The Art of Note Taking
What’s the big deal about notes?

After all . . .

IEP notes are NOT even required!
This was a productive four-hour leadership meeting.

I'd like one of you to type up your notes and send an e-mail to the entire company.

No one took notes?

Okay, no problem. Does anyone remember what we decided?

We agreed to increase something.

Never mind. Let's try it again on Thursday at 8 a.m.

When is the next leadership meeting?

I didn't have a pen.

No, decrease something.

I should have written that down.
“Um, Can you repeat the part of the stuff where you said all about the things?”
Notes are important!

- **Support** - what was done, compliance requirements, prevent pre-determination
- **Verify** - offer and agreements, action plan
- **Inform** - serves as group memory, student record
Clark County Sch. Dist. (2009)

• Hearing officer relied on IEP notes
• Reflected team discussion of parents concerns; some suggestions were incorporated into IEP
• Finding: “While the IEP team did not grant everything that the parents requested, the record confirms that there was give and take”
Yucaipa-Calimesa Joint Unified Sch Dist (2009)

Issues: appropriateness of assessments and qualification of special ed services

• Hearing officer relied on “very detailed” IEP notes and witness testimony
• Finding: “District offered and provided student with FAPE”
Fremont Unified Sch. Dist. (2009)

- IEP meeting notes stated that the IEP team discussed the delivery model for student’s speech and occupational therapy services.
- ALJ compared the IEP meeting notes to the meeting transcript and found them to be inconsistent.
- Finding: school district ordered to reimburse parents approximately $24,000.
• District accused of predetermining student’s placement from private school to district placement when an assistant superintendent stated, “They would be discussing a transition plan back to district,” at the beginning of the IEP meeting.

• Finding: parent deprived of ability to meaningfully participate in the IEP meeting and FAPE was denied even though the placement offered was appropriate.
Well, every suit I own, comes with a Top Ten List.

David Letterman
#1-Assign a Note-Taker Before the Meeting

◆ school district employee
◆ understands the IEP process, requirements & components of IEP forms
◆ Ideally, not the meeting facilitator
◆ This is a Very Important Position!
#2-Accuracy is Important!

- Written record that survives forever
- Avoid errors: excessive typos, misspellings, inaccuracies
- Errors undermine credibility and expertise of IEP team, inaccurate account of meeting
#3-Who’s at the Party

- Document names and roles of participants
- Document members excused-in whole or in part
Member Excusal

• Note prior written parent agreement of any excused members
• Review written input of excused members
#4-Capture Pivotal Agenda Items

- It’s not enough to check the boxes
- Notes should fill in the “blanks”—discussions, questions, answers
- Template notes
- Remember Goldilocks . . .
Not too much . . .

Not too little . . .

But, just right!!
IEP Meeting Agenda

- Meeting purpose, Review agenda
- Procedural Safeguards
- Introductions of participants, roles
- Present levels and progress toward prior goals
- Eligibility (if applicable)
- Proposed goals
- Placement and services
- Offer of FAPE
- Review IEP and notes
Report Review

Identify the reports that were reviewed and considered by the IEP team:
◆ who presented reports
◆ strengths and challenges/needs
◆ agreement or disagreement with reports
◆ consideration of any parent provided information
#5-The B’s

- **Be professional in wording**
  - ✓ avoid slang, use spell check
  - ✓ use “open” language vs “closed”

- **Be aware of tone**
  - ✓ (ie Parent requested an AT eval vs Parent demanded an AT eval)

- **Be honest**
  - ✓ don’t embellish or falsify

- **Be objective in reporting**
  - ✓ state the facts
Wording Examples

Open Language
1. Appropriate/not 
   Based on unique needs
2. Consider (medical)
3. Demonstrated difficulty/did not demonstrate
4. Emerging/Making progress

Closed Language
1. We can’t/won’t/don’t
   Too expensive
2. Recommend (medical)
3. He can’t do
4. Not met
Mother arrived at 10:00. She bought her attorney with her as well as her emotional support Bullmastiff. Surprisingly, the dog was extremely well behaved. Including the dog, and she was home emotional support Bullmastiff.

Mother bought a report from her student's private speech therapist. The SpEd director said that the team had not seen the report before since mom just brought it. Mom demanded the team review it now since she has to go out of town tomorrow for a business meeting and doesn’t want to wait.

Speech therapist said she required more time to review the 27 tests in the report. She asked why mom did not provide the report earlier. The team dismissed her input and probably wouldn’t have read the report in advance anyway.
Mom provided a private speech report from student’s outside therapist.

Team discussed the need for additional time to review the report due to its length and complexity.

IEP team scheduled a meeting to review the report.

Meeting scheduled.
#6-Agreements

Check for agreement throughout the meeting and document parent response
Questions to ask . . .

- How does that sound?
- What questions do you have?
- How do you feel about that recommendation?
- What are your concerns?
- Does that report sound like your child at home?
- What are you thinking?
- Do you agree with that statement?
#7-Disagreements

• Do not be afraid of disagreements
• Opportunity for clarity!!
• Ask questions, discuss concerns
• Document discussion
• Let parent “think about offer”, note parent signed in attendance only
• Provide location on signature page for parent to note agreement/disagreement
• Do not allow parents to write in the IEP notes
#8-Meaningful Parent Participation

Parents have a right to be actively engaged and included in decision making process!

Document:

- parent questions and concerns
- parent input-good, bad and ugly
- parent non-participation
- information brought to meeting by parent: reports, videos, photos, work samples
- attempts to engage parents in discussion
Parent Requests

• Include requests in the meeting notes
• Include district’s response
• Consider including elements of prior written notice or follow up with PWN
• Ensure parent concerns are fully heard and addressed
Let’s hear it for Engagement & Active Listening!

NERDS
It's a lifestyle, not a social disability.
#9-Offer of FAPE-Placement and Services

Discuss all options=make only ONE placement offer

* Detail clarity of placement/services: What will this look like?

* Note required accommodations/modifications
#10-Review Notes

*Read notes
*Make changes to errors
*Parent may write their own notes, attach to IEP
*Document notes were read and agreed to
There is no requirement to:

– identify specific staff members
– document personnel decisions
– document staff qualifications
– document a specific methodology or curriculum

But you can if any of the above are required as FAPE for a student!
Don’t forget the “to-do’s” . . .

• Identify all action plan items in the notes
• Clearly specify: what is to be done, who will complete and date of completion
• Be sure to complete all action plan items
Let’s Recap

- Document: attendance, excusals, opinions, agreements, dissents and participation
- Clarify offers
- Summarize discussions
- Use neutral, non-inflammatory language
- Avoid acronyms
- Identify action plan items
- Proofread for accuracy and consistency with the entire IEP
Let’s look at some examples of notes . . .
The purpose of this IEP is for Student’s Annual IEP. Parent Rights, Community Advisory Council, Alternate Dispute Resolution and Graduation/Diploma package given to parents. Present at meeting: Mr. _____ (Administrator), Mrs _____ (Counselor), Mrs. _____(General Ed), Mr. _____(Special Ed.), Mr. _____, and student.

Gen ed doing great job.

Take Student out of ELD Class and put him in Functional Language Arts (Second Semester).

Discussed Present levels of performance.

Discussed progress towards previous goals and objectives. Goals and objectives developed. Discussed accommodations and modifications. Discussed SBAC Testing.

Transition Plan discussed.

Graduation Plan discussed.

Discussed High School Exit Exam.
Notes Annual review.

Mr. ____, US History, reported Student, has begun the class well with an A on his first test. He is doing his work, is positive and on time to class. Most tests for this class will be short response. Ms ____, Spanish 1, thinks that the class may be too difficult for Student. He has asked to move to another teacher. She has not yet seen any work from him. She offers tutoring after school Tuesday and Thursday. She is concerned he will not succeed in the class and recommended he move away from some peers who are a potential distraction. Student said that he would like to remain in Spanish. Student would like to attend a four year college right after high school. The team discussed the benefits of a junior college versus a four year college. This decision will be made by Student and his family. Parent wanted to know if Student is on track for graduation and he is. She would like weekly updates on his Spanish class progress.

The offer of FAPE for Student to remain in the resource program was made and accepted.
#3
Notes

World History
Study Skills
Earth Science
Computer Keyboarding

This term switching from Digital Photography into Study Skills.

Exit Exam
Introduction & Approval of Excused Members:

Introductions made

Participants by name and title:

(resp.)

(Prek)

(k teacher)

Purpose of meeting:

Initial IEP

Parent Rights/ADR/CAC:

Parent Rights Given

Agenda:

Present and discuss results of testing.

Present Levels - Review of Assessment Data/Progress on goals:

Functioning about 2 1/2 years below grade level.

Present levels on assessment and in classroom were presented.

Identified areas of need:

Reading, comprehension, math facts and reasoning.

Eligibility:

Student eligible under specific learning disability.

Student already eligible for speech. Student also eligible for additional

Questions/disagreements by parents and district team's response:

Special ed services for academics.

Team is in agreement that services will begin in the fall.

Goals/Objectives:

Identify and write numbers to 100

Goal presented: identifying letters, staying on task, writing name

Accommodations/Modifications:

Flexible setting.

State Testing Information:

Student does not take state testing until 3rd grade.

Behavior:

Difficulty staying on task, staying in seat. Wanders around classroom.

Instructional/Related Services that best support IEP goals/Placement in LRE:

60 minutes of QSE 4x per week. Speech services will continue
Offer of FAPE including DIS services and ESY:

Follow-up Activities:
Recommend parent follow-up with pediatrician with psych report.

Additional Parent Input:
Parent states he is able to write name at home.

Description of proposed or refused action:

Explanation of why the LEA proposes or refuses to take the action above:

Description of each evaluation or assessment procedure, assessment, record or report used as a basis for this proposed or refused action:

Description of other options considered and reasons for rejecting them:

Other factors relevant to the proposal or refusal:

Parents were informed that there are protections under state and federal procedural safeguard provisions, including the right to file a complaint and/or request mediation or a due process hearing. Parent can request a meeting with an administrator or other appropriate staff to further discuss their request and alternatives.

Administrator's Name: Principal
Other Staff: _________

Parental written approval is required to initiate or change special education services for their child. If your child is currently receiving special education services, you have a right to request a review of his or her IEP at any time.
IEP team members: ___(parent), ___(VP), ____ (Teacher), ____ (LSH), ___(AP)

This is an annual IEP meeting.

Parent rights, CAC and ADR forms given to parent and explained.

AP teacher reported that Student has been receiving APE since April. All of his skills are coming right along. He is able to focus. His tossing, and catching is getting better. He is now practicing skipping and is almost able to do hopscotch. He can balance for 3 seconds on one foot and is able to walk on raised beam. He struggles with orienting his body. He did not reach his balancing and catching goals completely. Student is still struggling with coordinating his upper and lower body.

General ed. teacher reported that academically, there are no concerns at this point. Small motor is hare for him. Student is very timid but tries hard at school.

Speech Therapist reported that Student has made measurable progress in speech. He has mastered his previous goals but still needs to work his expressive language by using past tense and plural forms in sentences.

No goals were written and approved.

The IEP team recommends that Student continue to receive speech therapy and Adaptive P. E. There is also a need for a referral to Occupational Therapy for evaluation. Parent agrees.

IEP signed.
Date 11/19/2015  

Notes  
Meeting started at 8:03 am  
In attendance: ____ (sped teacher), ____ (psych), ____ (admin), ____ (gen ed teacher), ____ (counselor), ____ (mother).  
____ started off the meeting with giving mom parental rights. CAC, ADR.  
____ went through all of his assessments, he found that Student still qualifies and team agreed.  
____ went over transition plan, graduation plan, present levels were discussed, exit exam was discussed. ____ talked about her class and how, Student is doing well in there. ____ talked about how Student struggles to get to first period, he admitted that he needs to get to school on time. that is his only low grade is first period because he struggles to get here on time. ____ discussed old goals and new goals, Student won’t have a math goal because he is not taking a math class this year because he fulfilled all the requirements already. ____ discussed that Student is on track to graduate, he is actually way ahead of units, Student will actually only go to school three periods next term because he is so far ahead and team agreed.  
Behavior Support Plan was dropped from Student’s IEP, the team felt that it was no longer needed for Student  
Meeting ended with ____ talking about Student's exit IEP and that they would hold this in May before graduation.  
Meeting was over at 8:35 am.
Notes What a Wonderful Meeting!!!!!!!!!!!!!!!
intros made
parental guidelines thoroughly discussed and accepted after such a wonderful presentation by Mr. Specia Ed Teacher
Past Goals addressed
Present levels read and addressed and wonderfully handled by Mr. Special Ed Teacher
Goals presented
Offers of FAPE
Parent Consent Signed
Make transportation request for next year schooling. (See offers of FAPE page)
Date 09/15/15

Notes Purpose of IEP: review
Present at meeting: (Administrator), (Spec ed teacher), (psych), (Gen ed teacher) (interpreter), (PS)
Procedural rights, CAC and ADR reviewed and a copy given.

meeting started at 2pm

Present levels were reviewed-
Teacher input: student knows minimal letters, he does not know letter sounds and cannot name letters. Number writing and number knowledge is limited as well, he does not identify them. He can count orally to 8 or 9-but inconsistently. Mother stated he counts up to 100 in English at home. Mr ---- stated he did see this once or twice but it appears to be rote memory.

Parent does homework with him at home and he is able to recognize numbers at home. Teacher stated he has only been able to recognize numbers to 3, consistently.
Mrs. --- asked how long he is able to work at home, parent stated one hour.
Parent stated he can sit for one hour at home.
Team shared that this is different from what they see at school, he is highly distractible and focuses for minutes at a time in any task- academic or enrichment type activities (like music)

Mrs --- was able to meet father and he did share he observed ---- having some difficulty focusing at home.
Teacher shared work sample writing numbers) ---skipped spaces and numbers are not legible. Teacher has attempted to have him trace and copy and he is unable to do this.
Parent stated --- can copy numbers (when using a visual) at home.
The team reports that they do not see this occurring at school.
Teacher reports he is struggling to write his name and cannot write his name consistently- often letters are left off, or in the wrong place, or illegible.
Teacher has not noticed any growth in academic learning since school started, in addition --- has not been able to follow routine of classroom and basic structure of a school day. He has a visual schedule as well, which does not appear to help him.
Mr. ---- and Mrs. ---- both stated when he is asked to do something he often says "no". He will not sit and listen to a full length story and will not participate in a song for any given length of time. His behavior looks like: getting up and walking around class, talking to anyone he wants (off topic), eloping the class, refusal to comply, crawling under desk. ---has an aide in class who is working with him on reinforcing his good behavior with food/stickers. He is inconsistent with response to reinforcers. Mrs. --- stated she asked father about high interest items and he stated that he enjoys outside time and food, there were no other toys/tangibles mentioned.

Mr. ---- stated that in RSP, student does not participate in activities presented, even when high interest/game formats. He loses focus very quickly and easily. He sometimes refuse to come to RSP and when picked up he will run to the playground and refuse to leave..., until he is ready to go.

Teacher reported that when student’s father observed him in class, they were doing computer work and the student had difficulty with that as well. (even with parent help)
Teacher stated it appears that his difficulty may be a combination of lack of understanding and he seems to be in a play stages still.

Parent was asked what she sees at home- parent stated she will make him do the work first and then go outside, he will sit with her and do the work for up to an hour. Teacher stated that the homework is not being done fully.

Mrs. ---- asked if any additional medical information was given, since past IEP's indicated that there were medical concerns around attention/focus. Mrs. ---- stated that she did speak with the father and he was going to make a Doctor appt and they spoke about VMRC as well, which father indicated they would call. Mother stated that those appointments have not been made yet. Team encouraged her to make those so that they could consider medical information in order to support ---- further. Mother agreed.

Mrs. ---- also asked the mother if she would be willing to video record ------ working at home since there is such a big discrepancy between what school staff observes and what the parent is reporting. This could also help the teachers know how to work with him better. Parent was in agreement.
Mrs. --- explained that the observations of the school staff and work samples are very different than that being reported by the parent and there seems to be some medical information missing or needed at this time. 

Mr. ---- stated that student is very low and is not doing well in the classroom or with RSP support. He is currently being seen for close to maximum time in RSP.

Classroom teacher stated she is very concerned as well because he is very low and it does not appear that he is progressing with the basics, like simple routines in the class. 

Mrs. ---- stated she did observe him as well and he did have difficulty in focusing in class: in addition his drawings of person and some other areas she looked at are comparable with children who are younger.

Teacher explained that she has modified work for him and he still has very limited academic learning, work has been presented at preschool levels and he still needs a lot of support.

Teacher shared information about the paraprofessional’s work with his behavior- daily notes are taken: student is often playing instead of working even with high reinforcement, always talking but limited on topic conversation, he often says "no", wanders around approximately 15 times in one hour, He is still eloping from the classroom- although this has improved from last year. Teacher did share that he will lay flat on the floor- lays on stomach and rubs the carpet, he does cover his ears in class, and makes random noises throughout the school day. Teacher stated possible sensory concerns.

Parent shared that she would like to come and observe in the classroom. Team agreed and encouraged that.

Parent was asked if he sees these behaviors at home, and she says minimally- he will talk a lot, but is quiet when asked to be quiet.
Mrs. ---- asked if he is progressing with IEP goals. Mr. ---- stated that he has not made measurable progress, Mrs.----- shared that there has been some speech-language progress.

Team discussed more supports for student because he does not appear to be making educational benefit from his current placement despite interventions tried in class and BIP interventions. Team also gave information on school site counseling (VCC).

Mrs. --- shared continuum of special education services- RSP, SDC LH, SDC SH, speech
Programs were explained, no parent questions.

Team discussed that following LRE, the SDC-LH should be considered and tried with student. Program was described, also noted that it was not available at ----. Parent understood and did not have any questions and was in agreement, stating whatever is best for student.

BIP was reviewed and revision/addition of breaks and use of timer will be added.
Goals were reviewed and revisions recommended. Speech-Language goals will stay the same.

Offer of FAPE:
SDC-LH class placement is recommended and agreed upon by team.

Transportation was offered- curb to curb
NO ESY
SNA will continue

Meeting adjourned at 2:55pm