

Steps to Amend a Current IEP

(not the annual IEP review)

1	<p>Any IEP Team member believes that review and/or revision of the IEP may be appropriate due to:</p> <ol style="list-style-type: none"> 1. lack of progress toward the annual goals and in the general curriculum, 2. the results of any reevaluation, 3. information about the child provided to, or by, the parents, 4. the child's anticipated needs, and/or 5. other matters. <p>KAR 91-40-16(d)</p>
2	<p>The parents and school schedule an IEP Team meeting at a mutually agreed-upon time and place.</p> <p>KAR 91-40-17(a)(1)</p>
3	<p>Parents are provided 10-calendar-day written Notice of the scheduled IEP Team meeting.</p> <p>KAR 91-40-17(a)(2)</p> <p><i>The written Notice must meet the requirements of KAR 91-40-17(b). The written Notice of the IEP Team meeting must be accompanied by the Parent Rights document.</i></p>
4	<p>All mandatory school staff members of the child's IEP Team must attend the meeting.</p> <p>KSA 72-962(u)</p>
5	<p>IEP Team meets to review and revise the IEP as appropriate.</p>
6	<p>Document changes on original IEP.</p> <p><i>Good Practice: Ask parents to initial and date the changes made on the original IEP.</i></p> <p><i>This is not parental consent, but documents their participation in making the changes.</i></p> <p><u>This does not change the Annual Review Date of the IEP.</u></p>
7	<p>Parents are given Prior Written Notice of the proposed change to the IEP.</p> <p>KSA 72-988(b)(2)</p> <p><i>Prior Written Notice must meet the requirements of KSA 72-990.</i></p>
8	<p>Is one of the following criteria met?</p> <ol style="list-style-type: none"> 1. Substantial change in placement (25% or more of the school day) 2. Material change in services (25% or more of any one service) 3. Add or delete any service

YES	NO
<p>The parent signs giving informed consent to the proposed changes to the IEP.</p> <p>Implement the revised IEP as soon as possible, but no later than 10 school days after obtaining consent.</p> <p>KAR 91-40-16(c)(2)</p>	<p>Parental consent not required.</p> <p>Implement the revised IEP as soon as possible.</p>

Common Questions and Answers Regarding Amending an IEP
<p>Step 3: What should be written on the 10-day Notice of the IEP meeting as the purpose of the meeting?</p> <p>The 10-day Notice should specify which portion(s) of the IEP the team plans to review and possibly revise. The 10-day Notice should not indicate that the meeting is an annual review of the entire IEP if that is not the purpose of the meeting.</p>
<p>Step 4: Does the general education teacher have to attend an IEP Team meeting when it is not an annual review, but only a meeting to amend a portion of the IEP?</p> <p>It depends. The general education teacher's presence will be required for IEP Team meetings since the focus of IEP development is the child's participation and progress in the general education curriculum, and for preschool children, participation in age-appropriate activities. The general education teacher <u>may</u> not be required to participate in all decisions made as part of the meeting or to be present throughout the entire meeting or attend every meeting. However, the general education teacher <u>must</u> participate in IEP meetings where discussions and decisions about how to modify the general curriculum in the regular classroom to ensure the child's involvement and progress in the general curriculum and participation in the general education environment take place, and for preschool children, participation in age-appropriate activities, or for discussions and decisions regarding any portion of the IEP where the general education teacher is responsible for implementation. (See Federal Appendix A, Question #24, p. 12477.) If the general education teacher is legally excused from attending an IEP Team meeting as described above, the reason for the absence should be noted so that it doesn't appear that the meeting was not legally compliant. (See also Chapter 4 of the <u>Kansas Special Education Process Handbook</u>.)</p>
<p>Step 6: How do we know whether to amend the existing IEP and keep the annual review date the same, or to rewrite the entire IEP and change the annual review date?</p> <p>This is an IEP Team decision. If the IEP Team is meeting to review and revise only a small portion of the IEP and does not need to review other parts of the IEP, the team may determine that only an amendment to the existing IEP is needed and the annual review date remains the same. If the team is meeting to review the entire IEP or plans to make substantial changes that will impact virtually all of the IEP, the team may determine that it is most appropriate to review and revise the entire IEP and move up the annual review date. It is important that the entire IEP is reviewed and revised at least annually.</p>

Step 8: What if the parent refuses to provide the necessary consent to the proposed substantial or material change?

The proposed changes cannot be implemented. If the school members of the IEP Team believe that the changes are necessary for the child to receive FAPE, they must consider whether it is appropriate for the school to file for a Due Process Hearing.

Step 8: What if parental consent is not required to make the proposed changes, but the parents inform the team that they do not agree with the changes?

The parents may always request mediation or file for a Due Process Hearing if they disagree with the school members of the IEP Team and a consensus cannot be reached. However, the school may implement these changes without parental consent.