

Procedures for BCFCS Staff – Parent, AEA or LEA Phone Calls or Conversations

Why are there special procedures for these calls and conversations?

Each BCFCS Consultant will from time to time have a conversation about a child specific situation with a parent, an AEA staff member or an LEA staff member via phone or in person. As part of our efforts to ensure procedural safeguards our bureau keeps a record of these calls and conversations in one central location. The tracking of this information is one of the many responsibilities of Dee Ann Wilson, the Consultant for Consumer Relations.

This information could be:

- used for future preappeals, mediations and hearings and fact-finding for complaint investigations;
- used to track a situation and know more of the story when doing problem solving with a parent, AEA staff member or LEA staff member;
- helpful for documentation of what has been told to a parent, AEA staff member or LEA staff member when we are asked to look into a situation based on an inquiry from the director's office, governor's office, or a legislator, or information used in a law suit against the DE, etc.

Sometimes people are “shopping” for answers from the BCFCS and calling more than one consultant with questions, providing different information to each consultant thus eliciting different answers based on the information given. A record of each consultant's phone call or conversation is helpful when trying to deal with answers, which appear to be in conflict.

Form to Use

Dee Ann's secretary collects and stores this information. A form was provided via e-mail which needs to be completed and returned to Dee Ann's secretary. It is titled “CONCERN INTERNAL REPORTING FORM.doc.” Ask Dee Ann's secretary to email this form to you if you do not have it saved on your computer.

Example of Form

**CONCERN
INTERNAL REPORTING FORM**

Date _____ Staff Member _____

Call initiated by ___ Parent ___ School ___ Other
If other than parent, name _____

Student's Name: _____

Education level: ___ Preschool ___ Elem ___ Middle/Jr. High ___ Sr. High

Disability & Program Model _____

Other Information: _____

Parent's Name _____ Phone Number _____

Address _____

AEA _____ School District _____

Issue _____

Description of issue/concern:

Options you suggested:

Follow-up taken by staff member:
___ Packet mailed out
___ Phone calls to others
___ Other

Follow up by Dee Ann:

Date filed with Dee Ann _____ PC Number _____

When to use the form

This form is to be completed each time you take a phone call or have a conversation with a parent, AEA staff member or LEA staff member about an issue that could lead to a complaint about a violation of IDEA.

Complete the form even if the AEA/LEA/parent inquiry is a child specific case and you were not told the child's name.

Helpful Hints to remember during phone calls or conversations

- Listen, try to do problem solving when appropriate, interpret rules, and provide technical assistance
 - Always remember - there are two sides to every story;
 - When providing legal interpretations, it is helpful to say, “Based on the information you are telling me...;”
 - Find out who the person has already contacted;
 - Encourage use of the chain of command in the LEA and AEA
 - Provide resources
 - Remember you are not alone at the Bureau, if you are unsure of what your next step should be talk it over with Dee Ann or another consultant
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Resources

- Other DE resources – Disability Specific Consultants, Information Packet
 - PEC, Parent-Educator Connection - Parent or Educator Coordinator – Each AEA has a Parent-Educator Connection.
 - PTI, Parent Training and Information Center – 515-243-1713, 800-450-8667
 - P&A, Protection and Advocacy – 515-278-2502, 800-779-2502
 - Legal Center for Special Education – 515-309-0033, 866-250-4545
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Processes parents can use

- AEA Resolution Facilitator process – mediation accessed through the AEA
 - Preappeal process – mediation accessed through the DE
 - Hearing – last resort – A hearing request will automatically provide an opportunity for a mediation
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Complaint Process

The complaint process can only be used when a party believes that a violation of IDEA has occurred.

When a parent files a complaint, the state procedures require the DE to contact the parent to determine whether the parent would rather use the AEA Resolution Facilitator process or preappeal process instead.

Dissatisfaction with IEP meeting

If the IEP meeting doesn't involve an initial evaluation, initial placement or a reevaluation requiring additional assessment the only way to try to stop the proposed action from happening is to request a preappeal conference or due process hearing.

IDEA mandates signed parental consent for initial evaluations, initial placements and reevaluations requiring additional assessments. If parents refuse to give their consent and the AEA or LEA feels that the needs of the child require this consent they will need to take action to move forward.

Want someone fired

Anytime a parent wants somebody fired, advise the person that we have no authority to address personnel issues.

Provide the number of the Board of Educational Examiners (515-281-3245) or ask if they would like their call to be transferred.

Other Important Issues

Consultants DO NOT attend IEP meetings as representatives of the DE/BCFCS under any circumstances.

There will be times when you may want to contact the AEA or LEA after a phone call or a conversation. Use discretion when doing so. If you are talking to a parent and you plan to contact the AEA or LEA, ask whether the parent has a problem with you making that call.

There might be circumstances, upon reflection, when it would be in the best interest of both parties to contact the AEA or LEA even though you have not informed the parents. If you are not sure of your next step discuss the situation with Dee Ann or another consultant. This will help you to make a decision about what to do next.
