



Parental Participation

Amendment to Rule 0520-01-09-.15: Special Education Program and Services, Parent Participation

Agenda

- Welcome and introduction
- Rule change summary
- Guidance
- Meeting notification and individualized education program (IEP) document changes
- Resources

Rule Change: Parent Participation

- The parent meeting notification shall advise the parent(s) that they may decline their right to receive a copy of the draft IEP, if one is developed.
- Unless a parent provides written notice to the district more than 48 hours prior to the scheduled meeting declining his or her right to receive a copy of the draft IEP, a copy of the draft IEP shall be provided to the parent(s) at least 48 hours prior to the scheduled meeting time.

Rule Change: Parent Participation

- The copy of the draft IEP shall become the property of the parent(s).
- If the district prepares a draft IEP prior to the IEP team meeting, the district shall make it clear to the parent(s) at the outset of the meeting that the services proposed by the district are preliminary recommendations for review and discussion with the parent(s).
- It is not permissible for the district to have the final IEP completed before an IEP team meeting begins.

Rule Change: Parent Participation

- Passed by the state board of education on October 19, 2018.
- Effective March 12, 2019.

Draft IEP Guidance

- A draft IEP means any portion of the IEP with new information to be reviewed by the IEP team at an IEP team meeting.
- Information (e.g., notes, assessment data, etc.) synthesized into the format required for IEP development (i.e., organized in the workspace of EasyIEP or compiled in a generated draft document) is considered a draft and must be shared with the parents according to the rule change.

Draft IEP Guidance

- For **annual** IEP meetings and amendments to the IEP, two options are available:
 1. Develop the IEP with the full team present **OR**
 2. Prepare a draft IEP at least 48 hours before the IEP meeting.

Draft IEP Guidance

- For **initial** IEP meetings, a draft **should not** be developed. The following are the available options:
 1. Develop IEP at eligibility determination/IEP team meeting with full team **OR**
 2. Reconvene within 30 calendar days to develop initial IEP and follow guidelines for annual.

Changes to the Meeting Notification

- Beginning on March 12, 2019, EasyIEP will prompt the district to choose one of the following options when creating a meeting notification:
 - A draft IEP will be developed prior to the IEP meeting **OR***
 - A draft IEP will not be developed prior to the IEP meeting.*

Changes Meeting Notification

- If the first box is selected, the meeting notification will inform the parent that a draft IEP will be available and provide the parent with the option to decline a copy. This will appear on the meeting notification:
 - *A draft IEP will be developed prior to the scheduled IEP meeting. A copy of this draft must be provided at least 48 hours prior to the meeting; however parents may decline their right to receive a copy of the draft IEP.*
 - I want a copy of my child's draft IEP.*
 - I do not want a copy of my child's draft IEP.*

Changes to the Meeting Notification

- If the second box is selected, the following will appear on the invitation:
 - *If a draft IEP is developed prior to the scheduled IEP meeting, a copy of such draft must be provided to the parents at least 48 hours prior to a scheduled IEP meeting. Parents may decline their right to receive a copy of the draft IEP if one is developed.*

*A draft IEP **will not** be developed prior to the IEP meeting.*

Changes to the meeting notification

- The following will appear on the meeting notification as well:
 - *“I acknowledge that the information provided in a draft IEP is only an initial recommendation for review and discussion. Whether I choose to accept or decline a copy of the draft IEP, I will be provided an opportunity for meaningful participation, to share parental input, and to engage in full discussion of my child’s needs at the IEP meeting. The IEP team will discuss the draft and make any changes, corrections, deletions, or additions that are appropriate to ensure that the final IEP meets my child’s needs and provides the educational services and supports necessary. All educational services and supports will be finalized during the IEP meeting.”*

Changes on the Informed Parental Consent Page of the IEP

- The following language was added to the informed parental consent page of the IEP in order to document that the requirements of the rule were fulfilled.
 - Please select one of the following options:
 - A draft IEP was developed and a copy was provided at least 48 hours prior to my child's IEP team meeting.*
 - A draft IEP was developed, but a copy was not provided at least 48 hours prior to my child's IEP team meeting.*
 - A draft IEP was developed, but a copy was declined.*
 - A draft IEP was not developed prior to the IEP team meeting.*

Delivering the Draft IEP

- Districts should coordinate with parents to determine the best method for delivering draft IEP documents to ensure student confidentiality.
- All attempts to coordinate and deliver draft documents should be documented.

Resources

- Memo from Assistant Commissioner Nicholls dated January 11, 2019 can be found [here](#).
- The FAQ document can be found [here](#).
- Tennessee State Board of Education website: <https://www.tn.gov/sbe.html>

Questions



Contact Information

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