Overview

• Introduction
• Goals
  – Ounce of Prevention
  – Improve Issue Spotting Skills
  – Provide Ideas for Systematic Change
  – Limit Disruption/Liabilities
• Disclaimers
  – Real Problems are Fact Specific & Complex
  – Cookie-Cutting can be Dangerous
  – Non-Attorney Advice and the Attorney-Client Privilege
• Keep Your Questions Hypothetical

AVOIDING COMMON PITFALLS – THE TOP TEN LIST
Ten Things You Can Do Now to Limit Liability

1. Always Notify the District of Residence When a Student Dis-Enrolls or Fails to Show Up at the Beginning of a School Year to Create a Clear Break in Responsibility for the Charter School

Ten Things You Can Do Now to Limit Liability

2. Ask Appropriate Child-Find Questions and Check the Registration Materials for Each Student for Consideration of an IEP/504 Plan

Ten Things You Can Do Now to Limit Liability

3. Carefully Consider Students with Medical Issues for an IEP/504 Plan
   • Food allergies
   • Seizure disorders
   • Diabetes
   • Sickle Cell
   • Orthopedic issues
Ten Things You Can Do Now to Limit Liability

4. Prepare Your Staff.
   • Schedule Time With Each Teacher and Staff Member and Service Provider to Review IEPs and 504 Plans to Ensure that Everyone is Aware of Their Responsibilities for Implementation and Have Them Sign Acknowledging Their Review.
   • Periodically Check-In to Make Sure Compliant Implementation is Occurring.
   • Ensure Your Team is Appropriately Trained and Qualified.
   • Provide Teachers With an Easy Way and Consistent Tool to Document Concerns and Communicate Concerns to Administration.

5. Thoughtfully use the notes section of the IEP to demonstrate that the offer of placement and services is reasonably calculated to provide an educational benefit.

6. Appropriately Respond to Assessment Requests, IEE Requests and IEP Requests in a Timely Manner.
7. Address Behaviors That Impede the Learning of Student or Others
   • Functional Behavior Assessment
   • Behavior Intervention Plan

8. Provide Parent with Procedural Safeguards/Adopt Appropriate Policies/Provide prior written notice when necessary

9. Advocate for the Student (even if the School’s view of FAPE does not align with the Parent’s view.)
Ten Things You Can Do Now to Limit Liability

10. Strive for Positive Relations with Parents.
   • Limit e-mails/texts to objective information
   • Respond to all concerns/investigate as necessary
   • Use interpreters as needed
   • Focus communications on the student

Tips to Tack on the Wall!

1. Reviewing Present Levels of Performance – Ensuring that the Data Matches the Narrative
2. Reviewing Goals – Academic and Functional
3. Preparing a Clear Offer of FAPE
4. Ensuring Participation by all Members of the IEP Team, Including Parents
5. Consider Parent Requests and Privately Obtained Data
6. Appropriately Utilizing the Notes Section
7. Procedural Safeguards
8. Appropriate Follow Up When a Parent Fails to Consent

Admin IEP Responsibilities
General Education Teachers Should Be Trained to Notify Administration When...

1. Concerned about lack of progress
2. Parent raises concerns or complaints
3. Receiving frequent emails from parents or dealing with other parent disruptions
4. Student refuses to access accommodations
5. A potential opportunity to reduce services or accommodations exists
6. Receiving a request for assessment
7. Child find issues – new eligibility or new concerns
8. Unusual or inappropriate behavior of service providers