

## **AMENDING AN IEP - QUICK REFERENCE**

### **Amending an IEP**

- occurs after the annual IEP has been developed,
- does not change the due date when the next annual IEP is due,
- may only be done without a meeting when the parent agrees to do so.

### **To Amend an IEP**

1. The **IEP team members** determine the need for a significant change, and the nature of the suggested change.
2. The case manager contacts the parent(s) to discuss the proposed change. The case manager explains that the change needs to occur through a team process, but can happen with or without a meeting.
  - a. If the parent requests further discussion through a meeting process, an IEP meeting is called and held.
  - b. If the parent and the school district agree the change can occur without a meeting,
    - i. Parent and case manager discuss changes
    - ii. Areas to be changed on the IEP are noted on the Agreement to Amend IEP form.
    - iii. Agreement to Amend IEP form is printed.
      - Parent signs the form. *(It is also acceptable for the case manager to simply record the date of the conversation with the parent and record on the form that verbal agreement was given, and that the parent and the district agree to amend the original IEP without a meeting.)*
      - District representative (usually the building principal) **must** sign the form.
    - iv. The case manager makes changes to the IEP as follows;
      - Ensure the original IEP is finalized before amending.
      - The "Amendment" checkbox on the 2011 IEP menu is checked.
      - The amendment date is added to the top of the IEP Student Information page.
      - IEP is changed per the Agreement to Amend IEP form
      - The amended IEP is finalized.
    - v. Copies of the following are sent to the parent:
      - Agreement to Amend the IEP
      - Amended IEP
      - Prior Written Notice informing the parent of the proposed changes to the IEP
      - Parent Consent/Objection form.
    - vi. When parent permission is received (Parental Consent/Objection form is returned, or after the 14 calendar day waiting period for parents to respond), the case manager must:
      - Inform the entire IEP Team of the amendments/changes made to the IEP
      - Implement the Amended IEP.

## Amending an IEP in SpEd Forms

The Regulations implementing IDEA 2004 provide a procedure whereby an IEP can be amended (i.e., changed) without having to pull the full IEP Team together [see 34 CFR 200.324(a)(4-6)]. Amending an IEP occurs after the annual IEP has been developed, does not change the due date when the next annual IEP is due, and can only be done without a meeting when the parent agrees to do so. SpEd Forms created the Agreement to Amend IEP form within SpEd Forms to comply with those requirements.

Here is the process to use when amending an IEP:

1. The IEP team determines a significant change needs to be made to the student's current education plan prior to the annual IEP review date. (MN Rule 3525.0210 Subp. 41). This requires that all team members affected by the potential change will be involved in the discussions and determinations.
2. After step 1 is completed, the case manager contacts the parent(s) to discuss the proposed change. The case manager explains the change needs to occur through a team process, but can happen with or without a meeting.
  - a. If the parent requests further discussion through a meeting process, an IEP meeting is called and due process continues in the typical fashion.
    - i. The team may amend the IEP at the meeting OR
    - ii. The team may decide to create an entirely new plan at the meeting.
  - b. If the parent and the school district agree the change can occur without a meeting,
    - i. the parent and case manager then discuss the changes to be made to the IEP. The changes to be made on the IEP are noted on the "Agreement to Amend IEP" form.
    - ii. the Agreement to Amend IEP form is printed from SpEd Forms.
      - The case manager has the parent sign the form. *(Best practice would be for the parent to sign the form, but it would also be acceptable for the case manager to simply record, on the form, the date of the conversation with the parent and that verbal agreement was given by parent.)*
      - The case manager has the district representative (usually the building principal) sign the form. This form then serves as documentation that the parent and the district agree to amend the original IEP without a meeting.
    - iii. The case manager makes changes to the IEP as noted on the Agreement to Amend IEP form, following this process;
      - Confirm that the existing IEP has been finalized.
      - Check the "Amendment" checkbox that is located on the 2011 IEP menu.
        - a. After checking the "Amendment" checkbox, the following message is displayed:  
"Please ensure the original IEP is finalized before amending."
      - "Individualized Education Program" is renamed to "Amended Individualized Education Program".
      - The IEP meeting date becomes non-editable.
      - Fill in the amendment date box that has been added to the top right hand corner of the Student Information page.
      - When the amended IEP is finalized the history is checked to ensure another IEP with the same amendment IEP date does not exist. If finalization is successful then the amendment checkbox is cleared.
    - iv. Once the changes are made to the IEP, the following paperwork is sent to the parent;
      - A copy of the Agreement to Amend the IEP
      - The Amended IEP
      - A copy of a newly completed Prior Written Notice informing the parent of the proposed changes to the IEP
      - A copy of the Parent Consent/Objection form.
    - v. Once the signed Parental Consent/Objection form is returned, or after the 14 calendar day waiting period for parents to respond, the case manager must:
      - Inform the entire IEP Team of the amendments/changes made to the IEP, and
      - Implement the Amended IEP.