

OPERATING PROCEDURES

PARENT PARTICIPATION

Goose Creek CISD

101911

Template update May 2020

Legal Framework: PARENT PARTICIPATION

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Broad Category: FREE APPROPRIATE PUBLIC EDUCATION

PROCEDURES:

PARENT RIGHTS/PARTICIPATION

Parent Participation

19 TAC § 89.1050(d); TEC §§ 26.0081, 29.005; 34 CFR §§ 300.322, 300.501; 20 USC § 1414(d)(1)(B)(i)

The District must take steps to ensure that one or both of the parents of a child with a disability are present at each ARD meeting or are afforded the opportunity to participate, including:

1. Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
2. Scheduling the meeting at a mutually agreed on time and place.
 - A meeting does not include:
 - Informal or unscheduled conversations involving the LEA personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision; or
 - Preparatory provisions

Parent's Guide to the Admission, Review, and Dismissal (ARD) Process

TEC § 26.0081(a),(b) The District must provide the parent the Parent's Guide to the Admission, Review, and Dismissal Process:

1. As soon as practicable after a referral for possible special education services, but at least 5 school days before the initial ARD meeting; and
2. At any other time on reasonable request of the child's parent.

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A copy of the guide can be located on the Texas Education Agency's website as well as the GCCISD Special Education website.

Information Provided to Parents

34 CFR §§ 300.322; 300.501(b)(2); 19 TAC §§ 1050(d), 89.1055(i); 20 USC § 1417(c)

1. The District must provide the parents with written notice of an ARD meeting at least 5 school days before the meeting unless the parents agree to a shorter timeframe. The notice must:
 - a. Indicate the purpose, time, and location of the meeting and who will be in attendance; and
 - b. Inform the parents of the provisions relating to the participation of other discretionary members or individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate. These members must be included on the ARD Notice. Examples of discretionary members may be the school nurse, counselor, ARD Facilitator, Related Services personnel, etc.
 - c. Beginning not later than the first IEP to be in effect when the child turns 14, or younger if determined appropriate by the ARDC, the notice must also indicate:
 - d. That a purpose of the meeting will be the consideration of the postsecondary goals and transition services for the child; and
 - e. That the agency will invite the student; and
 - f. Any other agency that will be invited to send a representative with the consent of the parents or adult student.

Conducting an IEP Meeting without a Parent in Attendance

34 CFR §§ 300.322(d), 300.501(c)(4)

A meeting may be conducted without a parent in attendance if Goose Creek CISD is unable to encourage parents that they should attend. The District must keep a record of its attempts to arrange a mutually agreed on time and place such as:

- Detailed records of telephone calls made or attempted and the results of those

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- calls should be documented in the Parent Contact Log in eSped; and
- Copies of correspondence sent to the parent and any responses received.

In certain cases, a letter may be sent after 3 attempts to schedule the ARD meeting. This letter summarizes the attempts made and when the ARD is scheduled. The parent is encouraged to attend but if unable to, then the ARD will be held and the information will be mailed to the parent via certified U.S. Mail.

Use of Interpreters or Other Action

34 CFR § 300.322(e)

The District must take action to ensure that the parent understands the proceedings of the ARD meeting including arranging for an interpreter for parents with deafness or whose native language is other than English.

Parent Copy of Child's IEP

34 CFR § 300.322(f); TEC § 29.005(d); 19 TAC 89.1050(i)

The District must give the parent a copy of the child's IEP at no cost to the parent. **The parent should receive a copy of the ARD documents as soon as possible, but no later than 5 school days after the ARD.**

Copy of Child's IEP when Parent is Unable to Speak English

If the child's parent is unable to speak English, the District must:

1. Provide the parent with a written copy or audio recording of the child's IEP translated into Spanish if Spanish is the parent's native language; or
2. Make a good faith effort to provide the parent with a written copy or audio recording of the child's IEP translated into the parent's native language if the parent's native language is a language other than Spanish.

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Parent Participation in Meetings

1. The parents of a child with a disability must be afforded an opportunity to participate in meetings with respect to--
 - a. The identification, evaluation, and educational placement of the child; and
 - b. The provision of FAPE to the child.
2. Goose Creek CISD must provide the appropriate Notice to ensure that parents of children with disabilities have the opportunity to participate in meetings described in paragraph (b) (1) of this section.
3. A meeting does not include informal or unscheduled conversations involving Goose Creek CISD personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision if those issues are not addressed in the child's IEP. A meeting also does not include preparatory activities that Goose Creek CISD personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

Parent Involvement in Placement Decisions

1. Goose Creek CISD must ensure that a parent of each child with a disability is a member of any group that makes decisions on the educational placement of the parent's child.
2. If neither parent can participate in a meeting in which a decision is to be made relating to the educational placement of their child, the Goose Creek CISD must use other methods to ensure their participation, including individual or conference telephone calls, or video conferencing.
3. A placement decision may be made by the ARD Committee without the involvement of a parent, if Goose Creek CISD is unable to obtain the parent's participation in the decision. In this case, Goose Creek CISD must have a record of its attempt to ensure their involvement. The attempts must be documented in the Parent Contact Log of eSped.

Parent Attorney at ARD meeting

A parent has a right to bring an attorney to an ARD meeting. However, if an attorney will be present, the District will also need to have legal representation.

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The following procedures are recommended if a parent notifies the campus they will bring an attorney to the ARD:

1. Campus diagnostician/ARD Facilitator must notify the Program Coordinator for the program in which the student is currently receiving services and review any concerns the parent has expressed.
2. The Program Coordinator will ensure the Director is aware of the request.
3. The Director will contact the District's legal representation regarding the proposed ARD dates.
4. A staffing should be scheduled prior to the ARD to include the District's legal representation as well as special education central office staff (Program Coordinator, Director, etc.) and the campus staff who will attend the ARD meeting.

Parent Advocate at ARD meeting

A parent has a right to bring an advocate to an ARD meeting.

The following procedures are recommended if a parent notifies the campus they will bring an advocate to the ARD:

1. Campus diagnostician/ARD Facilitator must notify the Program Coordinator for the program in which the student is currently receiving services and review any concerns the parent has expressed.
2. A staffing should be scheduled prior to the ARD to include the appropriate central office staff (Program Coordinator, LSSP/SLP/Diag, etc). During the staffing, the proposed ARD dates and central office attendance at ARD will be discussed.

ARD MEETINGS

Initial ARD

TEC § 29.004 and 29.005

An Initial ARD meeting must be held within 30 calendar days of the completed Initial evaluation unless the district receives written consent for the Full Individual Evaluation at least 35 but less than 45 school days before the last instructional day of the school year, the evaluation must be completed and the written report provided to the parent or legal guardian not later than June 30 of that year. The student's ARD shall meet not later than the 15th school day of the following school year to review the evaluation.

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In the event that the parent is non-responsive to communication, regarding the Initial ARD, notice of the ARD should be sent and the Initial ARD held without the parent within the required timeframe. A letter must be sent after 3 attempts to schedule the ARD meeting. This letter summarizes the attempts made and when the ARD is scheduled. The parent is encouraged to attend, but if unable to, then the ARD will be held and the information will be mailed to the parent via certified U.S. Mail. The school district should develop the IEP (which includes goals objectives, programming, placement and services) and then send a copy of the Initial ARD to the parent.

Consent for Initial Placement form must be signed by the parent prior to Special Education services being implemented. It is important to remember the parent must give consent prior to services beginning. If the parent does not sign consent for services, the Campus Diagnostician/ARD Facilitator is to contact the Coordinator Evaluation or Coordinator of Compliance and Accountability for guidance.

- What steps are followed to ensure parent attendance at the ARD meeting?
- What procedures are followed for preparing draft ARD/IEP documents? Describe any district procedures for sending home any draft portions of documents prior to meetings. What if the parent requests a draft prior to the ARD committee meeting? How does your LEA protect against predetermination?
- Describe the procedure followed when arranging for an interpreter for the parent at the ARD meeting.
- What procedures are followed if the parent brings an advocate or an attorney to the ARD meeting?
- How is parent participation in the development or review of the student's IEP documented?
- Describe family engagement activities provided that are intended to improve timely home-to-school communication and increased parent participation in the ARD process.

STAFF RESPONSIBLE:

District Level: Coordinator for Compliance and Accountability, Coordinator for Evaluation, and Director of Special Education

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Campus Level: Campus Clerks, Campus Diagnosticians, and ARD Facilitators

TIMELINES FOR PARENT PARTICIPATION ACTIVITIES:

- Notice of meetings
- Family engagement activities

EVIDENCE OF PRACTICE:

- Family engagement artifacts (brochures, handouts, sign-in sheets, etc.)
- Forms, checklists, or scripts used to explain procedural safeguards
- Documentation of the use of an interpreter at an ARD committee meeting