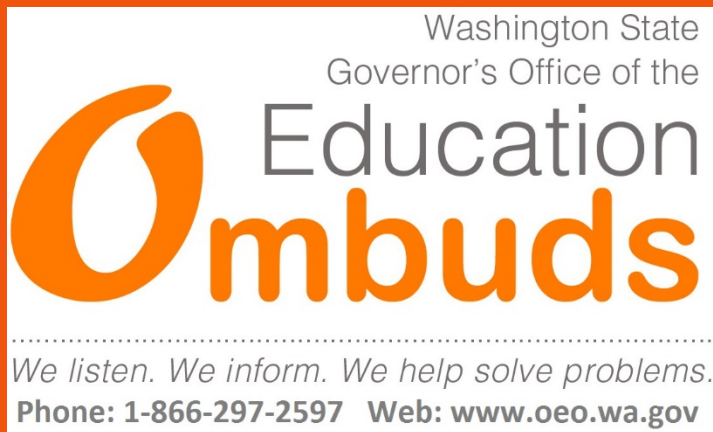


Know Your Rights: Special Education Evaluations and IEPs

Governor's Office of the Education Ombuds (OEO)



Presented by: Jinju Park
February 22, 2021

Overview of Topics

1. Introduction to OEO and Resources
2. Evaluations
3. IEP Development and Implementation



History of the OEO

Tackling the Opportunity Gap in K-12 Washington State Public Schools

Founded by the state legislature
in 2006

OEO's Mission: We work with families, communities, and schools to navigate educational challenges and increase collaborative problem-solving so that every student can fully participate in and benefit from public education in Washington.





What OEO Does

We listen. We inform. We help solve problems.

CASEWORK

TRAININGS & OUTREACH

POLICY

Read more about how we work with families, educators and community professionals on our website at www.oeo.wa.gov/contact.

Resources: OEO.wa.gov

- 1 OEO Publications
- 2 Online Intake
- 3 List of resources



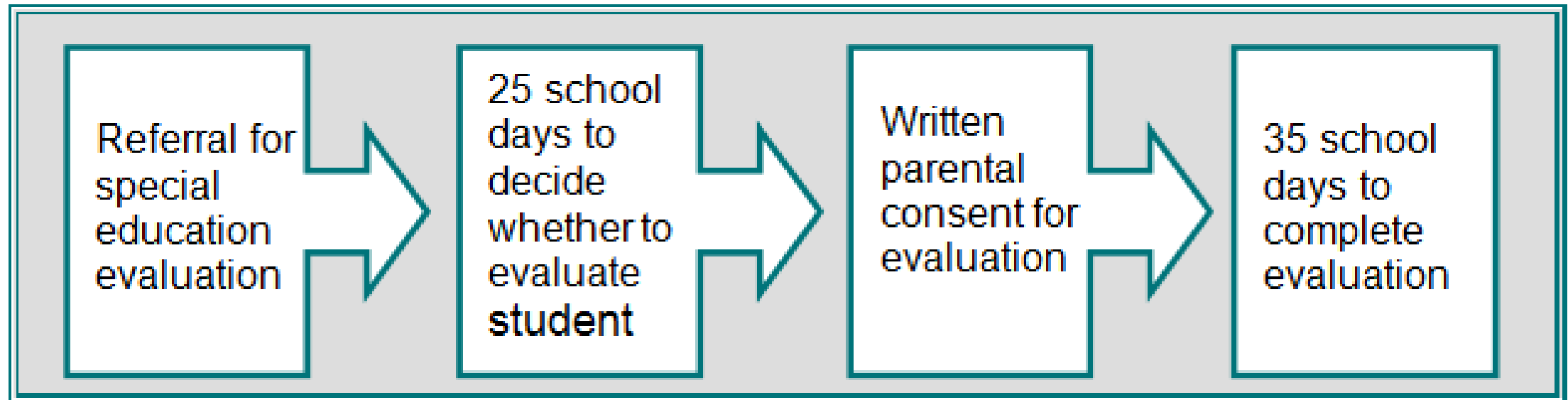
Evaluations: Parent Rights

- 1 Before the Evaluation
- 2 During the Evaluation
- 3 After the Evaluation



Evaluations: Parent Rights

1 Before the Evaluation

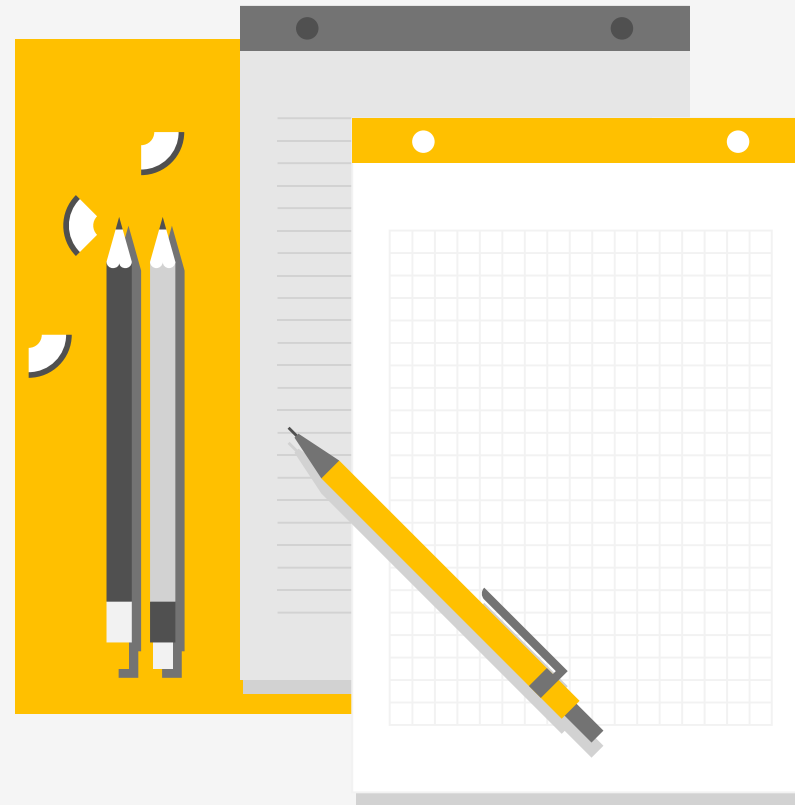


Evaluations: Parent Rights

1 Before the Evaluation

- Participation in the meeting

- ## 2
- Prior Written Notice
 - Parental Consent



Evaluations: Parent Rights

1 Before the Evaluation

- Participation in the meeting

2

- Prior Written Notice

- Parental Consent

Any time a district *Proposes* or *Refuses* to:

- ✓ Find a student is **eligible** or **not eligible**; or
- ✓ Do an **evaluation**;
- ✓ Change the student's **placement**; or
- ✓ Change the provision of "FAPE" (**change services**)

Evaluations: Parent Rights

1 Before the Evaluation

- Participation in the meeting

2

- Prior Written Notice

- Parental Consent

Description of the action being proposed or refused
AND the **reasons why:**

- ✓ Evidence and records relied on in reaching the decision
- ✓ Description of other options considered and why they were rejected, and
- ✓ Information about parents' procedural safeguards

Evaluations: Parent Rights

- 1 Before the Evaluation
 - Participation in the meeting
- 2
 - Prior Written Notice
 - Parental Consent

Informed Consent:

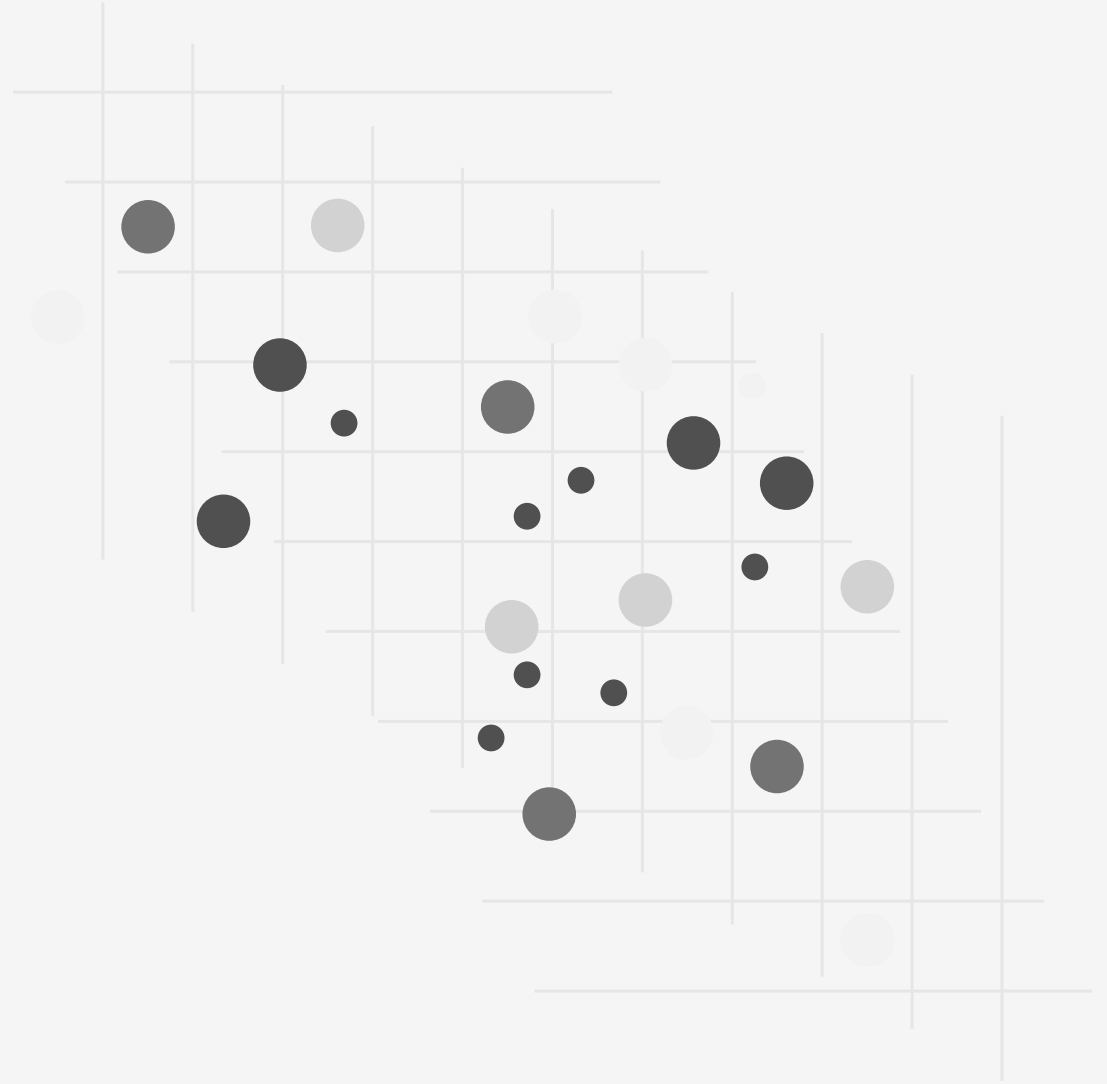
- ✓ Is fully informed in his or her **native language** or other mode of communication,
- ✓ understands and agrees **in writing** to the evaluation, or initiation of services,
- ✓ understands that the granting of consent is voluntary and **may be revoked** at any time.

Evaluations: Parent Rights

1 Before the Evaluation

2 During the Evaluation

- Thorough
- Fair and non-discriminatory
- Transparent

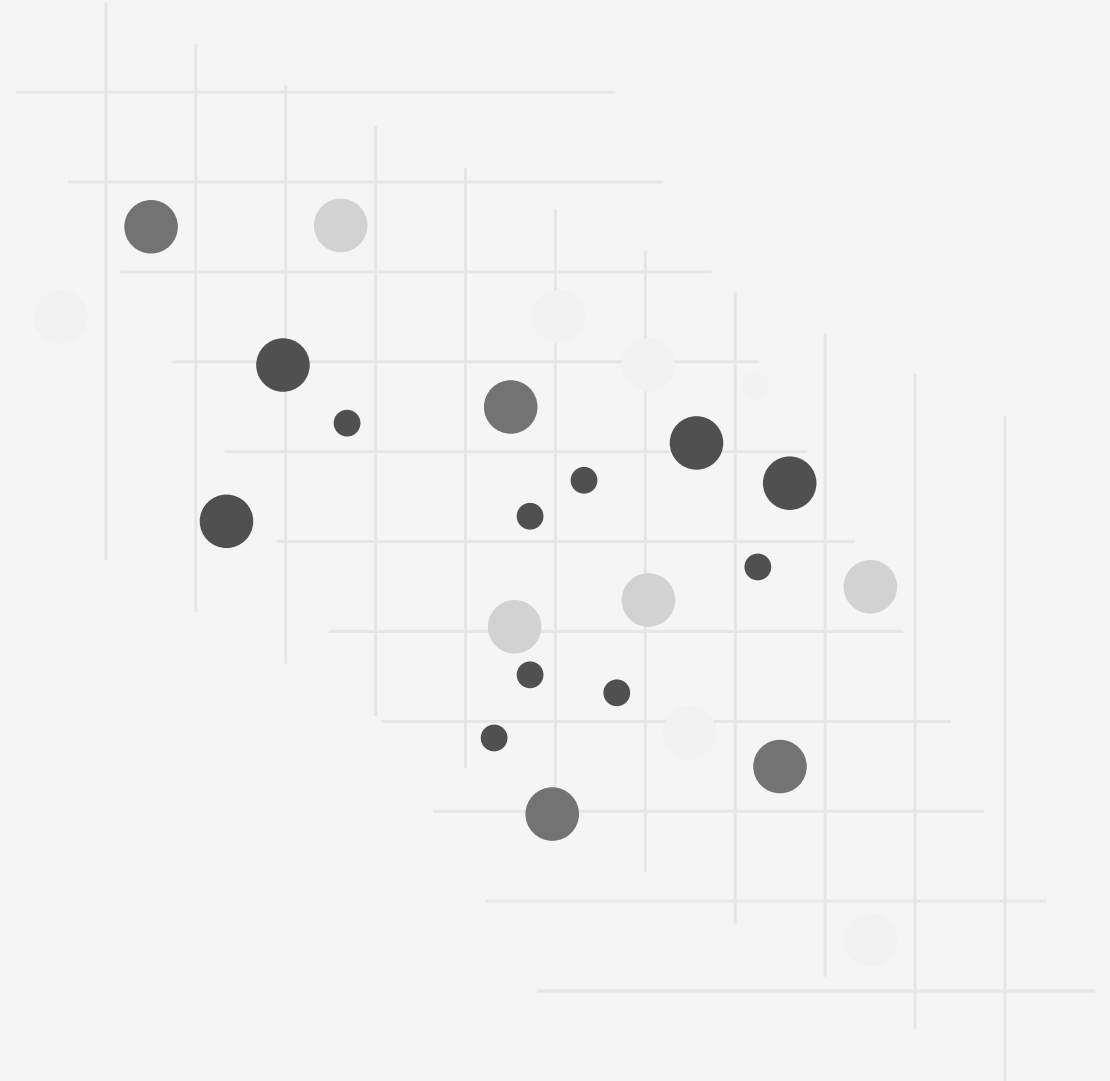


Evaluations: Parent Rights

1 Before the Evaluation

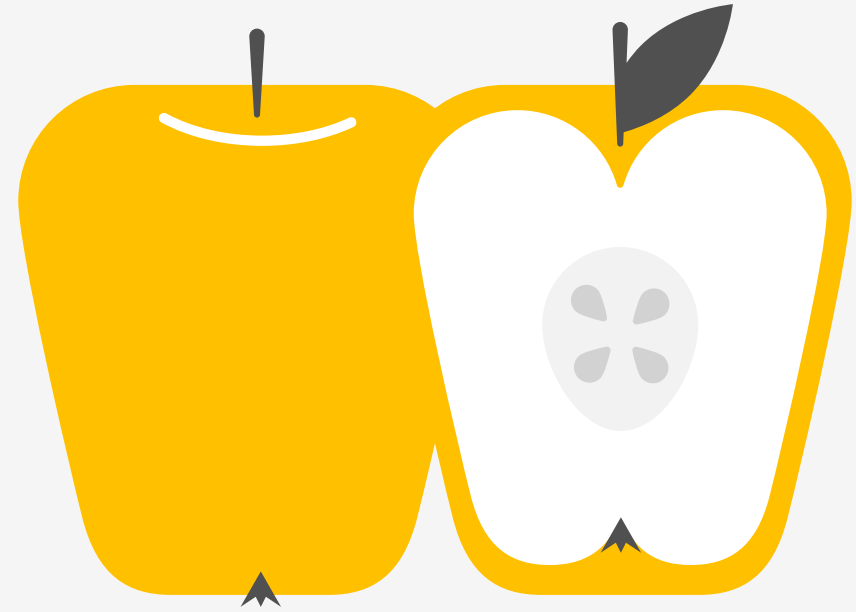
2 During the Evaluation

- Thorough
- Fair and non-discriminatory
- Transparent



Evaluations: Parent Rights

- 1 Before the Evaluation
- 2 During the Evaluation
- 3 After the Evaluation
 - Informed
 - Participation
 - Consent – or the right to disagree



Evaluations: Parent Rights

What happens if you disagree?

- Consent
- Independent Evaluation
- Appeal
- Other...



Evaluations: Parent Rights

What happens if you disagree?

- Consent
- Independent Evaluation
- Appeal
- Other...



Evaluations: Parent Rights

What happens if you disagree?

- Consent
- Independent Evaluation
- Appeal
- Other...



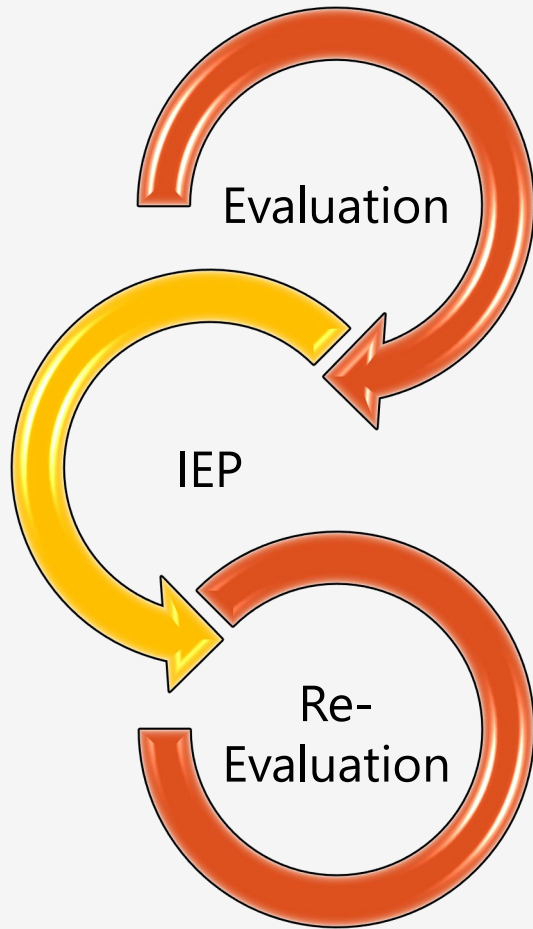
Evaluations: Parent Rights

What happens if you disagree?

- Consent
- Independent Evaluation
- Appeal
- Other...



IEP Development and Implementation



Evaluation Drives the IEP

- Area(s) of Specially Designed Instruction (“SDI”)
- Related services
- Modifications and accommodations
- Placement
- Re-evaluation every 3 years

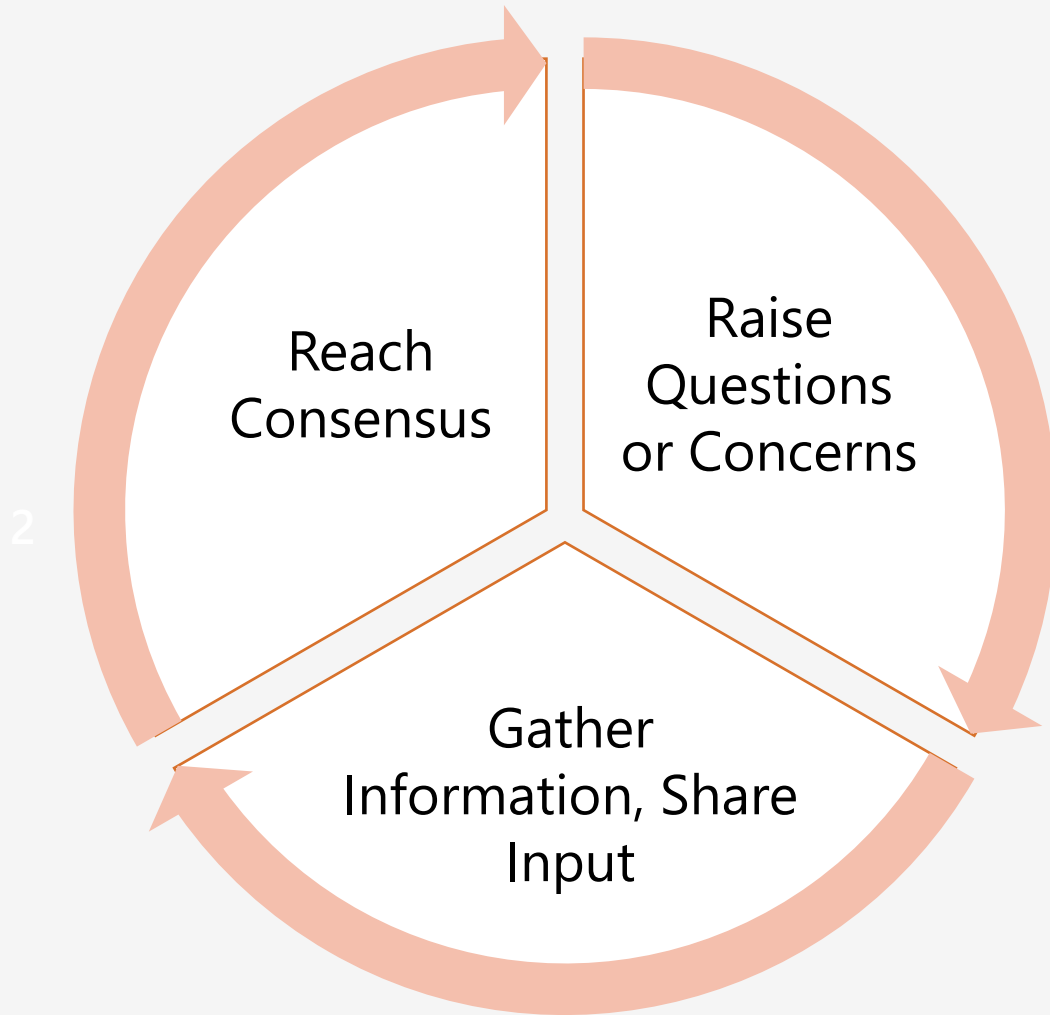
IEP Development and Implementation

It's a journey, not a destination!

- IEP team meets at least once per year or as-needed to discuss what's working, what's not working.
- Make changes



IEP Development and Implementation



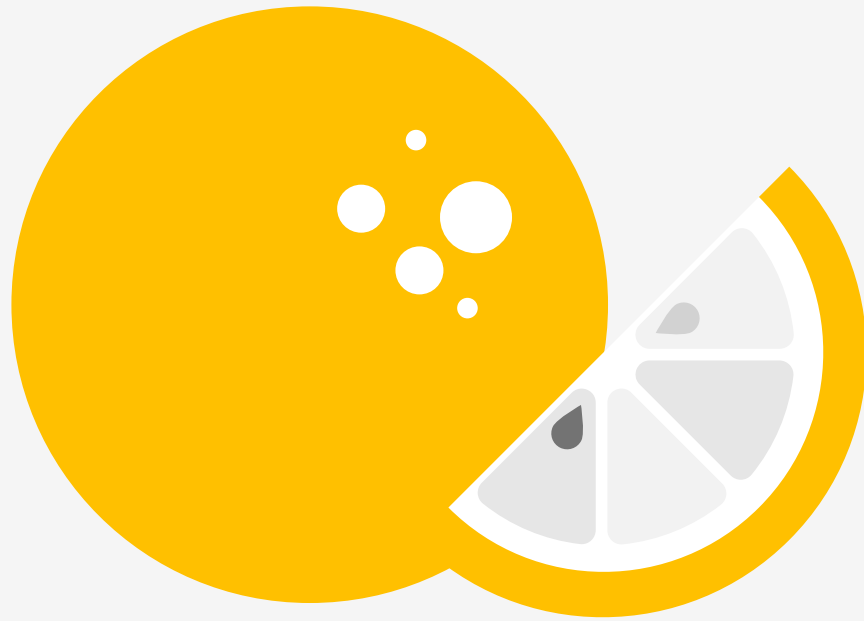
How it works:

1. Reach a consensus (or not)
2. Make a decision
3. Follow-up and next steps

IEP Development and Implementation

If a parent disagrees:

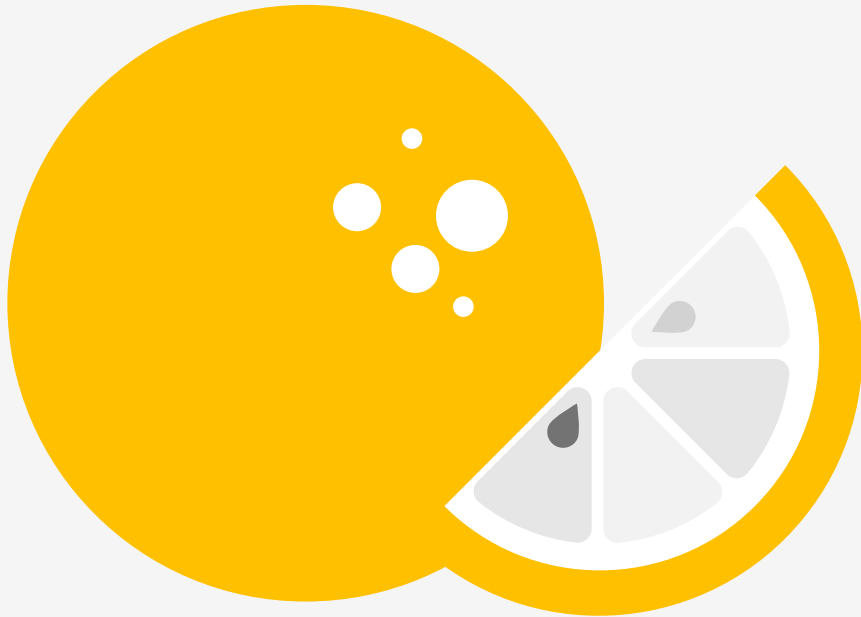
- Ask the team to reconsider
- Try it and see how it goes
- Challenge the decision – a spectrum of options



IEP Development and Implementation

If a parent disagrees:

- Ask the team to reconsider
- Try it and see how it goes
- Challenge the decision – a spectrum of options

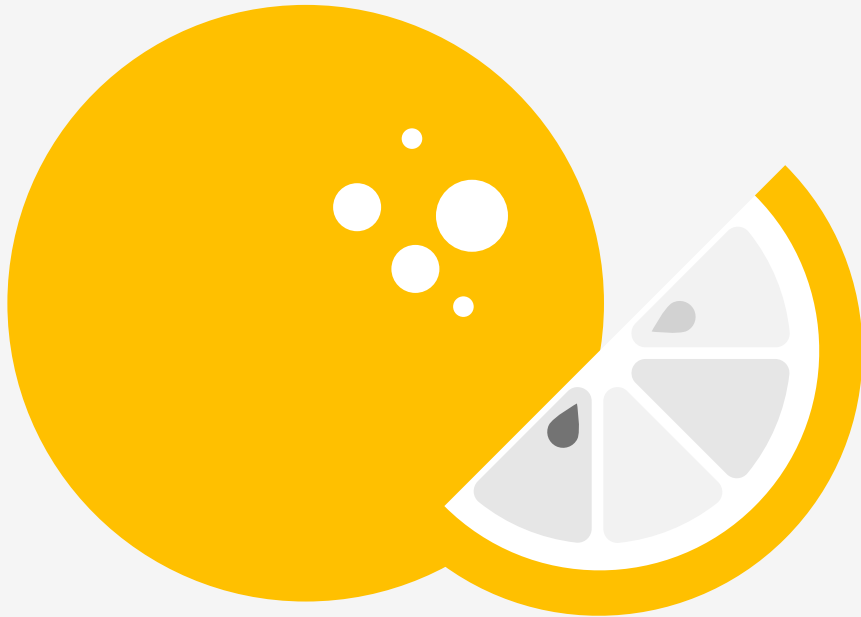


IEP Development and Implementation

If a parent disagrees:

- Ask the team to reconsider
- Try it and see how it goes
- Challenge the decision – a spectrum of options

2



IEP Development and Implementation

Spectrum of Challenges

- Advice
- Facilitated IEP meeting
- Mediation
- Citizen's Complaint with OSPI
- Due Process Hearing Request
- File a complaint with OCR



IEP Development and Implementation

Spectrum of Challenges

- Advice
- Facilitated IEP meeting
- Mediation
- Citizen's Complaint with OSPI
- Due Process Hearing Request
- File a complaint with OCR



Contact the Office of the Education Ombuds (OEO)

OEO Web page:



[Web: www.oeo.wa.gov](http://www.oeo.wa.gov)

OEO YouTube Channel:



<https://www.youtube.com/TheWAEdOmbudsman>

Give feedback about this presentation:



<https://www.surveymonkey.com/r/oeoombuds>

Add any final text here, or delete text box.

