

# *Roles and Responsibilities of the Case Conference Committee*

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The case conference committee (CCC) is charged with the responsibility for:

- Determining a student's eligibility for special education services;
- Identifying the unique educational needs of the student;
- Developing appropriate specialized services and supports;
- Maintaining the student's special education services to the maximum extent possible with his/her non-disabled peers; and
- Using the student's progress monitoring data as the basis for all CCC decisions and actions.

A case conference committee is comprised of the following legally mandated participants. If any one of these roles are not represented at the conference, or not appropriately excused, ***the meeting is not a legal case conference.***

## *The Public Agency Representative (PAR)*

The Public Agency Representative must participate in every case conference committee meeting. This individual must be knowledgeable about the availability of, and have the authority to commit, resources of the public agency (including personnel and funds); qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities; and knowledgeable about the general education curriculum.

The district special education director, building principal, assistant principal, or special education coordinator often fulfills the role of Public Agency Representative. Training in special education mandates, procedures, and timelines is essential in preparing the PAR for his/her role in the case conference process and supervision of special education programs. The Public Agency Representative is ultimately responsible for making sure the parent understands legal rights and responsibilities.

***If an administrative designee is appointed by the PAR to attend the case conference committee meeting, this individual has the same authority to commit district resources as the administrator.***

At the case conference committee meeting, the PAR represents not only the school, but also the district and the resources of the district. Ultimately, the IEP document is an agreement between this representative of the school district and the parent.

### ***The Current Teacher of Record (TOR)***

The current Teacher of Record must participate in every case conference committee meeting. The TOR is the licensed special educator in the area of the student's **primary** disability.

For an Initial Eligibility case conference, a licensed educator in the suspected area of disability must participate. If more than one area of disability is suspected, each of the disability areas must be represented in the meeting. (This could be a special educator with multiple licensures.)

The Teacher of Record is legally responsible for ensuring the implementation of the IEP. A student has only one Teacher of Record. Other educators working with the student are Teachers of Service (TOS).

The Teacher of Record's responsibilities include, advocating for the student, maintaining communication with Teachers of Service regarding academic and behavioral progress, providing consultation on learning strategies and accommodations to staff, ensuring the student's accommodations are implemented, providing direct instruction, instructional supports or consultation to the student, managing and overseeing paraprofessionals' activities with students, collecting progress monitoring data on goals and accommodations, participating in multi-disciplinary team evaluations and reevaluations, and reporting out student progress on annual goals to parents. The TOR makes sure that evidence of these activities is brought to each student's case conference committee meeting.

The Teacher of Record is the heartbeat of a student's IEP!

### ***The General Education Teacher***

A licensed general educator with knowledge of the student attends the CCC meeting if the student is participating in the general education environment. If the student may be participating in the general education environment, a general education teacher that will

potentially be working with the student is included in the case conference. A minimum of at least one general educator participates in the conference. If multiple general educators attend, one of them is designated as meeting the legal requirement for participation, and must request consent from the parent to be excused from all or part of the case conference meeting.

The general education teacher is a content specialist and brings an understanding of the general education curriculum to the conference team. He or she has knowledge of the activities and tasks of the classroom and the range of skills general education peers may have. General education teachers can add perspective on what accommodations are needed and how they are implemented in the classroom setting. They bring evidence of the student's current performance (academic, social emotional and functional) in their classroom.

For early childhood, a general education teacher is an individual who provides services to nondisabled students in the public agency's preschool program; or kindergarten teacher who provides services to nondisabled students if the student is of kindergarten age; or an individual knowledgeable about early childhood development, curriculum, and integrated placement options if the public agency does not have a general education preschool program.

### ***The Multi-Disciplinary Team Representative or the Instructional Strategist***

This individual represents the Multi-Disciplinary Team (MDT) at the initial case conference. Typically this is the school psychologist, speech language pathologist or evaluator that conducted the assessments. However the MDT may select another representative to attend the meeting provided that individual can discuss and interpret the student data. The parent has a legal right to receive an initial evaluation report and have it explained before the eligibility conference. However, an MDT representative is still required to attend the case conference.

For subsequent conferences, this role is filled by the individual that has the ability to interpret presented data and its educational implications for the student. In the Indiana IEP system, this role is labeled the Instructional Strategist. As an example, if the CCC is discussing behavior, a behavioral consultant might serve in this role. The Teacher of Record or a Teacher of Service might serve in this capacity as well. It is possible for an individual to have more than one role in the case conference.

## *The Parent*

The parent is a key member of the case conference committee. The parent can be:

- a biological or adoptive parent whose parental rights have not been terminated or restricted;
- a guardian authorized to act as the student's parent;
- a foster parent;
- an individual with legal custody or an individual acting in place of a biological or adoptive parent (such as a grandparent, stepparent, other relative or other adult) who accepts full legal responsibility for the student and with whom the student lives;
- an educational surrogate parent appointed by the Local Education Agency or the court;
- an educational representative appointed by the Local Education Agency; or
- the student who is eighteen years of age who has not had a guardian appointed by a court or has not had an educational representative appointed by the Local Education Agency.

If more than one person is qualified to act as the parent, the biological or adoptive parent must be presumed to be the parent if they are attempting to act as the parent. The parent provides consent for initial special education services.

If the parent cannot be identified or located, or when the student is a ward of the state (except when the court order permits the student to remain in the home or expressly reserves educational authority to the parent, or when the student is a ward of the department of correction), or when the student is homeless and not in the physical custody of a parent or guardian, the Local Education Agency can assign a trained educational surrogate parent to participate on the student's behalf. When a student reaches the age of majority, age 18, he or she assumes the role of parent for the case conferences and is able to consent to services, reevaluation and other legal actions or activities.

The educational surrogate parent may not be an employee of the department of education, or a public agency or any other agency involved in the education or care of the student (such as a school employee, a case worker, or department of social services employee). Additionally, Article 7 notes that the educational surrogate parent must have the knowledge and skills to represent the student, must match the student's cultural and linguistic background (to the extent possible), and must not have personal or professional interest that conflict with those of the student.

A student who is eighteen and has not had a guardian appointed by the court may have an educational representative appointed to make educational decisions on his or her behalf, if either the student requests a representative in writing, or if the student is certified as unable to provide informed consent (this is fully explained in Article 7 at 511 IAC 7-43-6(f)).

The parent is the original advocate for the student! He or she brings unique knowledge and perspective of the child that only a family member can have. The parent and the public agency representative are the two parties that create the legal agreement between the school and the home that is represented by the IEP document.

At age 18, the student is considered to be the parent, unless the courts have awarded guardianship of the student to another adult(s) or an educational representative has been appointed by the local education agency.

***The Public Agency Representative, Teacher of Record, General Educator, and Instructional Strategist/Multi-Disciplinary Team Member are required to participate in every case conference committee meeting. Each of them may also be excused with written consent of the parent.***

### ***The Student***

The student is a member of the case conference and is invited to the case conference committee meeting. For some students, even a young child, it is appropriate for them to join a portion if not all of the meeting to share thoughts about their own progress, their strengths or concerns. Many schools or parents assist students in preparing a personal statement, or even facilitating their IEP meeting. However, the student's attendance is at the discretion of the parent.

If the student is not physically present, their voice should be represented at the meeting. If the student is of transition age (age 14+ or beginning their ninth grade year), or will turn 14 before the expiration of the next IEP, the student's participation in the conference is a requirement. However, participation doesn't have to mean presence. If the parent does not consent to the student being in attendance, the school has responsibility to present the transition assessment information and postsecondary goals to the conference committee on the student's behalf. The student's voice must be represented.

At age 18, the student is considered to be the parent, unless the courts have awarded guardianship of the student to another adult(s) or an educational representative has been appointed by the LEA.

### *Others Potential Members of the Case Conference Committee*

Depending upon the purpose of a case conference, it may be appropriate to include others in the meeting. The table below provides a partial list. These individuals bring information about the student to the case conference or have supportive roles to the IEP process.

All of these individuals should be included on the Notice of Case Conference. The parent has the right to know who will be present at the case conference committee meeting.

Because they are not one of the legally required roles of a case conference, they do not require parent consent for excusal from the meeting.

Teacher(s) of Service	Note taker
Related Service Provider(s)	Interpreter
School Counselor	Translator
Behavior Consultant	Meeting Facilitator
Representative of Non-Public School or facility	**Transition Agency/Adult Services Representative
Representative of the Local Public Agency providing any of the student's special education and related services	Representative of State-Operated School or Facility

\*\*This individual requires permission of the parent to attend the case conference committee meeting.

## *Other Considerations*

### **Who Leads the Cases Conference Meeting?**

Determining who will lead the meeting is an important decision. The Public Agency Representative, a Special Education Director, the Teacher of Record, a Supervisor or Coordinator, or other individual may lead the case conference committee meeting.

This role is sometimes referred to as the Case Conference Chairperson. Who serves as the Chair may be based upon local policy. It may default to the highest ranking administrator involved, or it may be the individual with the strongest rapport with the family.

What is most important is that this individual knows it is their responsibility to guide the case conference committee members through the IEP process, and that they are prepared for this task.

Equally important is for each member of the team to have an understanding of his/her responsibility to the student and to the case conference process.

## *Resources:*

Visit the **Indiana IEPRC YouTube Channel** and search for *Case Conference - Participant Roles*.