

Structural Support for Parents and Students in the IEP Process

1. Ensuring Representation at IEP Meetings for Parents Who Need Assistance. Several task force members and members of the public noted the complexity and potentially intimidating nature of IEP meetings, and thought it necessary (a) for parents to clearly understand that there were organizations that could either prepare them to better handle IEP meetings or attend those meetings with them, and (b) for those organizations to have adequate resources to be able to assist parents who might reasonably require their assistance. The task force focused on two options currently available to some Delaware parents requiring assistance with the IEP process. One is the Parent Information Center, which provides training and advice to parents and, in some instances, has non-attorneys attend IEP meetings with parents. The second is Community Legal Aid Society of Delaware, which provides free legal representation to a **relatively small limited** number of parents with specific legal issues in the IEP process. Therefore, the task force makes the following recommendations:
 - a. The state should require schools to provide specific, clear guidance to parents as soon as (a) the school has notice that their child has a disability, (b) a child is identified by the parent or school as needing evaluation for a potential disability, or (c) a child transitions as he/she approaches age three from the state's Child Development Watch program, that the parents ~~can~~ may be able to receive assistance through the Parent Information Center, Community Legal Aid Society, or private legal counsel.
 - b. The state should ensure that the resources necessary to meet the anticipated demand for legal services are made available to the Parent Information Center and Community Legal Aid. Specifically, the task force urges the General Assembly to grant the request of CLASI's **Disability Disabilities** Law Program for \$100,000 in funds to **continue bolster** its special education advocacy project, which would allow it to **serve train or assist 250 children families** in the IEP process, and to make \$88,500 available to the Parent Information Center in order to allow it to hire two additional full-time parent consultants to meet anticipated increases in its demand for its services.

Procedural Changes to the IEP Process

3. Providing Protections to Teachers and Staff To Ensure Free Discussion During IEP Meetings. Some task force members noted that teachers, staff, and contractors of school districts and charter schools can feel constrained from freely engaging in discussion at a child's IEP meeting for fear of later repercussions for their comments. The task force recommends that the General Assembly amend the Delaware Code to **prohibit School Districts, Charter Schools, and/or the Department of Education from retaliating or causing teachers, staff, or contractors to face other negative repercussions as a result of their expression of a student's needs and/or rights in connection to the IEP process. specifically protect teachers, staff, and contractors from any repercussions or retaliation arising from their participation in a student's IEP preparation.** *[We should clarify that our recommendation is to protect teachers and staff from retaliation by the School District / Charter School / DOE – we want to prevent teachers from losing their jobs for expressing what a child needs. My edit, above, is an attempt to communicate that.]*