

## **Written Opinions: A How-To Manual By Patricia Howey**

It is IEP meeting time and you are thinking about your child's plan for the next twelve months.

The IEP meeting is an important business meeting where the business at hand is your child's education. Prepare for and document IEP meetings carefully. The success of your child's education may depend on how well you document what happens during the IEP meeting.

### **Record Your IEP Concerns in a Written Opinion**

IDEA 2004 specifically allows you to submit your concerns to the IEP Team. One way to record your concerns is to use a written opinion.

Your written opinion ensures that the IEP team understands what you think happened at the meeting. Tell the team that you will be sending a written opinion later. You do not have to be an expert on "the law" to write a written opinion. In fact, it may be best **not** to quote or interpret the law in your written opinion.

Your written opinion can include:

- What happened at the meeting.
- What did not happen.
- What the team discussed or failed to discuss.
- Team decisions to which you did not agree.
- Relevant facts the IEP does not include.
- Correction of wrong facts in the IEP.

Listen to your little inner voice. If something does not seem right, write it down. Your little inner voice is right most of the time.

Stick to the facts and you will maintain your credibility. Do not make personal attacks.

Assume that your written opinion will end up as an exhibit in a future due process hearing. You cannot know what facts might be important in the future so include as many relevant facts as possible in your written opinion.

## **Correcting Facts with Your Written IEP**

Successful IEP meetings require preparation. Be prepared to begin your written opinion during the IEP meeting. At the top of the page write "Written Opinion." Below that, write "Page 1." Write your child's name and the date in the top right hand corner of the first page. During the meeting you may see that there are disagreements. When this happens begin the notes for your written opinion.

Even if you think your written opinion is complete at the end of the meeting, *do not turn it in*. Promise to send it no later than a week after you receive the IEP.

**When you receive the IEP, you will compare your meeting notes or tape recording of the meeting to the facts included in the IEP. If the facts don't match up, you will correct them in your written opinion.**

Here are some examples of types of statements you may want to use in your written opinion:

- *Johnny needs an extended school year. The school will not provide one.*
- *I do not agree with the proposed goals and benchmarks.*
- *The team wants Johnny to be in a resource room for half of the school day. I would like some time to consider this and would also like to visit the room.*
- *The team proposes wants the school counselor provide therapy for Johnny. I have concerns about this but I am willing for this counseling to take place for five weeks. Then, I would like us to meet to discuss Johnny's progress.*
- *I may have other points to submit after I have looked at all of the paperwork from the meeting.*

Be concise. Each point in your written opinion should be only one or two sentences. This is not the time for reason or argument. If you provided each team member with a Parent Report or Parent Agenda before the IEP meeting, you already gave your reason and argument. You do not have to argue your position again. **Your written opinion just includes the facts.**

Use clear language that is easy to understand. Be factual, not critical. Your written opinion may provide the facts that persuade the IEP team Johnny really does need more services. You may use your opinion later as a tool for negotiation and persuasion.

Include the following in your written opinion.

1. A brief/short cover letter that includes:
  - The time and date of the IEP meeting
  - A paragraph thanking the team for their input about your child
  - The date of your written opinion
  - Your signature.
2. Important facts the IEP does not include.
3. Corrections to facts included in the IEP.
4. Decisions with which you agreed and those with which you did not agree.
5. Things the team did not discuss.
6. Things that you asked on which the team made no decision.

7. Items that you asked to be included the IEP but were omitted.
8. Page numbers on each page.

Plan to draft a written opinion following every team meeting. If you do not record your opinion, the IEP team may think you agree with all of the decisions and the IEP. No one will hear your voice.

The written opinion is an effective document that tells the IEP meeting story from your viewpoint as a parent. Think of it as a tool, not a weapon. To avoid disappointment understand that it may not force the school to do anything. However, it may prove to be the evidence you later need to prove your case.

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### **Meet Pat Howey**

Pat Howey has a B.A. in Paralegal Studies from Saint Mary-of-the-Woods College where she graduated with honors.

Pat is an active member of the [Council of Parent Attorneys and Advocates \(COPAA\)](#) and other organizations. The [Learning Disabilities Association of Indiana](#) honored Pat with its Outstanding Service Award for her commitment and compassion towards students with disabilities.

As a member of the [Wrightslaw Speakers Bureau](#), Pat provides training for parents, educators, and others who want to ensure that children receive quality special education services. [Wrightslaw special education law and advocacy programs](#) are designed to meet the needs of parents, educators, health care providers, advocates, and attorneys who represent children with disabilities.

***"Changing the World -- One Child at a Time."***

### **Contact Information**

Pat Howey  
Special Education Consulting  
POB 117  
West Point, Indiana 47992-0117  
Website: [patriciahowey.com](http://patriciahowey.com)  
Email: [patricia.howey@gmail.com](mailto:patricia.howey@gmail.com)

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