Top 10 Tips for the Special Education Process and Individual Education Plans (IEPs)

1. Learn everything you can about the Special Education Process

The special education process can be confusing. If you need an Individual Education Plan (IEP) for your student, it helps to learn all you can about the process. Knowing what is happening and what people are talking about can help you feel more comfortable. Get help to learn about what the process is like and what different words and phrases mean. There are links at the end of this fact sheet to resources that can help you learn these things.

2. Have a Plan and Ask Questions

You know your student better than anyone! You know what works and what doesn't. An IEP team meeting is a chance for you to share what you know. Think about what you want to say and what outcome you want BEFORE the meeting. It can be good to write things down, so you don't forget. During the meeting, ask questions when you don't understand something or want something explained better. Ask why the school is suggesting certain things. Ask if they have looked at or tried other options.

3. Find a Staff Person Who Knows and Cares About Your Student

There is usually at least one school staff person who seems to really understand and care about your child. This staff person could be a:

- paraprofessional
- teacher
- school case manager
- principal
- someone else at the school

Find the staff person or people who work with your student the best and ask that they be a part of planning the IEP. A good working relationship with a trusted and caring adult can be important to your student's success in school.

4. Get Prepared and Organize Records

The special education process involves a lot of documents! It's important to keep them organized. Documents help you advocate for your student. Share the documents that support the things you are asking for with the IEP team.

These documents can be things like:

- IEPs
- evaluations
- notices from the school
- other information about your student

5. Focus on Successes, Skill Development and Progress

If a student can find areas and activities in school where they do well, they are more likely to be confident and happier at school. Try to find these areas. Focus on the student's academic, social, and life skills. You can also ask to get written updates on student progress more often.

6. Ask the School for Written Notices

Schools have to give parents written notices about important decisions and the reason for those decisions. Ask the school to put their decisions and explanations in writing in what's called a "Prior Written Notice" or PWN. This is a really good way to understand what the school is doing.

7. Know your Rights, and Deadlines!

As a parent of a child with a disability, you have many rights. These are things like:

- getting notices from the school
- having a copy of your student's education file
- getting the school's proposals in writing
- being able to agree or disagree to services and steps

Important! You have 14 calendar days from the date of a proposed IEP to agree or disagree with the plan. If you do not respond in writing within those 14 calendar days, the school's proposal can automatically go into effect whether you like it or not!

8. You can challenge a school's decision or proposal

There are many different ways to challenge a school's position, decision, or proposal. These are things like:

- having an IEP meeting
- doing a "conciliation conference"
- taking part in a mediation
- asking for a "facilitated" IEP meeting
- filing a complaint with a state agency
- asking for a hearing by a judge

You can find out more about how to do these things from the resources listed in the last section.

9. Keep as Calm as Possible and Use Different Ways to Address a Problem

Sometimes problems happen and parents and school staff get upset. There are ways to try to keep things as calm as possible. Here are some ideas:

- Before meetings or talking to the school, think through the things you want to see happen and make sure you can explain them.
- Think about different ways to talk about your concerns and goals.
- Speak calmly and clearly.
- Try to get the school team to be a part of the problem-solving process.
- If these don't work, see the next Tip!

10. Contact the Minnesota Disability Law Center (MDLC)

Our office may be able to help. We have lawyers and advocates that have a wide range of experience in special education. Contact us to apply for free legal help.

Metro: (612) 334-5970
Toll Free: 1-800-292-4150

For all other calls: 612-332-1441

We have a statewide online intake at https://mylegalaid.org/get-help. Scroll down to the blue "Apply Online" button.

Want to Find out More?

- MDLC's Fact Sheets: https://www.lawhelpmn.org/self-help-library/disability
- Minnesota Department of Education FAQs: http://education.state.mn.us/MDE/dse/sped/caqa/
- PACER Advice & Guidance Center: https://www.pacer.org/advice-guidance/
- Glossary of Terms and Acronyms: http://www.specialeducationguide.com/special-education-dictionary/
- MDLC webinar on special education basics: https://youtu.be/uBrdCj4OWxA

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