



Questions to Think About When Negotiating an IEP

The IEP process can be fairly intimidating, because it involves negotiating with a large group of educators, special education service providers and other administrators about what kinds of services your child should receive. It's important to remember that the document you're working on is a *legally binding* work, which means that it's critical to ensuring that your child receives all the services they need to maximize their potential. The IEP provides a roadmap that teachers, special ed service providers, therapists and other staff are required to follow to maximize the chances of your student's success. Because the vast majority of the services your child will be eligible for are concentrated in the school setting, don't be afraid to be firm when negotiating the IEP. However, because school districts can sometimes have differing opinions on what services your child needs, it's also *highly recommended* that you attend IEP planning meetings with a special education lawyer who is experienced in helping parents negotiate their child's IEPs.

How do you prepare for negotiating an IEP?

- **Hire a special education/IEP attorney.** The laws surrounding special education are *complicated*, and it's often very helpful to have a special ed attorney working for you. The laws that mandate special education services (such as the Americans with Disabilities Act and IDEA 2004) can be convoluted; having an attorney in your corner can make negotiating much, much easier.
- **Bring your child's medical documentation regarding their disabilities.** For a child to qualify for an IEP, they must have a disability. Having medical paperwork documenting your child's disabilities makes the process smoother. Often, the school district will also request to have your child evaluated again. Talk about this with your special education attorney.
- **Think about what goals you have for your child.** These should be concrete, observable goals that can be somehow measured, such as increasing their reading level or developing specific mathematical skills. It could also be learning to take turns in conversation or developing specific life skills. Note down these goals so you can refer back to them in your meeting.
- **Start building positive relationships early.** IEP meetings can sometimes become contentious. By fostering positive connections with at least one other IEP team member (such as a teacher, principal or school psychologist), it can make it easier to make your voice heard.
- **Put your thoughts down on paper before the meeting.** Try filling out an [IEP Planning Form](#), or keep a running list of services your child may need. Record their strengths, weaknesses and areas they may need help in. This doesn't just include academic goals - IEPs are designed to maximize a child's development academically, socially, physically and mentally.
- **Understand that there will be multiple points of view.** There will be multiple professionals talking about your child's needs and accomplishments and they will be



discussing different observations and the results of formal assessments and observations. Their observations won't necessarily always match up with yours - but that's OK. To get a good understanding of your child's needs, multiple points of view are important.

- **Focus on the questions and goals.** Focus on the concrete services you want your child to have. Don't focus on the nuts and bolts of how to get there. That's the job of the service providers.
- **Don't be afraid to bring an advocate.** Tell the school district ahead of time if you are bringing a support individual or an attorney. The school has to tell you if they have a policy regarding who you can and can't bring to an IEP meeting. Also don't be afraid to record the meeting with an audio recorder - but again, you will have to tell the school ahead of time. If you record the meeting, it's likely they will as well.
- **Take your time.** Make sure to sign the document that shows you attended the meeting, and make sure that its contents are accurate. You are not required to sign the IEP immediately at the end of the meeting, however. Often, it's better to take a draft copy home with you, take a day or two to review it, and go from there. If you're unsure about whether or not you agree with the IEP, consult with an attorney. If you have serious doubts, put them in writing and return them with an unsigned IEP to the school - you can request another meeting. In many cases, you can change your mind and withdraw approval of the IEP (or parts of the IEP).
- **Keep the IEP accessible for reference.** An important part of the IEP is progress reports and updates. Take note of when you should be getting updates. Note them down on a calendar. When the updates are due, review your child's IEP progress with the professionals you met with. Make sure the reports include concrete data that chart your child's work, and that the reports are based on *objective* rather than *subjective* criteria.

For more information on IEPs and what to expect during negotiation, please visit the following links:

General IEP Information

- [\[Book\] The Complete IEP Guide](#)
- [IEPs: Questions to Ask, Checklists to Follow](#)
- [Quick Guide to IEP Prep](#)
- [Questions to Ask At the IEP Meeting](#)
- [IEP FAQs](#)
- [U.S. Department of Education: A Guide to IEPs](#)
- [PACER Center: Special Education](#)
- [Red Flags at IEP Meetings](#)
- [Top 10 IEP Parent Mistakes](#)
- [Dealing with Tough IEP Members](#)
- [Steps to a Productive IEP Meeting](#)
- [Including Social Skills in the IEP](#)
- [What Does the IEP Have In It?](#)
- [IEPS and "Difficult Parents"](#)
- [Transition Planning for the Future](#)
- [\[PDF\] A Parent's Guide to Special Education](#)
- [Education Law Resources](#)



Getting Help and Support

- [Need Support for the IEP Meeting? How to Get Help](#)
- [Your Child's IEP: Practical and Legal Guidance for Parents](#)
- [Understanding Special Ed: IEP Parent Support](#)
- [IEP Coaching and Advocacy](#)
- [How to Pick a SpEd Attorney](#)
- [The IEP Process: Explained by an Attorney](#)
- [Attorneys vs. Advocates: What's the Difference?](#)
- [Useful Books and Websites for Advocacy](#)
- [When Should You Hire a Special Education Attorney?](#)
- [Do Parents Pay Out of Pocket for a Special Education Attorney?](#)
- [Parents May Be Reimbursed for their SpEd Attorney Fees](#)

Checklists and Step-by-Steps

- [IEP Goal Evaluation Checklist](#)
- [\[PDF\] The IEP Meeting \(A Teacher's Perspective\)](#)
- [Legal Requirements](#)
- [Additional Legal Requirements](#)
- [What to Bring](#)
- [Planning for the Meeting](#)
- [Helping Your Child Transition to Adulthood](#)

Disclaimer: This document is not intended as - and should not be mistaken for - legal advice. This document is provided as a general informational resource. It is highly recommended that parents with legal questions regarding the IEP process consult with an attorney who focuses specifically on IEPs.