



BULLETIN

PRINCE GEORGE'S COUNTY PUBLIC SCHOOLS

S-43-11

Originator's Serial No.
December 1, 2010

Date

General Counsel
Originating Office

Retain
Cancellation Date

TO: All Principals
Area Assistant Superintendents
Special Education Staff

FROM: Superintendent of Schools

SUBJECT: Five Day Administrative Bulletin

1. **PURPOSE:** Maryland law now requires that Parents of Students with Disabilities receive accessible copies of documents that an IEP Team plans to discuss at least five (5) business days prior to the scheduled meeting. The purpose of this Bulletin is to provide guidance to school staff on the implementation of this requirement.

2. **INFORMATION/PROCEDURES:**

1) At least five (5) business days before a scheduled IEP team meeting, Parents are to receive an accessible copy of each assessment, report, data chart, draft IEP or other document the IEP team plans to discuss at the meeting.

2) "Business Day" means any day that the Prince George's County Public School system is open, even if schools are closed for students and teachers. Weekends, holidays and school closings for all school staff, including twelve month employees, are not considered a "Business Day".

3) Assessments or other documents prepared by a school psychologist or medical professional that will be discussed at the IEP meeting may be shared with the Parents both orally *and* in writing before the meeting.

4) Documents that will be discussed at the meeting may be made available for pick up at school or, if appropriate, sent home with the student in a sealed envelope. Documents may also be provided to the Parent electronically, or by regular first class mail, or facsimile. School staff shall consult with Parents to determine the most effective manner to provide the documents at least five business days prior to the meeting.

5) A copy of the attached letter, with student specific information, shall be sent to the Parent with the 10 day notification of the IEP team meeting. A copy of the letter must be maintained in the student's LAF. (Attachment 1)

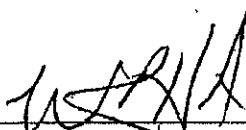
6) Documents that had previously been provided to the Parent need not be provided again. Only those documents that the Parent had not previously received must be provided. However, Parents may request additional copies of their child's educational records.

7) If documents cannot be provided five (5) business days prior to the meeting due to extenuating circumstances, those circumstances must be explained to the Parent at the IEP meeting and documented in the Prior Written Notice or the IEP. Examples of "extenuating circumstances" are not provided in the law; however, the lack of planning or organization on the part of the school is not an extenuating circumstance. Legitimate emergencies may constitute extenuating circumstances.

8) If a Parent does not receive the draft IEP or other documents five business days before the meeting, the IEP team may still proceed with the meeting, provided that the extenuating circumstances are documented. The IEP Team meeting may be rescheduled if the Parent requests, unless the meeting is to discuss an emergency matter or the school will fail to meet evaluation or IEP development timelines if the meeting is postponed.

9) Questions regarding this procedure may be addressed to the Compliance Office at (301) 618-8330 or the Office of General Counsel at (301) 952-6337.

3. **FILING INSTRUCTIONS:** Retain.



William R. Hite
Superintendent of Schools

Attachment

Distribution: Lists 1, 2, 3, 4, 5, 6, 10, and 11

**NOTICE of DOCUMENTS PROVIDED to PARENT for
REVIEW at an IEP MEETING**

Date Meeting Notice Sent:

Date Materials Sent:

Date of Meeting:

Dear Parents:

In accordance with Maryland Law, school personnel must provide parents with an accessible copy of each assessment report, data, draft Individualized Education Program (IEP), or other document that the IEP team plans to discuss at that meeting, at least five (5) business days before the scheduled meeting. The following documents are available for pick up at your child's school:

If you need to make other arrangements to receive the documents, please notify the school at the contact number listed below.

The IEP Team may discuss a document that has not been previously provided to you if there are extenuating circumstances that prevented school personnel from providing it five business days prior to the meeting. The extenuating circumstances will be discussed at the IEP Team meeting and documented in the prior written notice or IEP.

Not later ^{than} ~~that~~ five (5) business days after a scheduled IEP Team meeting, school personnel are to provide you with an accessible copy of the completed IEP.

In accordance with Education Article Sec. 8-401 (e), Annotated Code of Maryland, the failure of school personnel to comply with these timelines does not constitute a substantive violation of the requirement to provide your child with a free and appropriate public education (FAPE).

Please note that a DRAFT IEP provided to you prior to the IEP meeting is intended for discussion, only. The DRAFT may be revised as a result of the IEP team discussions. You are an important member of the IEP team.

If you have questions, please contact _____ (name) at
_____ (phone number) at your child's school.