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I appreciate being allowed to present at the Blue Jeans Conference this year. The members of the Idaho Association of School Administrators are great educators and have a significant love for students and a passion for education. I am grateful for the opportunity to share a little bit of knowledge and information that I have and hope that it assists as you all move forward. Upon review of my presentation and further thinking about some of the questions that were presented, I wanted to provide some clarification to my presentation: Writing Legally Defensible IEPs.

- Upon referral for special education, local education agencies have sixty (60) days to complete the evaluation. There is no time requirement to obtain consent from the parents.
- General education teachers should always be included in an IEP meeting. The purpose of this is to allow the general education teacher to discuss the general education curriculum with the IEP team.
- If an IEP team member has to leave early from the IEP meeting, make sure to have the parent complete the absence document, rather than just documenting it in the notes. Use the notes to indicate at what point that person left the meeting.
- A student is required to be invited to the IEP meeting if the IEP is a secondary IEP. If it is not a secondary IEP the student is permitted, but not required to be present.
- Home Schooled students are not enrolled in the school district. As such, there is no requirement for services to be provided. Stand ready letters can be utilized to indicate that if the student should re-enroll the school is ready to continue with special education.

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- If a student is meeting all IEP goals, and is no longer needing special education, make sure to back the decision up with an evaluation that clearly indicates that although the student still has a disability there is no need for specially designed instruction.

As I had indicated at the beginning of my presentation, should you have specific legal needs, please reach out to me or your local counsel.

Thank you again for all of your work in providing the next generations with an education. There is nothing more difficult than being an educator. I commend you for your work and wish you all the best.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY LLP

Ryan J. Spencer

RSPE: