

Change in IEP Procedures

According to the Individuals with Disabilities Education Act (IDEA) and the Michigan Administrative Rules for Special Education (MARSE), when an **initial** offer for a free and appropriate public education (FAPE) is made through the student's initial Individualized Education Plan (IEP), consent is required from parents before the IEP can be implemented. In the past, this consent was provided when parents signed the mutually developed IEP. However, federal and state laws DO NOT require parent signatures on the IEP.

The district is required to provide written "**Initial Notice**" to parents when the district proposes to initiate or refuse educational programs and/or services, or when the student is found ineligible. The State of Michigan has developed a form, *Notice of Initial Provision of Services and Programs*, for this purpose. Parents will provide initial consent by signing this **Initial Notice** form, not the actual IEP. Some districts may have parents sign the Initial Notice form right at the IEP meeting and others will send the Initial Notice form after the meeting to be signed and returned.

If the school district chooses to send the Notice form after the meeting, the district has 7 calendar days from the date of the concluded initial IEP team meeting to sign, date and send this Notice form to parents. After receiving this notice from the school district, parents have 10 calendar days to sign and return this Notice form. The parent's signature provides written consent to begin special education programs and services.

According to IDEA, once the parent has given consent for special education programs and services at the first IEP, parent consent is no longer required. While school districts have always included the parent signature on the IEP, this signature was never required in order for the district to continue to provide the programs and services included in the IEP. Therefore, after each annual IEP, the district will provide the parent with the *Notice of Provision of Services and Programs*. However, as parent signature is not required, the parent has nothing to sign or return.

If parents wish to disagree with the outcome of an initial or any subsequent IEP team meeting, they have rights as identified in the *Procedural Safeguards Notice*. Options for disagreeing and dispute resolution may include, but are not limited to: requesting additional evaluations, requesting a new IEP team meeting in order to bring different participants to the table, requesting an IEP facilitator, requesting mediation, or filing a due process hearing complaint.

This change in how notice is provided is not intended to reduce parent input or participation in the IEP process. This change should not affect the IEP team meetings or the quality of the IEP. Districts continue to believe that parents are essential partners on the IEP team. This change simply aligns our state practice with the federal and state guidelines.