

DO'S AND DON'TS OF SPECIAL EDUCATION

DO ensure that your district staff know when a parent requests an evaluation, that those requests are forwarded to the proper personnel within your District.

DON'T ignore evaluation requests or delay consent or delay evaluations due to RTI.

DO conduct comprehensive evaluations and ensure that you are evaluating in all areas of suspected disability whether or not typically associated with a disability

DON'T dismiss areas of potential weakness without a clear basis for doing so and don't ignore the need to evaluate simply because a student is progressing well academically

DO consider the benefits of conducting your own evaluation even if a parent presents a private evaluation.

DON'T forget to incorporate and consider the results of a parent presented evaluation.

DO consider possible outside experts where necessary for a new perspective or as an added support for the staff.

DON'T just deny all requests made by the parent out of hand.

DO mark out time for preparation in your most "high profile" cases (preparation does not equate to predetermination).

DON'T fail to follow through or you'll be right back where you started.

DO ensure that your teachers know how to draft appropriate IEP goals.

DON'T forget to present data on the goals exactly as they were presented.

DO remember that data, research and evidence are the backbone of every case.

DON'T rely on a wish and a prayer – even the best relationships can go sour.

DO consider research based programs and now why you are recommending them for a specific student.

DON'T necessarily include the program by name in the IEP, but instead describe the type of program or important aspects of the program to allow for flexibility from year to year or if the student moves.

DO consider evaluation as a first line of defense when a student is struggling or there are parent concerns to help trouble shoot and develop a plan of action.

DON'T use re-evaluation only for eligibility purposes.

DO ensure that the recommendations of the IEP team are appropriate for the student, enable him/her to make educational progress in the least restrict environment.

DON'T overcommit or agree to anything you can't provide as a District – once it is in the IEP it must be implemented.

DO ensure you have met procedural requirements.

DON'T forget to look at parent involvement as well as the impact of procedural requirements on FAPE.

DO ensure that the student has access to his/her least restrictive environment and be creative in your options for providing access to LRE

DON'T forget to document your basis for your determination if the student is not in his/her LRE.

DO be prepared to apologize and own up to mistakes.

DON'T ignore your gut. When you think an issue is going to blow up, it probably will.

DO know the difference between a due process hearing request and state department complaint.

DON'T treat them all the same with regard to deadlines, stay put, and discipline.

DO gather as much information as you can at the outset in order to assess your case. This means going to the school and digging in.

DON'T make decisions based only on what you know, without talking to the others who have been involved and who might be witnesses.

DO collect all educational records for the student. After you think you have them all, look again.

DON'T just gather the special education file.

DO make sure that you tell your story in a way that makes the judge/investigator/reader/parent understand that the student is receiving what they are required to under the IDEA.

DON'T attack the opposing party – defend your position without being demeaning or degrading.

DO convey the educator you would want your child to have.

DON'T be defensive.

DO contact your school board attorney as soon as you get a due process hearing request, state department complaint or OCR Complaint.

DON'T leave it under the piles of paperwork on your desk and forget all about it.

DO learn from your mistakes

DON'T make the same mistakes over and over

DO lean on your friends for help. Other directors have been through this before and know what you are going through.

DON'T be afraid to ask all the questions. Being a witness is difficult. Preparing for trial is time consuming and stressful. Being proactive can save you a lot of heartache, time and money.

