

WAC 392-172A-05001 Parent participation in meetings. (1) (a) The parents of a student eligible for special education services must be afforded an opportunity to participate in meetings with respect to the identification, evaluation, educational placement and the provision of FAPE to the student.

(b) Each school district must provide notice consistent with WAC 392-172A-03100 (1) and (3) to ensure that parents of students eligible for special education services have the opportunity to participate in meetings described in (a) of this subsection.

(c) A meeting does not include informal or unscheduled conversations involving school district personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision. A meeting also does not include preparatory activities that school district personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

(2) (a) Each school district must ensure that a parent of each student eligible for special education services is a member of any group that makes decisions on the educational placement of the parent's child.

(b) In implementing the requirements of (a) of this subsection, the school district must use procedures consistent with the procedures described in WAC 392-172A-03100 (1) through (3).

(c) If neither parent can participate in a meeting in which a decision is to be made relating to the educational placement of their child, the school district must use other methods to ensure their participation, including individual or conference telephone calls, or video conferencing.

(d) A placement decision may be made by a group without the involvement of a parent, if the school district is unable to obtain the parent's participation in the decision. In this case, the school district must have a record of its attempt to ensure their involvement.

(e) A parent of a student eligible for special education services may request permission to observe their student's current educational placement, and to observe any educational placement proposed or under consideration either by a parent or a group that makes decisions on the educational placement of the parent's child, in accordance with applicable school district policy and state law.

(3) When conducting IEP team meetings and placement meetings and in carrying out administrative matters such as scheduling, exchange of witness lists and status conferences for due process hearing requests, the parent and the district may agree to use alternative means of meeting participation such as video conferences and conference calls.

(4) For any meeting under this section, including meetings related to a student's IEP, school discipline, and truancy, in accordance with RCW 28A.155.230, each school district must take whatever action is necessary to ensure that the parent understands the proceedings of the meeting including, but not limited to:

(a) Notifying parents in advance in the parent's native language of the availability of interpretation and translation services at no cost to the parents;

(b) Arranging for an interpreter for parents who are deaf or hard of hearing or whose native language is other than English; and

(c) Documenting the language in which families prefer to communicate and whether a qualified interpreter for the student's family was provided.

(5) A parent may request consent to record meetings under this section, in accordance with applicable school district policies and

state law. Any recording that is maintained by the school district is an "education record" within the meaning under the Family Educational Rights and Privacy Act, 34 C.F.R. Part 99.

[Statutory Authority: RCW 28A.155.090. WSR 21-19-065, § 392-172A-05001, filed 9/14/21, effective 10/15/21; WSR 17-23-054, § 392-172A-05001, filed 11/9/17, effective 12/10/17.]