



California's Protection & Advocacy System
Toll-Free (800) 776-5746

Tips for Parents of American Indian Children & Young Adults Receiving Special Education & Services

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EQUAL PARTNERSHIP

Consider yourself a partner, not an observer, on the Individual Education Plan (IEP) team. You are an integral part of the decision-making IEP team.

You are the parental voice as well as the voice for your child.

Actively participate in the IEP team meetings. Decisions will be made relating to the identification, evaluation, and placement of your child and the provision of a free and appropriate public education (FAPE).

REMEMBER...As the parent, you are the only permanent member of the special education team.

BEFORE THE MEETING

STAY INFORMED

You have the right to know the reasons for any action proposed by your child's school.

Stay informed of school discipline processes and alternative placements.

You have the right to give or deny your consent before the school can take certain actions with respect to your child.

Make a special effort to invite anyone with a special knowledge about your child's educational needs or an advocate or attorney to the IEP team meeting.

DURING THE MEETING

COMMUNICATE...BE AN EFFECTIVE PARTICIPANT

Know the purpose of the IEP team meeting before you attend.

You can discuss any concern at an IEP team meeting. Any school issue is worth discussing, if it is having a negative or positive impact on your child and you need the school's assistance to determine appropriate changes in the educational goals.

BE ORGANIZED

Be on time!

Take notes on discussions and scheduled dates/appointments. Follow through on any commitments you made during the meeting.

Keep essential educational records concerning your child's education.

AFTER THE MEETING

If the IEP team meeting does not go well or you are not in agreement with the recommendations made by the IEP team, before you call an attorney or decide on the due process phase, try having another IEP team meeting to review and revise the child's IEP.

SAY NO TO NON-COMPLIANCE & VIOLATIONS OF THE LAW

A written **compliance complaint** letter to the California Department of Education includes:

The child's name and address, or contact information.

The name of the child's school.

A description of the problem, including facts relating to the problem and suggestions on how to solve the problem.

Enclose copies of relevant documents and correspondence you have sent to and received from the school district concerning the matter.

A **due process** hearing* is a formal proceeding when:

The school refuses to evaluate your child.

You disagree with the eligibility decision, services or goals in the IEP.

The school refuses to provide a related service, modification, or supplementary aid, or modify a goal you think your child needs.

You disagree with the placement decision.

The ***stay-put rule**. Your child stays in the current placement, based on the last signed and implemented IEP, until the Administrative Law Judge decides the issue or until the parties agree to a different placement

MORE points for parents to bear in mind when negotiating their child's educational services in an IEP.

The State of California has 333,346 American Indians. The average rate for those individuals with one or more disabilities is approximately 23%.¹

This is the highest rate of disability for any ethnic group in the state.

Consider methods to reduce access issues and increase provider services to rural and geographic locations.

¹ 2006 disability status report from Cornell University

Initiate opportunities to create cross-cultural awareness between the tribal community and the educators teaching the children.

Start a talking circle or support group of parents or grandparents of children and youth with disabilities.

Invite Disability Rights California into your community to provide a workshop on Special Education or other topic. Call: 1 800 776-5746

Visit our website to access the Special Education Rights & Responsibilities (SERR) manual at www.disabilityrightsca.org

*Prepared by Phyllis Preston-Fowler, Advocate Native American Affairs
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Reviewed and Approved by Taymour Ravandi, Staff Attorney

*Equal Access Disability Advocacy for Underserved Communities, Children
and Young Adults*

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Documents/ListofGrantsAndContracts.html](http://www.disabilityrightsca.org/Documents/ListofGrantsAndContracts.html).*