

GADSDEN INDEPENDENT SCHOOL DISTRICT
Special Education Department

Special Education Department Meeting Agenda

Anthony Area Complex Conference Room

October 27, 2017

Conducting an IEP Team Meeting Without a Parent in Attendance

- Schools are not required to schedule three (3) IEP meetings where the parent does not attend (i.e., “no shows”) before conducting the IEP meeting without a parent in attendance.
- The IDEA states at 300.322 (d) *Conducting an IEP Team meeting without a parent in attendance. A meeting may be conducted without a parent in attendance if the public agency is unable to convince the parents that they should attend. In this case, the public agency must keep a record of its attempts to arrange a mutually agreed on time and place, such as—*
 - (1) *Detailed records of telephone calls made or attempted and the results of those calls;*
 - (2) *Copies of correspondence sent to the parents and any responses received; and*
 - (3) *Detailed records of visits made to the parent’s home or place of employment and the results of those visits.*
- If a parent is unable to physically attend an IEP meeting, an option that would allow the parents to participate in the IEP meetings would be by phone.
- Gadsden ISD, three (3) good-faith attempts to arrange a mutually agreed on time and place are required before conducting the IEP meeting without a parent in attendance. The school must demonstrate and document that it has made three (3) good-faith attempts, such as those listed above, to arrange a mutually agreed on time and place before conducting the IEP meeting without a parent in attendance.
- A school may have to offer multiple dates and times to parents in an effort to gain their attendance and demonstrate that good-faith attempts are always made.
- Never, except for a few circumstances (such as obtaining signed consent for evaluation), convene for an IEP meeting and not hold the meeting due to a parent “no-show”. If three (3) good-faith attempts are made to schedule the IEP meeting at a mutually agreeable date and time, such as the three listed above, then no IEP meeting would ever need to be cancelled due to a parent “no show”.

Community Based Instruction

- Community Based Instruction (CBI) is designed for students that need intensive instruction in functional and daily living skills.
- Community Based Instruction (CBI) is educational instruction in naturally occurring community environments providing students “real life experiences”.
- The goal is to provide a variety of hands on learning opportunities at all age levels to help students acquire the skills to live in the world today.
- There are funds available through the IDEA-B budget for teachers of self-contained classes (i.e., BSC, LSC, SCC) to participate in CBI, including transportation costs.
- CBI is not subject to the same guidelines as regular field- trips, however, all CBI must be instructional in nature and support IEP goals and objectives.
- Section 5.14 Community Based Instruction is currently under revision.

Disciplining Students with Disabilities and Manifestation Determinations

- The IDEA provides that a district can remove a student with a disability who violates a code of student conduct from his current placement to an appropriate interim alternative educational setting, another setting, or suspension for not more than 10 consecutive school days, provided the same change of placement would be made in the case of a student without a disability. This is the so-called "10-day rule."
- Districts must continue to provide educational services for IDEA-eligible students with disabilities who have been suspended for more than 10 school days or expelled.
- An ISS that lasts for more than 10 school days does not trigger an MDR, as long as it satisfies three criteria. As set out by ED in its comments accompanying the publication of the 2006 regulations, a day of ISS is not considered the same as a day of removal addressed by 34 CFR 300.530 if:
 1. The student is afforded the opportunity to continue to appropriately progress in the general curriculum.
 2. The district continues to provide the services specified in the student's IEP.
 3. The student continues to participate with nondisabled students to the same extent as he does in his current placement.
- Handout Included: *Disciplining Students with Disabilities Key Provisions*

House Bill 75 – Restraint and Seclusion

- As per House Bill 75, the restraint or seclusion technique shall be used only by school employees who are trained in the safe and effective use of restraint and seclusion techniques unless an emergency situation does not allow sufficient time to summon those trained school employees.
- Seclusion is not permitted in the GISD.
- Campus administrators are responsible for informing all campus staff, not just special education staff, of provisions related to HB 75.