we've all done at our staff meetings and IL meetings, that may be silly but it gives the student a perspective for who is everyone at the table and what is their purpose there, as well as you and everyone else. So no one will ask that question because they assume they're supposed to know. It typically ends up being whatever the student chooses. It could be your favorite [indiscernible] what do you feed your unicorn or warthog. It goes a long way to set the tone of the rest of the meeting. I have one IEP teacher that just makes it a habit of finding out any dietary restrictions of the meeting and then he bakes fresh cookies or gets hot coffee ready before every meeting. That's a really -- to say this isn't an interrogation.

>> So we're going to jump into the importance of relationship really quick just because that kind of really goes hand in hand with the meeting itself, and we're trying to hurry. So when possible meet with the schools in advance. Don't wait until you're called in for this bad IEP meeting. You know, try and build those relationships. Go to the school board meeting. Let them know that you're a resource, you understand their needs and that you're there to be able to help students be able to get what they need and to be able to help the schools find the resources that they need as well to be able to serve their students the best way that they can. Once they feel like you're on the same page and that you are an ally in education of their students, then chances are they're going to become a great referral source for you. Like I said, I've got schools that invite me to IEP meetings all the time because they know when that I come in there, it's all going to be good stuff. And if there's a problem, then we're going to find a solution. I've just -- we've been able to build that reputation here. Then also keep in mind like referring to other agencies, voc. rehab, for example, they tend to get involved in that last semester of the senior year, but maybe there's a situation where a student needs to be referred sooner. Maybe they are moving out of their home because the parents are kicking them out or something. It's just a really bad situation and they need to work and they plan on finishing school and working. That's a situation where voc. rehab can come in sooner and be able to help them out. You know, if you have -- like we have the Springfield regional office for the developmental disabilities, and so we refer to them quite a bit as well to be able to get people to open up cases, which is going to help them to be able to access more services, especially once they hit those transition years. So know when to refer to other agencies and when it may need to come along a little bit later. I've invited -- we have a group here in Missouri called impact, and I've invited them to some meetings because maybe we did need a bulldog and I wanted to

keep that compromising type role and make sure that everybody kind of stays friendly and all. They come in and they fulfill this other role with all of their background, with the law and everything, and then I'm able to take notes and be part of the discussion in a different way.

Okay. So that's all I've got on that piece.

Mike, anything?

>> No.

>> All right. Do we have any questions on those?

>> I'm sorry to keep -- [ INAUDIBLE ] maybe we'll cover this in the next round, that's fine, but I've got a situation where I've gone to a couple of these IEPs, and the school agrees that this is the direction we go, ta-dah, ta-dah, ta-dah, and then the IEP comes out, and it's not what we discussed in the meeting at all.

>> Take those detailed notes. And also one of the things that can be done that I found to be really helpful is right after a meeting draft up a -- what's called a letter of understanding. And so you go through the notes and you say, okay, from our understanding, from the meeting yesterday, this is what we discussed, and line it out. Hey, this is what we're going to do. This is what you're going to do. Here's the person that's responsible for each thing. You know, please let me know if this is incorrect. Mail the letter. That way if they have different thoughts, if their notes were different, then they can come back and say, oh, wait a minute, hold on, that's not what we meant.

>> And they're basically saying that they are the IEP team, so the teachers and the principal and the administrator, and the rest of us are just there to -- for a little bit of input, but they get to decide what's going to happen.

>> Well, that's where the advocacy -- start hitting them strong on that part because -- now, you can -- another option, if it's -- if it's routine that they come back and they have -- they seem to have gotten a different meeting -- sorry -- meaning from the meeting, you know, they had something totally different, the meetings can be recorded if it needed to go to that point, but whoever is recording the meeting needs to notify -- like if the parent is doing it, if you are doing it, they been you need to notify the school 24 hours before the meeting.

>> Both the parents and the school recorded it. So I don't --

>> Oh, they did?

>> Yeah. I would get a hold of that recording and whenever there is a discrepancy say, okay, here is a piece of the conversation where we discussed this. Please tell me how you got this other meaning, because here how we understood it.

>> Okay. Thanks.

>> Just to add on to that, I wanted to say also that parent has a right to not sign that IEP.

>> Right.

>> So if it does not meet the goals and needs of that parent and student, they have a right to not sign it. And what happens if they don't sign it is that basically the school has to function on the old IEP until they get it right. So that's another way that you can kind of strong arm them if you need to.

>> Right.

>> But the problem with that is the kid is still falling behind and it's not helping him.

>> Right.

>> That could be the point. If this is happening and there's not a resolution to it, then

that could be the point where you go ahead and turn in a complaint to the state, and that's this next session, and it's a little bit -- it's pretty small, so we'll go over it pretty quickly. But --

>> We're also --

>> Are there any questions before --

>> I think -- you can also request a change of case manager in the school if it gets to that point.

>> I just wanted to add that we are at the end of the conference that was scheduled, and so just to respect other people's -- just to respect other people's time, I want to let you know, if it's okay with our speakers, you're welcome to continue on, but for folks that have to get off at this point, we will get the entire audio recording and we also will post the notes online.

>> For anyone who is kind of sticking around, that last piece is disagreement resolution, and just a quick note about it, basically go to your -- to your state education board because they have the entire process there. [on-old music]

>> And that's all I've got.

>> And I guess that that concludes our conference call.

>> All right.

>> MARY OLSON: I'm sorry about that. I want to say thank you, again, Melody and Mike. You guys did a great job.

>> Thank you.

>> MARY OLSON: We'll go ahead and post your notes online again, and that's APRIL-rural.org.

>> I'll get those sent in -- [music]

>> MARY OLSON: If it's okay with you, Melody and Mike, we can add your email addresses on to the Web site.

>> Yes. I'm definitely good with that.

>> MARY OLSON: Thank you, guys.