

SECTION II

INDIVIDUALIZED EDUCATION PROGRAM (IEP)

INDIVIDUALIZED EDUCATION PROGRAM (IEP) - NOTIFICATIONS

Definition

The written legal notice sent to all IEP team members notifying them of the IEP meeting.

Legal Requirements

Districts shall send parents/guardians notices of IEP team meetings that: (34 CFR; 300.322; EC 56341.5)

1. Indicate the purpose, time and location of the meeting.
2. Indicate who will be in attendance at the meeting.
3. Inform the parents/guardians of the provisions of 34 CFR 300.321(a)(6) and (c) relating to the participation on the IEP team of other individuals who have knowledge or special expertise about the student and/or 34 CFR 300.321(f) relating to the participation of the Infant and Toddlers with Disabilities Service Coordinator at the initial IEP team meeting.
4. For students turning 16 (or younger than 16 if deemed appropriate by the IEP team):
 - a. Indicate that the purpose of the meeting will be the consideration of postsecondary goals and transition services for the student.
 - b. Indicate that the district will invite the student to the IEP team meeting.
 - c. Indicate that, with the consent of the parents or a student who has reached the age of majority, the district will invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.

Parents or guardians shall be notified of the IEP meeting early enough to ensure an opportunity to attend and to exercise their right to record IEP meetings.

Legal References

EC 56341, 34 CFR 300:322

Timelines

There is no set timeline for sending out IEP notices. As stated above, parents must be provided notice early enough to ensure an opportunity to attend and to exercise their right to record IEP meetings.

Local Procedures

It is strongly recommended that case carriers review their caseloads at the beginning of each school year and develop a tentative schedule of IEP meetings for the year. This schedule should be shared with all IEP team members so that availability can be determined and dates confirmed. This step is especially important to ensure participation from service providers who are employed by other agencies, particularly the County Office of Education, County Department of Mental Health, the SELPA, California Children's Services ("CCS") and/or the Redwood Coast Regional Center ("RCRC"). Parents or guardians shall be notified of the IEP meeting early enough to ensure an opportunity to attend. Although there is no legally set timeline, it is recommended by the Humboldt – Del Norte SELPA for

the case carrier to ensure that the SELPA approved IEP Notice is sent to the parents and all IEP team members at least ten days prior to the scheduled IEP date, whenever feasible.

Local Forms

Districts are required to use the legally compliant IEP Notice developed and approved by the Humboldt - Del Norte SELPA, found in the Special Education Information System (SEIS) Document Library.

FAQs

Who is responsible for making sure that representatives from other agencies attend the IEP meeting?

It is the responsibility of the case carrier to make sure that all prospective IEP team members, including those members who are employed by other agencies, receive adequate advance notice regarding their required attendance at IEP meetings. It is the responsibility of the employing agency to ensure their attendance.

What do I do if a required IEP team member fails to attend the IEP meeting?

If a required member fails to attend the meeting the responsible administrator will have to either postpone the meeting or with the approval of the parent, complete an IEP Team Member Excusal form, prior to the IEP meeting, provided that the missing person's area of curriculum or related service is not a subject for discussion.

Note: For more information on required IEP team members, see the section on IEP team members.

Do I still have to send the parent an IEP notice after a student turns 18-year-old?

Yes, the law requires that parents continue to be noticed and be able to attend IEP meetings. However, they are no longer required to consent to the IEP unless the student has been conserved by the parent.

In the case of a divorce, who should be invited to the IEP meeting?

It depends on the court order, and it is recommended that you request a copy of the court order from both parents. If one parent has full legal custody, only that parent should be invited. If the parents share custody, both of the parents must be invited. You should not hold separate IEP meetings to accommodate divorced parents.

REMINDERS

- Districts may only use the official SELPA approved IEP Notice.
- IEP members must be given adequate notice of IEP meetings.
- Parents must be given notice early enough to ensure an opportunity to attend.
- It is the responsibility of the case carrier or other designated staff member to ensure that IEP notices are sent to all IEP team members, including parents and agencies.
- Even if a student has reached the age of majority, the parent must still be invited to the IEP meeting.
- In the case of shared custody, both parents must be invited to the IEP meeting.
- Be sure to include, CCS, Mental Health, Adult Agencies for transition and other pertinent agencies.