



ACTIVE IEP PARTICIPATION:
UNDERSTANDING STUDENT RIGHTS
& EFFECTIVE COMMUNICATION

Jason Harper, M.A., NCRP
Mediator/ADR Consultant

© Harper Conflict Resolution LLC, Jason A. Harper 2021

1

ABOUT THE
PRESENTER

ADR Consultant

Private Mediator

USC Professor

President, Southern California
Mediation Association

7th Grade Algebra Teacher

I:I in SDC Class

© Harper Conflict Resolution LLC, Jason A. Harper 2021

2

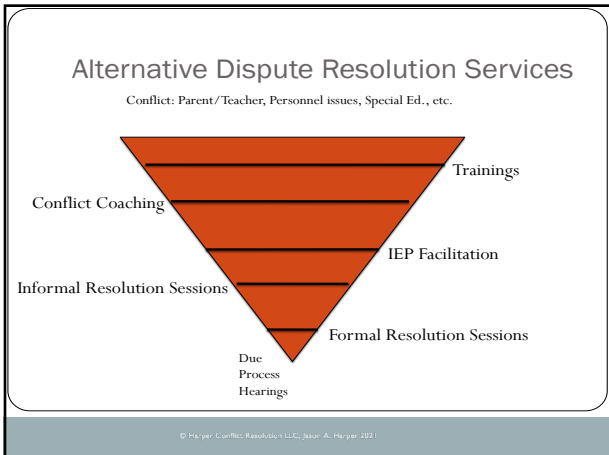
ALTERNATIVE DISPUTE
RESOLUTION SERVICES

ADR services are intended to provide individuals an opportunity to resolve disagreements in a safe, positive, and efficient manner. Three characteristics:

- 1. Voluntary**
- 2. Confidential**
- 3. Educational**

© Harper Conflict Resolution LLC, Jason A. Harper 2021

3



4

WHAT WILL WE LEARN HERE?

This presentation will accomplish two things:

1. Clarify parts of the Parent Rights and Procedural Safeguards and,
2. Provide 4 tips on how to effectively participate in the IEP meeting.

© Harper Conflict Resolution LLC, Jason A. Harper 2021

5

PARENT RIGHTS AND PROCEDURAL SAFEGUARDS

© Harper Conflict Resolution LLC, Jason A. Harper 2021

6

OVERVIEW

- It's a summation of the student's rights under IDEA.
- You should get at least one copy per school year.
- Other times you should receive a copy:
 - Upon initial referral or your request for evaluation
 - Upon filing of a first due process filing or first state complaint in a school year
 - Whenever a decision is made to take a disciplinary action that constitutes a change of your child's placement.
 - Whenever you ask for one.

© Harper Conflict Resolution LLC, Jason A. Harper 2021

7

PARTICIPATION

- Parents have the right to refer their child for special education services, to participate in the development of the IEP, and be informed of all program options, both public and private.

© Harper Conflict Resolution LLC, Jason A. Harper 2021

8

PRIOR WRITTEN NOTICE

- Parents have a right to receive prior written notice, in their native language, when a school district initiates or refuses their request to start a change in their child's identification, assessment, or educational placement in special education.

© Harper Conflict Resolution LLC, Jason A. Harper 2021

9

CONSENT

- Parents must provide informed, written consent before their child is assessed or provided with any special education services.
- Parental consent must also be provided before any change in special education services may occur.
- The district must ensure that parents understand the proceedings of the IEP team meeting, including arranging for an interpreter for parents with deafness or those whose native language is other than English.

© Harper Conflict Resolution LLC, Jason A. Harper 2021

10

NON-DISCRIMINATORY ASSESSMENT

- Children must be assessed for special education using methods that are not culturally biased or discriminatory.
- Larry P. decision re: IQ tests

© Harper Conflict Resolution LLC, Jason A. Harper 2021

11

INDEPENDENT EDUCATIONAL EVALUATIONS

- If parents disagree with the results of the assessment conducted by the district, they have the right to ask for and obtain an IEE at public expense.
- Parent is only entitled to one IEE at public expense each time the district conducts an evaluation and parent disagrees.
- When requested, the district must either ensure that the evaluation is done at public expense or request a due process hearing to defend their assessment.

© Harper Conflict Resolution LLC, Jason A. Harper 2021

12

EDUCATIONAL RECORDS

- Parents have the right to inspect, review, and obtain copies of their child's educational records.

© Harper Conflict Resolution LLC, Jason A. Harper 2021

13

STAY-PUT

- If parents disagree with the district regarding their child's special education placement or a proposed change in placement, the law requires the student to "stay-put" in the current program until the dispute is resolved.
- Important to be explicit about what you agree with and what you don't!

© Harper Conflict Resolution LLC, Jason A. Harper 2021

14

EFFECTIVE PARENT PARTICIPATION

© Harper Conflict Resolution LLC, Jason A. Harper 2021

15

1. ASSERT YOUR CONCERNS

You are guaranteed the right to participate in the meeting and develop the IEP.

Be sure to have your concerns well thought out and ready to present, preferably in writing.

Understand positions and interests

© Harper Conflict Resolution LLC, Jason A. Harper 2021

16

POSITIONS VS. INTERESTS

Positions
 The preferred strategy to meet one's needs.
 Known as the "demand"
 "This is what I want."

Interests
 People's motivations. The silent movers behind positions.
 "This is why I want it."

© Harper Conflict Resolution LLC, Jason A. Harper 2021

17

2. ASK QUESTIONS

- Ask questions to help understand and clarify what others are saying.
- Request that the use of acronyms is kept at a minimum.
- Don't feel pressured to agree to something you're not sure about.

© Harper Conflict Resolution LLC, Jason A. Harper 2021

18

3. TAKE BREAKS WHEN NECESSARY

- Times when breaks would/could be great:
 1. Check-in with spouse/support
 2. Emotional topics
 3. Outbursts
 4. Information overload (especially during tri-annuals)
 5. Re-assess new information

© Harper Conflict Resolution LLC, Jason A. Harper 2021

19

4. SEEK MORE INFORMATION

- "Help me understand" or "Please give me an example"
- Key is to identify the interests of all parties involved.
- Learn to say "I respectfully disagree" if you are not seeing things the same way.

© Harper Conflict Resolution LLC, Jason A. Harper 2021

20

QUESTIONS?

© Harper Conflict Resolution LLC, Jason A. Harper 2021

21

CONTACT

Email:
Jharper@hcrservices.com

Phone:
323-285-1070

© Harper Conflict Resolution LLC, Jason A. Harper 2021
