

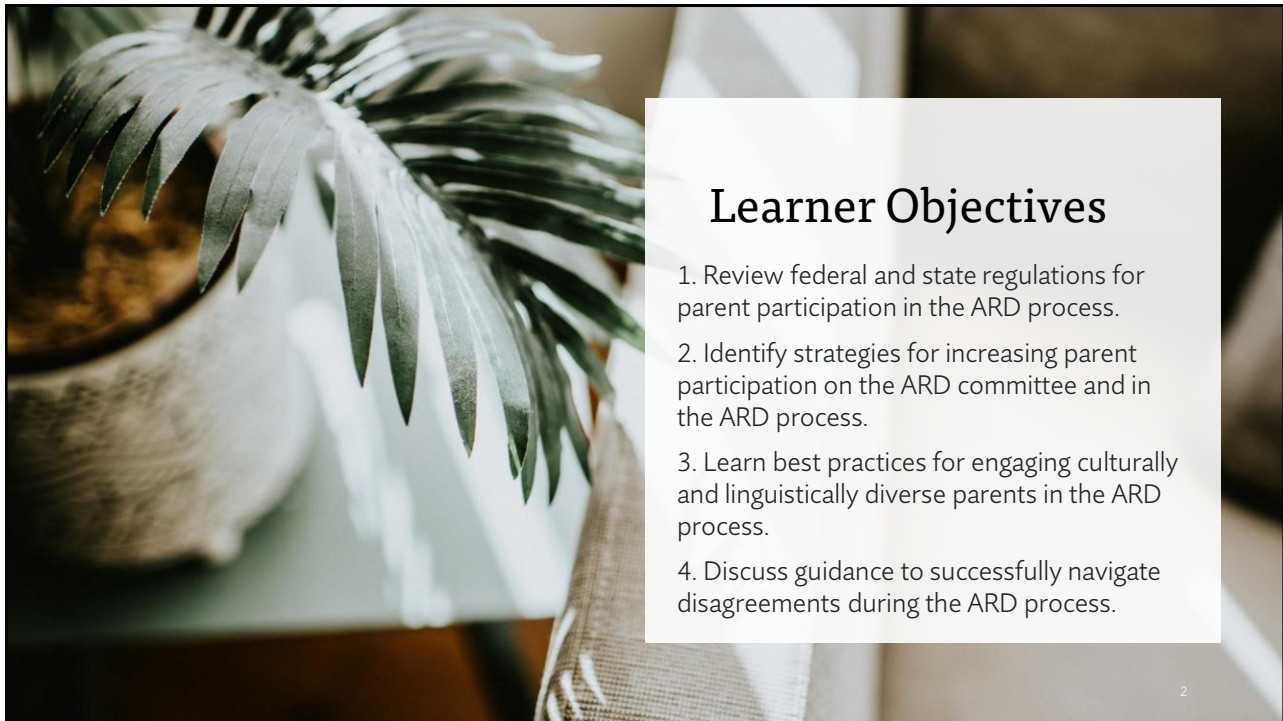


## Powerful Partnerships: Fostering Meaningful Parent Participation in the ARD Process

Texas Association of School Psychologists  
2024 Annual Convention

Nicole D. Price, LSSP, NCSP  
Region 4 Education Service Center

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## Learner Objectives

1. Review federal and state regulations for parent participation in the ARD process.
2. Identify strategies for increasing parent participation on the ARD committee and in the ARD process.
3. Learn best practices for engaging culturally and linguistically diverse parents in the ARD process.
4. Discuss guidance to successfully navigate disagreements during the ARD process.

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## Federal and State Mandates

### Who is a Parent?

Biological or adoptive parent of a child.	Foster parent who meets certain requirements.	Guardian authorized to act as the parent ( <i>excluding the state if student is a ward of the state</i> ).
Individual acting in place of a parent with whom the child lives.	Individual who is legally responsible for the child's welfare.	Surrogate parent.

## ARD Committee Membership

Per federal and state regulations, the local education agency (LEA) must ensure that the child's ARD committee include the parent of the child.

The law recognizes that the parent has the right to make educational decisions on the behalf of their child.



34 CFR 300.321(a)(1)

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## Discretionary Members Subject to Approval

### Individuals with Special Expertise

At the discretion of the parent or LEA, other people with knowledge or special expertise regarding the child may be invited to attend.

### ECI Representatives

For children previously served under ECI, the parent can request an ECI representative attend the initial IEP team meeting.

### Participating Agencies

With consent of the parent (or adult student), a representative of any participating agency that is likely responsible for paying or providing transition services.

### Attendance at Adult Student Meetings


The adult student or LEA may invite other individuals, including the parent, to the IEP team meeting.


34 CFR 300.321(a)


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## Attendance and Excusal

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The parent and LEA must agree in writing that a member's attendance is not necessary because their portion is not being modified or discussed.
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Excusals from ARD meetings require proper written consent from the parent and LEA.
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The member who is excused must still submit their input into the development of the IEP to the parent and ARD committee in writing, prior to the meeting.
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Excusal requirements do NOT apply to the parent.

34 CFR 300.321(e)

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## Informed Consent for Excusal from an ARD Committee Meeting

Parent is fully informed of all information relevant to the excusal of the member in their native language or other communication mode.

Parent understands and agrees in writing to the excusal.

The consent describes the excusal of the ARD committee member.

The consent lists the records, if any, that will be released and to whom.

Parent understands their consent is voluntary and may be revoked at any time.

If the parent revokes consent, it is not retroactive.

34 CFR 300.9 &amp; 300.321(e)

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## Parent Notice of the ARD Meeting

- LEAs must take steps to ensure parents are present at ARD meetings or are afforded the opportunity to meaningfully participate including:
  - Providing a notice of the ARD committee meeting early enough to make certain parents have the opportunity to attend; and
  - Scheduling the meeting at a mutually agreed upon time and place.
- Other methods of participation:
  - The LEA must use other methods to guarantee parent participation such as individual or conference telephone calls or video conferences.

34 CFR 300.322(a)

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## Notice of the ARD Meeting

Provided at least 5 school days before the meeting.

Unless a shorter timeframe is agreed to by parents.

Indicates the purpose, time, and location of the meeting.

Notes the participation of other knowledgeable individuals in the meeting.

Provide notice in parent's native language unless not feasible to do so.

If parent's native language is not a written one, the notice must be translated orally or by other means to the parent to ensure understanding.

34 CFR 300.322(b)

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## Meetings Without Parent Attendance

An LEA can conduct an ARD meeting without the parent in attendance if the LEA is unable to convince the parent to attend.

The LEA must keep records of its attempts to arrange the meeting at a mutually agreed upon time and place.

Attempts can include:

- Detailed records of phone calls and the results of those calls;
- Copies of correspondence sent and responses; and
- Detailed records of visits made to the parent's home or work and results of the visits.

34 CFR 300.321(d) & 300.501(c)

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## Parent Participation

### Decisions & Placement

Parents must be afforded the opportunity to participate in meetings involving the identification, evaluation, and educational placement of their child.

### Provision of FAPE

Parents must be afforded the opportunity to participate in the process of the provision of a free and appropriate public education (FAPE) to their child.



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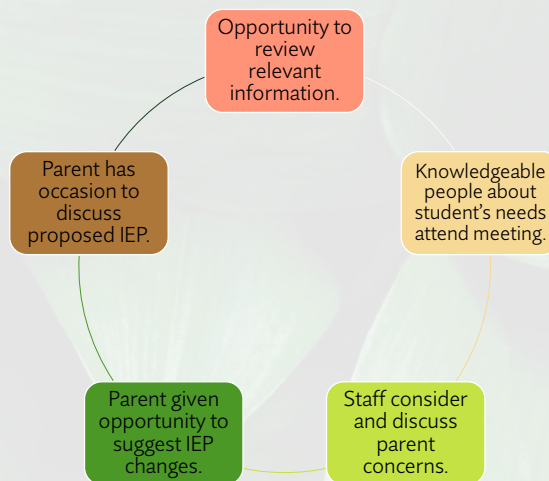
## Meaningful Parent Participation

- **Meaningful** parent participation is different than simply allowing a parent to be present at their child's ARD meeting.
  - "Participation must be more than mere form; it must be meaningful."
    - 6<sup>th</sup> Circuit of Appeals in *Deal v. Hamilton County Bd. of Education* (2004)
  - The Court went on to note,
    - "The district court erred in assuming that merely because the parents were present and spoke at the various IEP meetings, they were afforded an adequate opportunity to participate."
- Meaningful parent participation requires that LEAs consider parents' suggestions and, to the extent appropriate, integrate them into the student's IEP.

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## Meaningful Parent Participation



Adapted from Pfrommer (2023)

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## Considerations for Meaningful Parent Participation

### Avoid Predetermination

District members must appropriately consider parent input.

Predetermination is not the same as preparing for the ARD meeting.

### Addressing Parent Preferences

IDEA does not obligate districts to simply accede to parents' demands.

LEAs are always tasked with developing an IEP based on individual student need.

### IEP Team Consensus

Educational decisions are made through consensus, not voting.

Work with parents to, ideally, come together to develop an agreeable IEP.

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## Considerations for Meaningful Parent Participation

### Accommodating Parents

LEAs must take necessary action to ensure parents understand the ARD meeting proceedings.

This includes arranging for interpreters or perhaps recording a meeting for translation.

### Participation of Divorced or Unmarried Parents

IDEA rights apply to both parents unless a court order or other state law specifies otherwise.

Be sure to discreetly ask parents for the custody agreement, divorce decree, or other legal paperwork to verify.

### Reviewing Records Prior to the Meeting

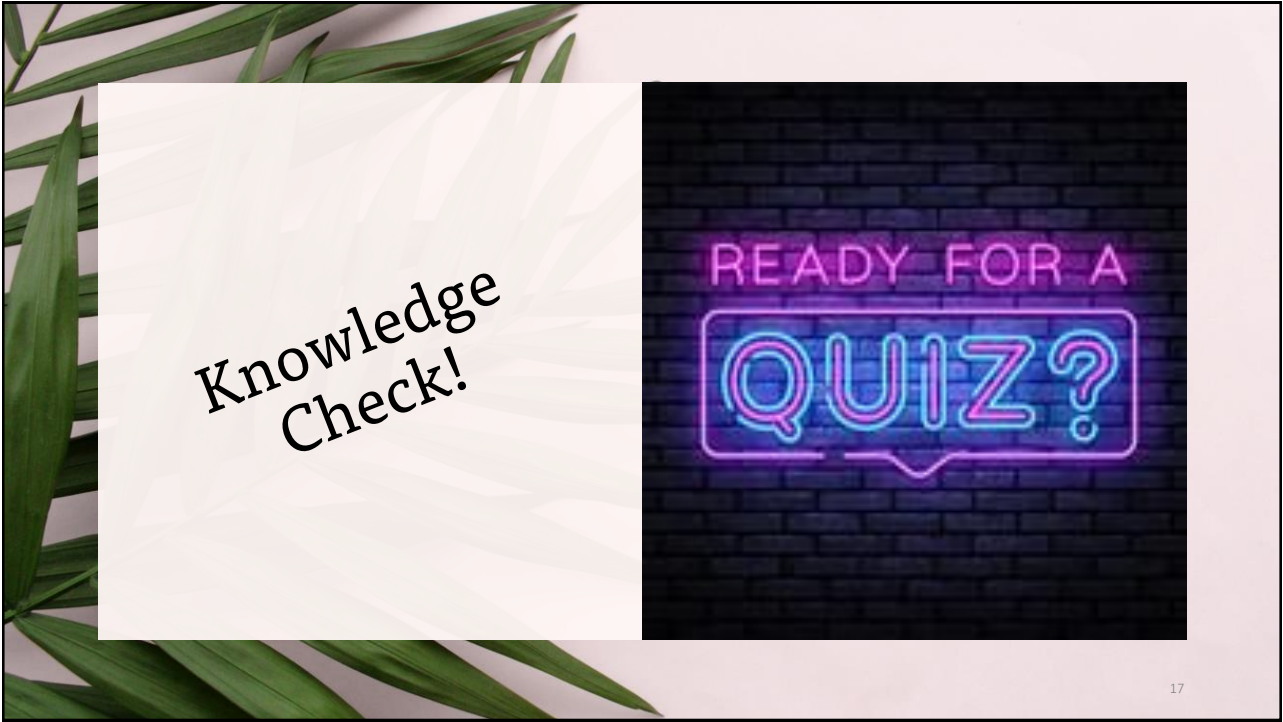
If a parent makes a request to inspect, LEAs must comply without unnecessary delay, no more than 45 days after the request is made.

The parent has the right to reasonable requests for an explanation of records, copies of the records, and to have a parent representative review the records.

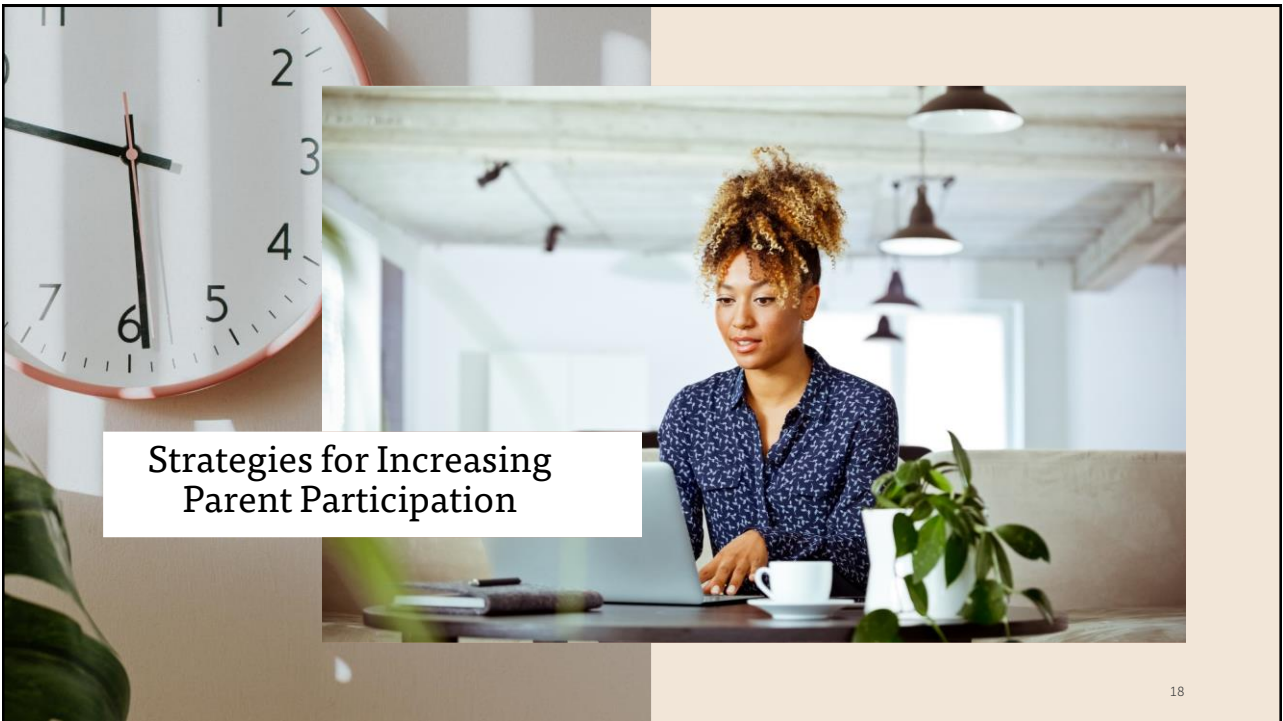
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## Meaningful Parent Participation

- Parent has opportunity to discuss proposed IEP.
- Parent has opportunity to suggest changes to IEP.
- Team considers parent's concerns.
- People knowledgeable about student's needs attend.
- Parent has opportunity to review relevant information.

Adapted from LRP Publications, 2022

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## Before the ARD Meeting

- Introduce Parents to Special Education.
- Build Rapport through Interviews.
- Deliver Appropriate Notice.
- Include all Members.
- Avoid Predetermination.
- Send a Draft.

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## Introducing Parents to Special Education

### Display empathy.

- Try to understand and show compassion for a family's situation.

Onage, 2022

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## Introducing Parents to Special Education

### Determine what parents are ready to hear.

- Pay attention to parents' body language and facial expression.

Onage, 2022

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## Introducing Parents to Special Education

Consider how much parents want to be involved.

- Don't make assumptions about families who are not very engaged or responsive during IEP development.

Onage, 2022

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## Introducing Parents to Special Education

Prepare parents for the IEP process.

- Give parents an overview of the IEP process so that they know what to expect.
- Spedtex.org has many great resources, including a section for “Families New to Special Education”.

Onage, 2022

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## Introducing Parents to Special Education

Recognize that relationship-building takes time.

- Invest time in day-to-day updates and interactions.

Onage, 2022

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## Introducing Parents to Special Education

Teach parents behavior management strategies.

- Consistency between home and school will increase student success.

Onage, 2022

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## Introducing Parents to Special Education

### Foster hope.

- Help the family to see continued progress and work towards increased independence.

Onage, 2022

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## Building Rapport through Parent Interviews

- Appreciate the parents' perspective.
- Try to see the world through the parents' eyes.
- Seek to understand the parents' ideas.
- Discover what works for parents.
- Don't assume you know what is best.
- Don't force acceptance of your ideas.



Westby et al, 2003

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## General Question-Asking Principles



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### Ask for use instead of meaning.

- Instead of



- What do you mean Trevor misbehaves?



- Try

- Give me an example of when Trevor misbehaved.

Adapted from Westby et al, 2003

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## Use open-ended questions **rather than yes-no questions.**



- **Instead of**
- **Is getting Trevor to bed on time problematic?**



- **Try**
- **Tell me about a typical evening at your house.**

Adapted from Westby et al, 2003

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## Restate what the parent says by repeating the parent's exact words; **do not paraphrase or interpret.**



- **Lets the parent know that you are listening**



- **and are not interpreting the parent's statements from your own perspective.**

Adapted from Westby et al, 2003

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**Avoid multiple questions to allow focusing on the specific information asked.**



- **Instead of**
  - **“When and where does your child tantrum, and what do you do to stop the tantrums?”**



- **Ask one question at a time**
  - **“Can you give me some examples of things you have tried that have stopped Trevor’s tantrums?”**

Adapted from Westby et al, 2003

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**Avoid leading questions that tend to orient the person to respond in a particular direction.**



- **Instead of**
  - **“What do you dislike about Trevor’s teacher?”**



- **Try**
  - **“Tell me about your experiences with Trevor’s teacher.”**

Adapted from Westby et al, 2003

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**Avoid using *why* questions because such questions tend to sound judgmental and assume that the person knows why.**



• **Instead of**

• **“Why have you not taken Trevor to public places such as the grocery store?”**



• **Try**

• **“Tell me your reasons for not taking Trevor to the grocery store.”**

Adapted from Westby et al, 2003

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## Parent Interviews are Powerful!

- A study compared parent interviews to direct assessment and found immediate family members could identify language and learning difficulties as accurately as standardized assessment measures (Conti-Ramsden et al. 2006).
- Seek to understand parents and trust their opinions!



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## Deliver Appropriate Notice

Provided at least five school days before the meeting.

Includes the purpose, time, and location of the meeting, as well as who will be in attendance.

Provided to the parents in their native language, unless it is clearly not feasible to do so.

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## Include All Members

Parent/Guardian

Regular Education Teacher

Special Education Teacher

LEA Representative

Individual Who Can Interpret the Instructional Implications of Evaluation Results

Other individuals who have knowledge or special expertise regarding the student

Student With a Disability, when appropriate

Required members regardless of student's needs or eligibility.

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## Include All Members

Representative of Any Participating Agency Likely to Be Responsible for Providing or Paying for Transition Services

Career and Technical Education (CTE) Representative

Language Proficiency Assessment Committee (LPAC) Member

### Other Teachers:

- Teacher of students with visual impairments
- Teacher of students who are deaf or hard of hearing

### Other Personnel:

- Juvenile Justice Alternative Education Program (JJAE) Administrator
- Early Childhood Intervention (ECI) Service Coordinator

Dyslexia Member

Additional members required or invited based on student's needs or eligibility.

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## Send Parents Questions Before the Meeting

Send general open-ended questions.

Send a planning form.

Adapted from Pfrommer, 2023

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## Avoid Predetermination

Avoid rigidity.

Hold planning meetings in person.

Watch casual statements.

Adapted from Pfrommer, 2023

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## Draft IEPs

Not required, but best practice.

Clearly mark as DRAFT.

Distribute drafts early.

Note and incorporate parents' input into final IEP.

Adapted from Pfrommer, 2023

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## During the ARD Meeting

- Start off on the Right Foot.
- Help Parents Engage.
- Document Discussions.

Adapted from Pfrommer, 2023

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## Starting Off On the Right Foot

- Arrive with an open mind.
- Create a comfortable atmosphere.
- Say the right things.
- Behave professionally.
- Don't vote!

Adapted from Pfrommer, 2023

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## Help Parents Engage

- 1 Encourage parental input.
- 2 Don't cut off team discussions.
- 3 Don't shy away from debates.
- 4 Respond to parent requests.
- 5 Ensure important team members provide input.

Adapted from Pfrommer, 2023

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## Document Discussions



Memorialize  
Parents' Input.

Select and  
prepare a  
notetaker.



Adapted from Pfrommer, 2023

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# Checklist for Notetaker

- Document parent's input.
- Document response to parent's input.
- Document outcome of discussions.
- Describe discussion of parent-provided documents.
- Be objective.
- Quote parent.
- Avoid adversarial tone.

Adapted from Pfrommer, 2023

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## After the ARD Meeting: Prior Written Notice

- A Description of the action proposed or refused by the LEA.
- An explanation of why the LEA proposes or refuses to take the action.
- A description of each evaluation procedure, assessment, record, or report the LEA used as a basis for the proposed or refused action.
- A statement that parents of a child with a disability have protections under the procedural safeguards of the IDEA and how parents can obtain a copy.
- Sources for parents to get help understanding the provisions of IDEA.
- A description of other options considered and the reasons why those options were rejected.
- A description of other factors relevant to the LEA's proposal or refusal.

34 CFR, §300.503(b)

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## Prior Written Notice: Best Practices.

Write descriptions based on factual, rather than vague or generic, information.

Provide detail that is sufficient for parents/guardians or adult student to meaningfully participate in the decision-making process.

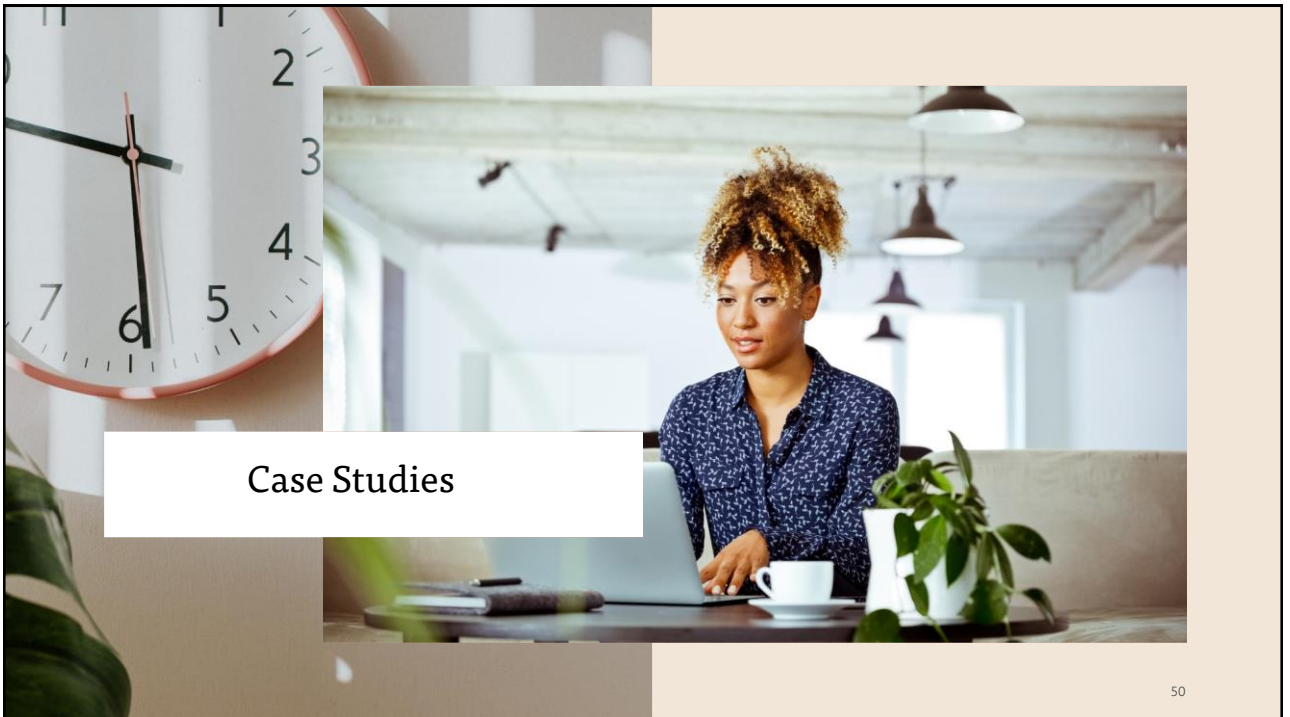
Use the student's name within the notice.

Avoid using terms such as "not applicable" or "none."

Proofread the prior written notice document prior to issuing it to the parents.

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Case Studies

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# CASE STUDIES

Work with your elbow partners to brainstorm ideas for increasing meaningful parent participation for one of the following case studies. Be prepared to share out.

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## CASE STUDY #1

Maria, an undocumented immigrant, has a 10-year-old daughter, Sofia, who has been identified with a learning disability. The school has scheduled an ARD committee meeting to discuss Sofia's educational needs and plan appropriate support. Maria, due to her immigration status, is hesitant and reluctant to participate in the meeting.

What strategies will you use to engage Maria in meaningful parent participation?

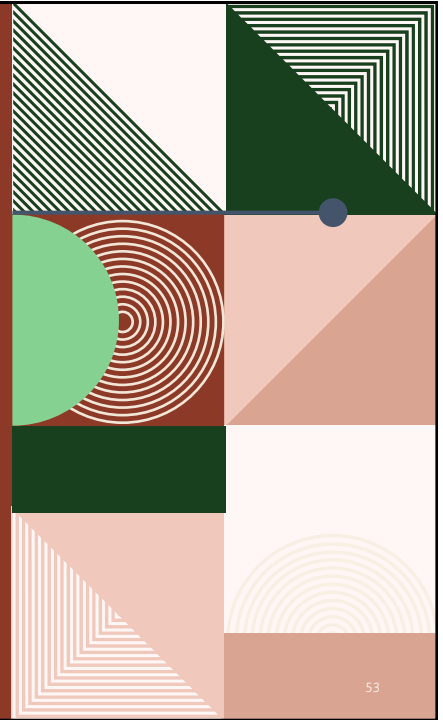
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## CASE STUDY #2

Ahmed, a father from a culture that does not traditionally recognize or understand autism, has a 6-year-old son named Ayaan. Ayaan recently identified with the disability condition of autism and the school has recommended the development of an Individualized Education Program (IEP) to address his unique learning needs. Ahmed is reluctant to agree to special education services due to cultural beliefs and a lack of understanding about autism.

What strategies will you use to engage Ahmed in meaningful parent participation?



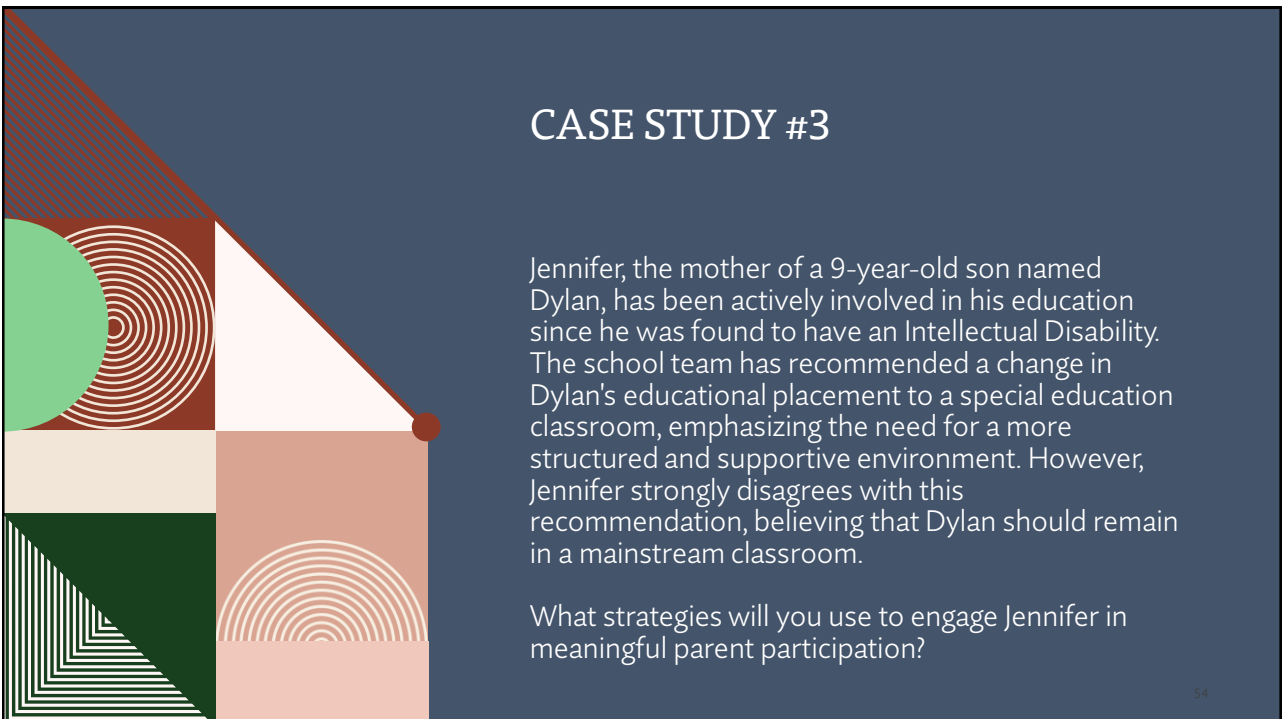
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## CASE STUDY #3

Jennifer, the mother of a 9-year-old son named Dylan, has been actively involved in his education since he was found to have an Intellectual Disability. The school team has recommended a change in Dylan's educational placement to a special education classroom, emphasizing the need for a more structured and supportive environment. However, Jennifer strongly disagrees with this recommendation, believing that Dylan should remain in a mainstream classroom.

What strategies will you use to engage Jennifer in meaningful parent participation?



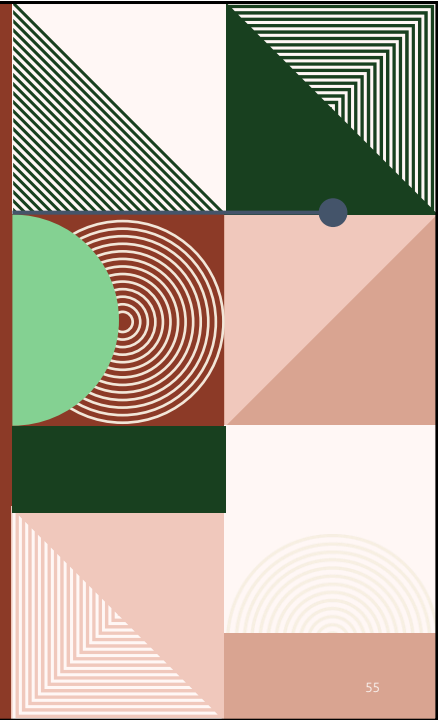
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## CASE STUDY #4

Rachel, a single parent, works night shifts as a nurse. Her 8-year-old daughter, Lily, has been identified with a specific learning disability, and the school team has scheduled an ARD committee meeting to discuss Lily's educational needs. However, Rachel's work schedule poses a significant challenge as she is unable to attend a traditional daytime meeting.

What strategies will you use to engage Rachel in meaningful parent participation?



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**Engaging Culturally and Linguistically Diverse Parents**

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## Culturally and Linguistically Diverse (CLD) Students Disproportionately Experience...



Identification of disability conditions.



Decreased academic outcomes.



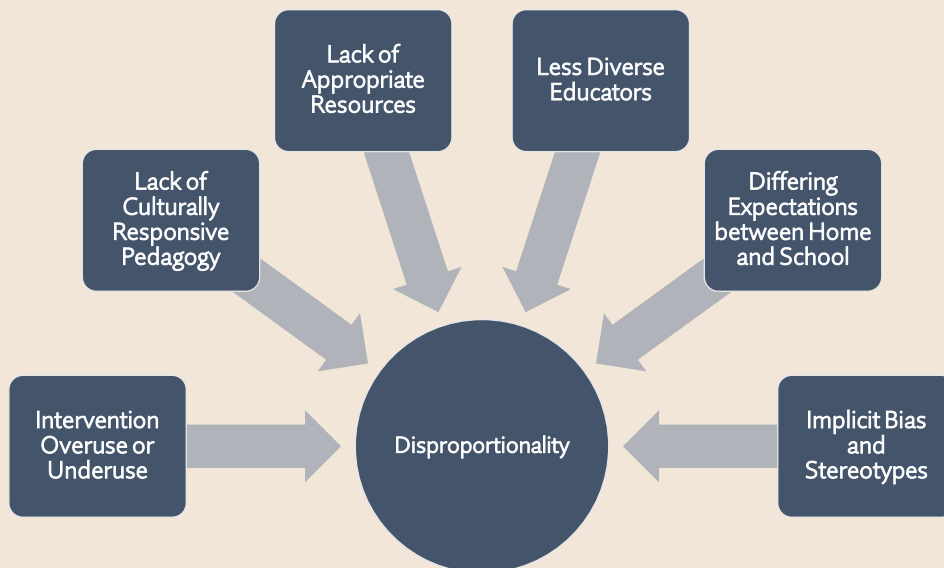
Placement in more restrictive settings.



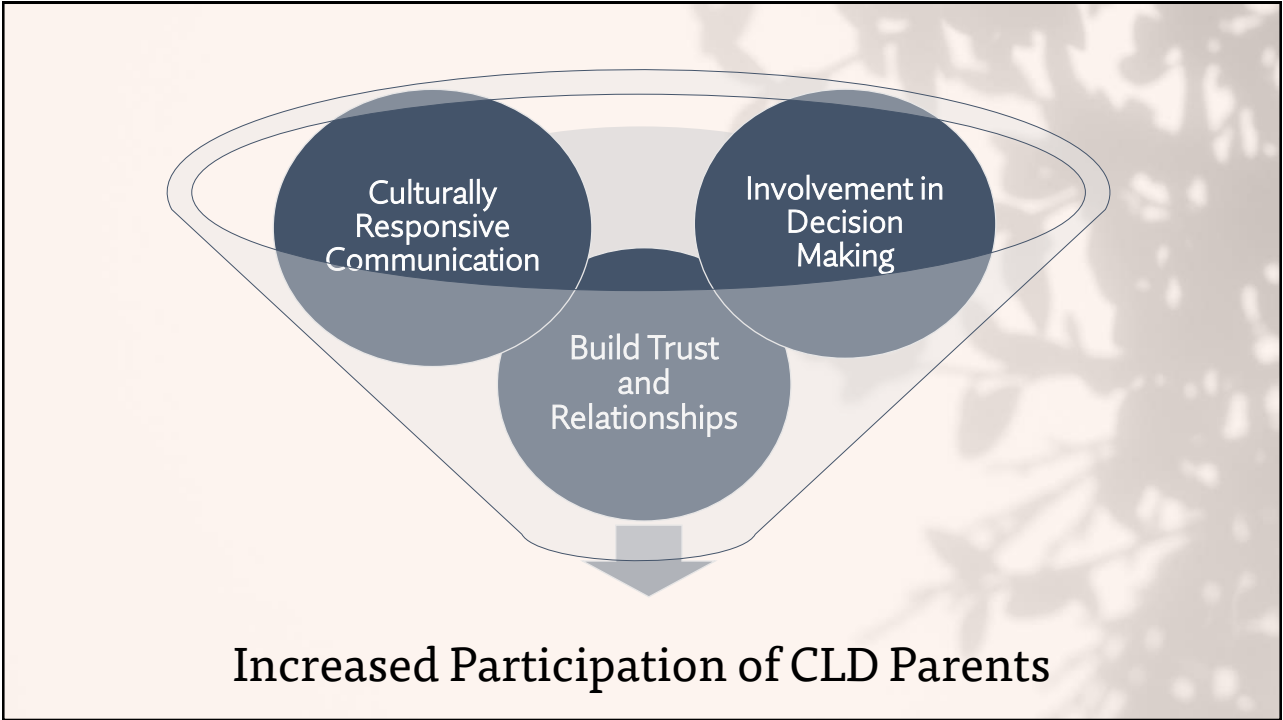
Disciplinary removals.

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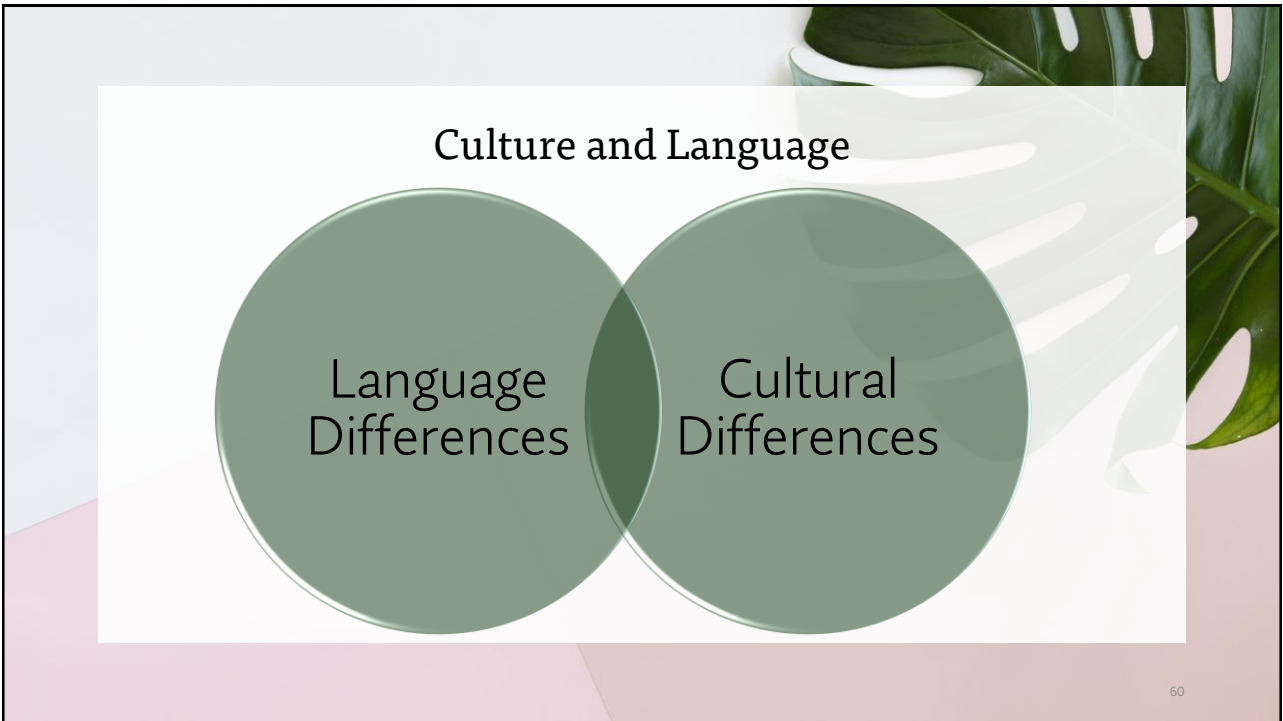
## Contributing Factors for Disproportionality



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## Consider Interpretation and Translation Services

Don't	Do
Wait for parents to request interpretation and translation.	Be assertive about offering translation and interpretation services.
Use family members or untrained colleagues to interpret and translate.	Have a pool of trained interpreters available to draw from in advance of an IEP meeting.
Forget to discuss confidentiality with outside translators and interpreters.	Inform outside interpreters and translators of the obligation to keep information confidential.

Onaga, 2022

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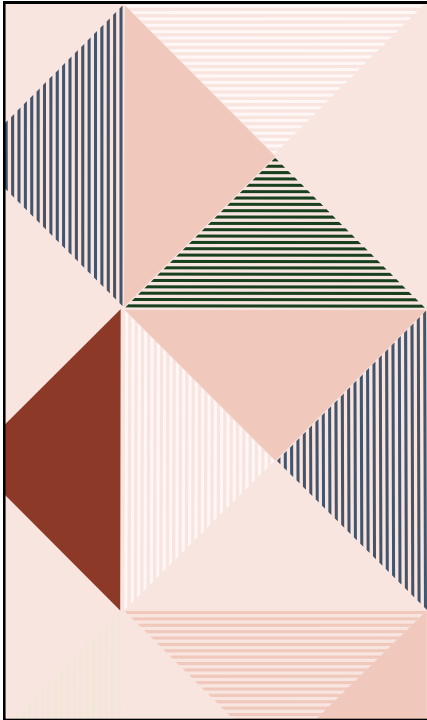
## Consider Interpretation and Translation Services

Don't	Do
Use online translation services as a substitute for a professional interpreter.	Make sure translations of assessment reports and other documents are accurate and accessible to parents.
Neglect to learn about the cultural background of the student and his parents.	Communicate regularly with English language development colleagues to understand how best to communicate with parents in light of their culture.

Onaga, 2022

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## THE JOURNEY OF CULTURAL PROFICIENCY

### A JOURNEY, NOT A DESTINATION

Becoming culturally proficient is a life-long process, continually evolving as we grow and our world changes.

### INSTITUTIONAL KNOWLEDGE

Culturally proficient people are aware of the behaviors, policies, practices, and structures within their organization, team, etc.

### PERSONAL AWARENESS

Culturally proficient individuals are aware of their values, beliefs, and mindsets about diversity and culture.

### PROCESS OF BECOMING

Cultural proficiency is continued striving to improve as a person in your community and help others develop cultural understanding.

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## GUIDING PRINCIPLES OF CULTURAL PROFICIENCY

Culture is who we are.


Culture is a dominant force in our lives.

People are served differently by the dominant culture.

People have group and personal identities.

It is important to acknowledge diversity within cultural groups.

Each group has unique needs that are to be valued and respected.



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## GUIDING PRINCIPLES OF CULTURAL PROFICIENCY, cont.

Families are the primary support systems for our students.

“Family” is defined by their culture.

Families are inherently bicultural, as they know their home culture and their student’s school culture.

Cross-cultural interactions are necessary social and communication dynamics.

School systems must incorporate cultural knowledge into educational practices.

This also includes policy-making and decisions from campuses to district-level departments.

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## The Cultural Proficiency Continuum

Culture Destructiveness

Cultural Incapacity

Cultural Blindness

Cultural Precompetence

Cultural Competence

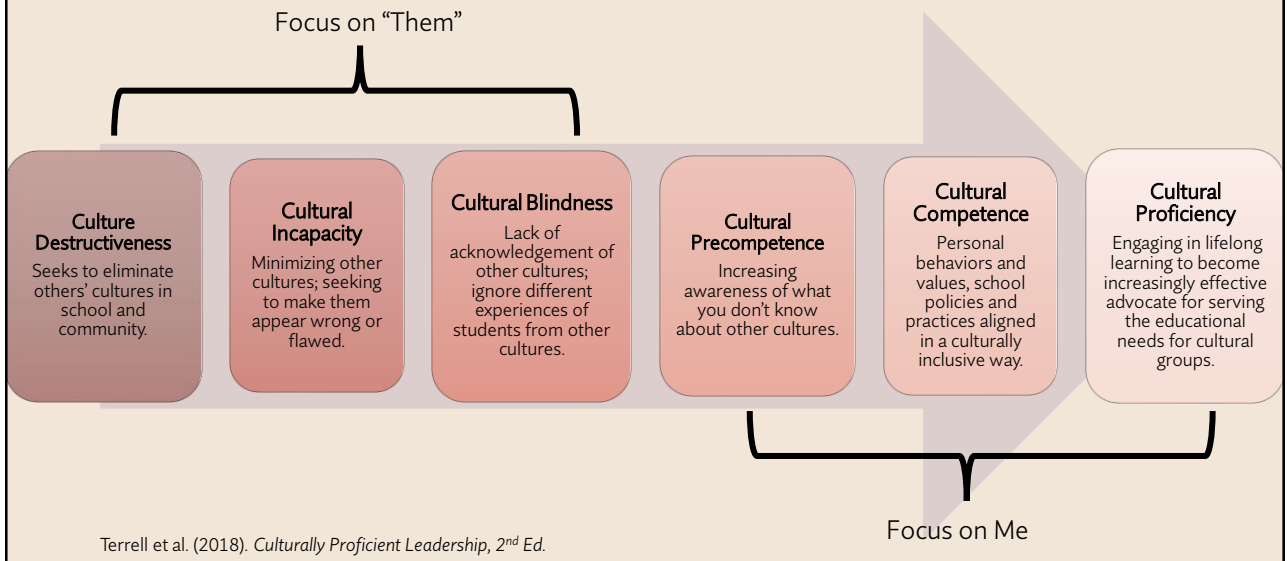
Cultural Proficiency

From Terrell et al. (2018). *Culturally Proficient Leadership, 2<sup>nd</sup> Ed.*

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## The Cultural Proficiency Continuum



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## REFLECT AND REPORT

- Take 1-2 minutes to review and consider where you are on the Cultural Proficiency Continuum.
- Share your current journey with your elbow partners.

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## Parents: Equal Partners in Communication

**Treat parents like experts:** Provide them an opportunity to share their child's strengths and areas of opportunity. Encourage them to discuss how the child is performing at home, including what works well at home and/or in the community.

**Establish a communication schedule:** Beyond meeting any legally required communication timelines, discuss an appropriate communication schedule, and method, between the student's providers and the parent.

Parents are equal participants in the IEP process!

**Encourage communication between parent and providers:** Encourage parents to relay if the student is exhibiting a new behavior, has a medication change, is making great strides on a goal or activity at home, etc. Make parents feel "a part" even outside of IEP meetings.

**Collaborate on needed skills:** Keep parents abreast of strategies that are being used and working in the school setting and vice-versa with parents in the home setting. Work collaboratively to improve student skills.

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## Don't Press Send! Tips for Electronic Communication

Be more, rather than less, conservative in emails.

Assume any email containing significant information about a student is an education record, so include it in their file.

Follow up on important verbal conversations in writing.

Do not rely on text messages for documentation, especially on a personal device.

Know what information you should, and should not, disclose to other staff members.

Use professional language in all email communications with parents.

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## Way Too Much? Responding to Excessive Communication

### Don't Block the Communication

Blocking communication could prevent parental participation and possibly amount to an IDEA violation.

### Concerns Over Tone

Remember to respond to the parent's concerns, and not their tone, in communication.

### Consider an Increase in Involvement

Discuss how to keep the parent in the "know" during an ARD meeting. Consider sending home more work samples or copies of behavior logs.

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## Way Too Much? Responding to Excessive Communication

### Schedule Communication

In an ARD meeting, discuss and negotiate a reasonable schedule of communication between the parent and school.

### Assign a Point Person for Communication

In the ARD meeting, determine who parents should communicate with electronically. Try to choose a neutral person or someone with whom they have a nonconfrontational relationship.

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## Considerations When Faced with Excessive Communication

Explore why there is an increase in communication.

Consider establishing a communication plan.

Create a parent communication log.



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## Establishing a Communication Plan

- A “communication plan” is a protocol that an LEA can put in place to safeguard effective communication with a parent. Examples of items in a plan include:
  - Limits to a parent’s ability to contact certain school staff and officials
  - Assigning a specific administrator as the parent’s point of contact
  - Requirements for the parent to consolidate concerns or questions to one email or phone call
  - Describe timeframe for the point of contact’s response to the parent
- This plan cannot, however, impede the parent’s right to meaningful parent participation or violate their civil or constitutional rights.
  - Always discuss with your Special Education Director BEFORE establishing a communication plan.

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## Considerations for Communication Plans

Discuss and draft the plan during an ARD meeting.

All parties should have input into the plan.

Decide how the parents will communicate with the school.

Also discuss which methods are not appropriate.

Discuss who the parent’s point of contact will be.

Include at least one backup contact. The contacts should be based on the individual’s knowledge of the student.

Include anticipated time frames for when responses can be expected.

Emergency situations or sudden changes in a student’s needs may require more frequent communication.

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## Collaborating In ARD Meetings to Decrease Parent Conflict

Don't assume parent's reasoning.

- Ask why a parent is requesting a particular service.
- Acknowledge their feelings and listen; ask clarifying questions if needed.

Use data to inform LEA decisions.

- Be sure to have data to back up your decisions. Show documentation in a positive way – not as a “gotcha”.
- If more data is needed, state this. Be prepared to offer alternative supports.

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## Collaborating In ARD Meetings to Decrease Parent Conflict

Don't ignore emotions.

- Emphasize your respect and care for the parent.
- Take a break to regroup if the parent seems to be setting overwhelmed or increasingly upset.

Pay attention to signs of disagreement.

- Watch the parent's nonverbal language.
- Step out of the content and reaffirm the parent, or ask if they have questions/concerns, when you notice changes during the meeting.

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## Building Trust and Respect in the IEP Process

Pay attention to seating arrangements and room layout.

Talk less and listen more.

Do not rush parent responses and decisions.

Provide paperwork in a timely manner.

Be clear about the process and next steps following ARD meetings.

Ensure parents know their rights.

Describe strengths and weaknesses when discussing the student.

Avoid predetermination, or the appearance thereof.

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