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CAREGIVER RIGHTS, VIRTUAL MEETINGS, AND THE MULTIDISCIPLINARY
TEAM: COMMUNICATION OF LEGAL RIGHTS WITHIN SPECIAL EDUCATION

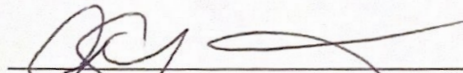
Kurustun Musick and Amber Gordon

A Thesis Submitted In Partial Fulfillment Of Requirements For The Master Of Science
Degree In Communication Sciences & Disorders

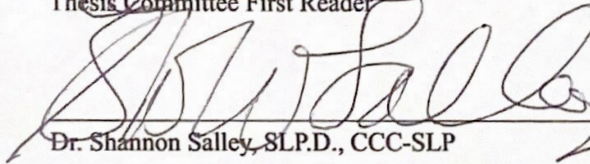
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Department of Social Work & Communication Sciences and Disorders Program



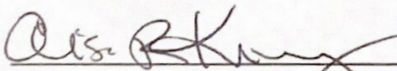
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MUSICK, KURUSTUN, B.S., & GORDON, AMBER, B.S. Caregiver Rights, Virtual Meetings, And The Multidisciplinary Team: Communication Of Legal Rights Within Special Education. (2022).

Directed by Dr. Alison R. King. 67 pp.

During the COVID-19 pandemic many professional settings used virtual platforms to conduct meetings that typically took place in person. Within the United States public schools, special education programs faced unique challenges when conducting students' Individualized Education Program (IEP) meetings. These meetings are mandatory and essential in creating an individualized plan to provide the necessary services and support for students or for monitoring their progress. As mandated through the Individuals with Disabilities Education Act (IDEA), it is a legal right of parents and/or guardians to be afforded the opportunity to attend any meetings regarding the "identification, evaluation, and educational placement" of their child and meetings regarding the provision of Free and Appropriate Public Education (FAPE) for their child (IDEA, 2004).

Caregivers and special education teams across the nation conducted virtual meetings during the COVID-19 pandemic to discuss special education services of students with many families and schools navigating virtual platforms for the first time. The purpose of this research is to determine how school personnel explained parental rights to caregivers through teleservices. Parental rights give caregivers certain powers regarding their child's special education services. Caregivers have legal rights to access information about their child, written notices for meetings, and the ability to advocate for their child. Additionally, this research seeks to identify professional perspectives regarding barriers faced when explaining parental rights through online platforms during

and after COVID-19. It is imperative that the field acknowledges and addresses the barriers created because of the use of virtual platforms during IEP meetings. Furthermore, it is essential that caregivers understand their rights and actively participate in decisions regarding their child's education programs despite being virtual.

Forty-one IEP team members who oversaw the IEPs of students within public schools in Virginia during the 2020-2021 school year were surveyed to examine perspectives on parental rights and virtual IEP meetings. Survey results were analyzed using IBM SPSS© (International Business Machines Corporation's Statistical Package for the Social Sciences) software.

Results from the statistical analysis indicated that whether or not professionals receive training on the procedural rights booklet their district uses has a positive impact on their confidence addressing caregiver's legal rights during virtual IEP meetings. The results suggest that district training on procedural rights is helpful to professionals when later discussing legal rights with caregivers during meetings. The statistical analysis also indicated that there is not a significant correlation between professional self-perceived knowledge of procedural rights and confidence addressing a caregiver's legal rights during virtual meetings.

CAREGIVER RIGHTS, VIRTUAL MEETINGS, AND THE MULTIDISCIPLINARY
TEAM: COMMUNICATION OF LEGAL RIGHTS WITHIN
SPECIAL EDUCATION

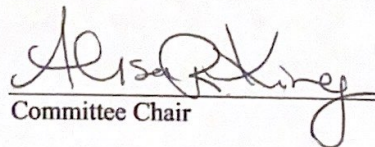
by

Kurustun Musick and Amber Gordon

A thesis submitted in partial fulfillment of requirements for the Master of Science degree
in Communication Sciences and Disorders in the Graduate College of Longwood
University

March 2022

Approved by


Committee Chair

DEDICATION

To Dr. Lissa Power-deFur

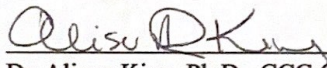
For her commitment to furthering the field of speech-language pathology and dedication
to serving students at Longwood University over the years

PARENTAL RIGHTS, VIRTUAL MEETINGS, AND THE MULTIDISCIPLINARY
TEAM: COMMUNICATION OF LEGAL RIGHTS WITHIN SPECIAL EDUCATION

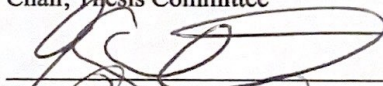
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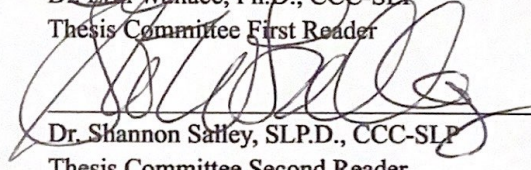
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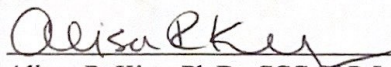
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Date of Oral Defense 3/25/22

Date of Acceptance 3/25/22

ACKNOWLEDGEMENTS

We would like to express our gratitude to those who served on our thesis committee, Dr. Alison King, Dr. Shannon Salley, Dr. Erin Wallace, for their useful comments, remarks and encouragement throughout this learning process for our master thesis. Many Virginia public education employees also contributed to the completion of this research study. We would also like to thank the Longwood University Ranson Research Award Committee, for financially supporting this research endeavor. Additionally, we would like to thank our loved ones, who have supported us throughout this entire process. Thank you all for your steadfast support.

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GLOSSARY OF TERMS, ABBREVIATIONS, AND ACRONYMS

| | |
|----------|--|
| COVID-19 | coronavirus disease 2019 |
| CLD | Culturally and Linguistically Diverse |
| ESSA | The Every Student Succeeds Act. This act was signed in 2015. This reauthorizes the 50-year-old Elementary and Secondary Education Act (ESEA), the nation’s education law and longstanding commitment to equal opportunity for all students. |
| FAPE | Free and Appropriate Public Education. This states that a free appropriate public education must be available to all children living in the United States between the ages 3 and 21, including children with disabilities. |
| FERPA | The Family Educational Rights and Privacy Act. This is a federal law enacted in 1974 that protects the rights of student education records and gives rights to parents regarding records, including access, amendments, and disclosure of information. |
| IBM SPSS | International Business Machines Corporation’s Statistical Package for the Social Sciences |
| IDEA | The Individuals with Disabilities Education Act (2004). Public law enacted in 2004 that makes available a free appropriate public education to children with disabilities. This ensures special education and related services to those children. |
| IEP | Individualized Education Program. Legal working document used within public school special education within the United States, as mandated by the Individuals with Disabilities Education Act (IDEA). Individualized document for students that describes specialized instruction, supports, and services for students within special education. |
| SLP | Speech-language pathologist |
| Title 1 | Title 1, Part A under the Elementary and Secondary Education Act (reauthorized in 2015) provides public school divisions with financial assistance through state educational agencies. These funds are reserved for schools with high percentages of children |

from low-income families and utilized to help ensure that children meet rigorous state academic achievement standards.

Title 2 Title 2, Part A under the Elementary and Secondary Education Act (reauthorized in 2015) provides funds to public school divisions in order to improve teacher, principal, and staff quality (i.e., professional development), thus increasing academic achievement.

Title 3 Title 3, Part A under the Elementary and Secondary Education Act (reauthorized in 2015) provides funds to public school divisions in order to assist with language instruction, specifically for immigrant students with limited English proficiency.

**CAREGIVER RIGHTS, VIRTUAL MEETINGS, AND THE
MULTIDISCIPLINARY TEAM: COMMUNICATION OF LEGAL RIGHTS
WITHIN SPECIAL EDUCATION**

Caregiver involvement within the special education process is imperative for the overall success of our students. Numerous studies documented caregiver involvement as an important factor in predicting cognitive development, social-emotional development, and academic achievement (Mandic et al., 2012; Roy & Giraldo-García, 2018; Tárraga et al., 2017). When caregivers actively engage with their child’s school and academic life, their child is more likely to experience academic, social, and behavioral success (Lo, 2014).

Within special education, caregiver involvement goes beyond attending a meeting as parents and guardians become advocates for their child to ensure the school division is addressing the cognitive, academic, and developmental needs of their child (Trainor, 2010). Parents and guardians of children with disabilities should be recognized as important decision-makers (Hess et al., 2006). Being an advocate and a caregiver requires clearly informed and educated decision-making. For example, caregivers examine and review multiple special education documents and procedures, such as their child’s Individualized Education Program (IEP), to ensure the IEP addresses their child’s specific and individualized needs (Lo, 2014). This process of informed decision-making can be complicated due to unclear, difficult to read documents produced by schools and departments of education and breakdowns in communication when discussing legal rights (Mandic et al., 2012; Nagro & Stein, 2016).

Before beginning services and during a child's education career in the public schools, the special education team comprised of various professionals along with the caregivers of the child work collaboratively to develop individualized goals and services to meet the needs of their child. The IEP is put into place to directly address the student's disability and how that disability affects their education. The collaborative team may include the following professionals: special education teachers, general education teachers, occupational therapists, physical therapists, speech-language pathologists, social workers, school psychologists, caregivers, the principal, and/or any other professional support the child may need based on their IEP goals (Tucker & Schwartz, 2013). When a student qualifies for services, it is the team's responsibility to explain to the parent or guardian their caregiver rights as outlined in the Individuals with Disabilities Act (2004) in a way that the caregiver can understand. Lo (2014) noted that documents provided to caregivers are not at an appropriate grade reading level. To ensure the success of our students, it is critical for researchers to examine whether or not the special education team explains caregiver rights to caregivers in a manner that caregivers comprehend. Furthermore, we must investigate any gaps in caregiver knowledge regarding their rights.

Special Education Law

Congress reauthorized IDEA in 2004. Additionally, IDEA (2004) and Public Law 114-95 (the Every Student Succeeds Act) recognizes caregivers as an important member of the IEP team and grants legal rights prior to, during, and transitioning out of services. The main goal of IDEA is to make "available a free and appropriate education [FAPE] to eligible children with disabilities throughout the nation" and to ensure "special education and related services to those children" (U.S. Department of Education, n.d.). IDEA

(2004) specifies procedural safeguards afforded to children and caregivers; procedural safeguards guarantee the rights of caregivers to participate in decision making with the school “regarding identification and diagnosis, evaluation, placement, services, individualized education planning, and transition to adulthood” (Mandic et al., 2012).

According to the Center for Parent Information and Resources (2019), caregiver rights for participation in the special education process for their child can be summarized as follows (a) caregivers have the right to participate in any meeting related to “the evaluation, identification, and educational placement of their child” or the provision of a free and appropriate public education (FAPE); (b) caregivers have a right to be a member of any group or team that decides whether their child meets eligibility criteria for special education or related services; and (c) caregivers are entitled to be a member of the team that “develops, reviews, and revises the IEP for their child” or that makes decisions regarding placements for their child. Additionally, FERPA (1974) grants parents and guardians rights regarding their child’s education records. Specifically, caregivers have the right to (a) access their child’s education records; (b) to have the records amended; (c) to consent in order to disclose identifiable information from records; (d) and to file a complaint with the U.S. Department of Education concerning alleged failures of an educational institution (FERPA, 1974). Section 300.504 of IDEA (2004a) mandates that a copy of procedural safeguards must be made available to the caregivers of a child with a disability. The procedural safeguards notice must include a full explanation of (a) all procedural safeguards relating to independent educational evaluations; (b) prior written notice; (c) parental consent; (d) access to education records; (e) presenting and resolving

complaints; (f) mediation; (g) placement; (h) hearings on due process complaints; (i) state-level appeals; (j) civil actions, and (k) attorney's fees (IDEA, 2004a).

The key to communicating legal rights and procedural safeguards to caregivers in a timely and efficient manner is outlined within IDEA (2004b) through the use of "prior notice". Section 300.503 of IDEA (2004b) requires that caregivers be provided written notice for any proposed updates to the provision of FAPE for their child, and caregivers must receive notices to attend any special education meeting pertaining to their child in a timely manner. Beyond this, IDEA (2004c) specifically states in section 300.503 (c) that these procedural safeguards documents must be written with language that is understood by the general public, and must be written in the native language of the caregiver (or other mode of communication used by caregivers) unless it is not feasible to do so. Because most families are not familiar with the professional or legal jargon used in the special education laws, it is important that a school representative explains their rights and allows them to ask clarification questions (Fitzgerald & Watkins, 2006).

Special Education Multidisciplinary Team

Section 300.321(a) of IDEA (2004d) outlines the team members that must be included within an IEP team including (a) caregivers; (b) at least one regular education teacher (if appropriate); (c) special education teacher/provider; (d) representative of the public agency; (e) an individual who can interpret instructional aspects of evaluation results; (f) other individuals who have knowledge/expertise regarding the child (at the caregiver or agency's discretion); and (g) the child with a disability (when appropriate).

All members of the IEP team come together to make decisions "of practical and legal importance" that significantly affect students and their families (Hartmann, 2016).

Additionally, these team members must work together to come to an agreement on how they will implement the IEP inside and outside of the classroom (Hartmann, 2016). It is these individuals who are responsible for providing an in depth explanation of caregiver rights. These members of the team should be giving clear information to caregivers about their legal rights.

Challenges to Caregiver Understanding

There are a number of items that factor into a person's understanding of new information. One important factor in understanding information is the readability of the text provided (Fitzgerald & Watkins, 2006). IDEA (2004c) legally mandates that documentation provided to caregivers should be easy to understand. Research reports that these documents historically are written in a manner that is difficult to comprehend (Fitzgerald & Watkins, 2006; Mandic et al., 2012; Nagro & Stein, 2016). Special education documents often display low readability scores which in turn may hinder the process of caregivers becoming informed advocates for their child (Lo, 2014).

Reading Ability

There are multiple obstacles caregivers may face when reading the special education documents for their children. Lo (2014) discussed several factors that may affect an individual's reading ability. Reading levels can be up to six grades lower than their highest grade level completed (Nagro & Stein, 2016; Lo, 2014). Additionally, when a child is diagnosed with a reading disability, there is a high probability that one or both of the child's parents have a similar disability that can affect their ability to read and comprehend written materials (Lo, 2014). In these instances, school personnel must assist

caregivers in understanding their child's disability while assisting the parent who may also have a disability.

Furthermore, the number of immigrants in the United States continues to increase each year with the last Pew Research Center analysis reporting 44.8 million immigrants living in the country (Budiman, 2020). The Pew Research Center analysis of U.S. Census Bureau data also reported that 49.2% of United States immigrants' highest educational degree was high school or less (Budiman et al., 2020). The percent of United States immigrants speaking English "at least very well" is 53.2%. In the United States, all children are entitled "to equal access to a public elementary and secondary education" regardless of parent immigration or citizenship status (U.S. Department of Education, 2014).

Additionally, immigration status is not the only factor to account for when considering languages spoken at home. According to the most recent statistics available from the United States Census Bureau (2015), there are over 60,000,000 individuals in the United States for which a language other than English is spoken within the home. A rise in immigration indicates there are more individuals who speak English as their second language, thus suggesting lower readability. IDEA recognizes the rights of parents who are non-native English speakers in the special education system by mandating that all documents be written in the native language of the parent (IDEA, 2004c). However, research continues to show the readability of documents is still being affected when documents are translated. For example, Lo and Wu (2009) reported that when translators came across unfamiliar terms within Individualized Education Program, they either skipped over the information entirely, or attempted to directly translate the

terms in the target language, even when the terms technically did not exist within the language (as cited in Lo, 2014).

Current Readability Research

Current research exhibits how special education documents display content at reading levels that are far too high to be understood by the general public thus hindering caregivers' ability to understand information (Fitzgerald & Watkins, 2006; Mandic et al., 2012; Nagro & Stein, 2016). Mandic et al. (2012) reported that procedural safeguard documents provided by state departments of education display content in the college reading level range with nearly 40% scoring in the range considered graduate or professional reading level. Comparatively, data from the Program for the International Assessment of Adult Competencies (PIAAC) demonstrated that 41% of U.S. adults had a high school level of education, 14% had an education level less than high school, and 45% attained a level of education beyond high school (National Center for Education Statistics, 2017). The most recent updates from PIAAC in 2017 displayed similar results, with 40% of U.S. adults attaining a high school level of education, 14% at a level less than high school, and 48% attaining a level of education beyond high school (National Center for Education Statistics, 2017). Additionally, Lo (2014) analyzed 28 IEPs from three different school districts, and found that, except for the “parent’s concern” section of the IEPs, all of the remaining IEP sections displayed content “at or above the high school reading level”, with three sections being written at a college graduate reading level.

Nagro and Stein (2016) analyzed eight studies published over the course of 30 years that reviewed written communication documents intended for parents of students

with disabilities. Many researchers agree that fifth grade is a suitable reading level for parental documents as parents may read up to six grades lower than their highest grade completed in education despite there being no formal consensus on an appropriate reading level (Nagro & Stein, 2016; Lo, 2014).

It is important to assess readability within caregiver documents to ensure that caregivers can understand online written information regarding their child's education. While some schools started using webinars and visuals to communicate to caregivers, written communication remains the bridge for information between schools and parents/guardians. Readability of their children's education documents influences caregivers' involvement in their child's education. IDEA federally mandates caregiver involvement, and public schools are accountable for creating caregiver involvement as increased involvement suggests an increase in positive student outcomes (Gray et al., 2019).

Current Parent/Guardian Perspective of IEP Meetings

Caregivers are a vital part of each student's support team. For example, when caregivers are involved in their child's education, the requirements of IDEA (2004) are likely to be met (Burke, 2013, p. 226). Research documented that caregivers feel that they cannot only participate, but they also have to advocate for their children (Soodak & Erwin, 2000). Hess et al. (2006) explains:

“When a family finds out their child has a disability, they enter the world of special education which has its own terminology, rules, settings and personnel. In addition to grappling with the meaning of their child's special needs, families are also thrown into the role of principal advocate for their child (p. 148).”

Kalyanpur et al. (2000, p. 131) found that when parents attend IEP meetings, they are often referred to as “just a parent” or not being addressed by their first name. Rather, they are being called “mom” or “dad”. When parents are made to feel less than by their student’s IEP team, it is likely that the parents will not ask questions or communicate their concerns. Burke (2013, p. 233) found that parents of a child with a disability require support in maneuvering the special education process.

Wolfe and Duran (2013) described the IEP as the “backbone of IDEA” as it is “intended to serve as a legal contract” (p. 4) that outlines a child’s current performance, goals, and provision of services. Though there are requirements outlined by IDEA regarding scheduling meetings, Wolfe and Duran (2013) pointed out that these requirements “do little more than support parent attendance at the IEP meeting” (p. 4) rather than ensuring that parents are truly full and equal participants. Identifying caregiver perspectives of IEP meetings and their understanding of their rights is crucial to ensuring that caregivers feel heard and informed.

Inclusion in the IEP Process

Caregivers may often find themselves feeling reluctant to advocate for their child in front of school personnel and may even feel intimidated by the professional status of IEP team members especially due to the field-specific terminology used by professionals (Goldman et al., 2020). Professional jargon is often used and not explained to caregivers, meaning they are not able to understand the context of the message. The caregivers may feel overwhelmed by the specific language professional team members use in IEP meetings. It is important that the IEP team aim to avoid using jargon or explain the terms being used when there is not a simpler substitute.

Tucker and Schwartz (2013) surveyed 135 parents and caregivers of children with Autism Spectrum Disorder (ASD) in Washington State Public Schools, and caregivers reported that the top ways they felt included in the IEP/Educational process included (a) asking for parental input into the draft of the IEP; (b) providing regular communication about progress; and (c) planning goals and objectives together as a team (p. 6). Additionally, the most important collaborative actions of the IEP team were identified as maintaining regular contact, including parent suggestions for goals and objectives, and including parent suggestions for instructional approaches (p. 7).

Culturally and Linguistically Diverse Families

Additional research revealed that Mexican American families, Chinese American families, and families from a range of racial and ethnic groups all indicated that “while parents frequently attend IEP meetings, they are often not provided the opportunity to make significant contributions to the content of their children’s IEP” (Blackwell & Rossetti, 2014). Blackwell and Rosetti (2014) reported that within teacher-directed IEP meetings, families and students often found themselves not actively participating in the process, and many parents indicated that they would like to have more influence at IEP meetings.

Lo (2012) explained that it is likely many culturally and linguistically diverse (CLD) families attend their child’s first IEP meeting without understanding the purpose of meeting. Many families in the study assumed that they were attending a meeting with their child’s teacher to discuss progress (Lo, 2012). Salas (2004) interviewed Mexican American mothers of children within special education and the mothers reported feeling that their voice was not being heard as well as experiences of being discounted and

disrespected. The special education system was seen by these families as “something they have to tolerate for their children to receive services” (Salas, 2004, p. 190). Mothers within this study also reported becoming frustrated and anxious regarding IEP meetings due to difficulty communicating with professionals and understanding the terminology used during meetings (Salas, 2004, p.186-188). When caregivers are anxious or overwhelmed during meetings, it is likely that they are unable to process the information being presented to them, hindering their ability to make informed decisions on-the-spot.

Wolfe and Duran (2013) examined nine studies focusing on CLD parent perspectives of the IEP process and highlighted that many studies reported parents did not feel prepared for IEP meetings. Parents reported feeling unaware of the purpose or structure of the meetings and the general logistics of the special education system. Wolfe and Duran (2013) also reported parental concern that professionals disrespected their parental expertise as well as feeling as though their input regarding their child’s needs were devalued or unappreciated.

Knowledge of Rights

Huang (2013) completed a systematic review of the literature and found that a large majority of parents have little knowledge of their parental rights during their first IEP meeting; however, as they continue to go to IEP meetings about their child, they become more knowledgeable. Spann and Soenksen (2003) found that a little under half of the parents they interviewed had educated themselves about special education laws and the IEP process. This research suggests that there is a lack of parental knowledge regarding their legal rights in the special education process.

Meetings Conducted through Online Platforms

It is important to acknowledge that research is limited in regard to virtual meetings. Many blog posts, such as one published by researchers Bateman and Mckittrick (2021), communicated the feeling that virtual IEP meetings should stay even after the end of the COVID-19 pandemic. Section 300.328 of IDEA (2004e) permits virtual meetings by stating, “the parent of a child with a disability and a public agency may agree to use alternative means of meeting participation, such as video conferences and conference calls.”

However, it should be noted that IDEA requires that the parent(s) and public agency must “agree” to use alternative means of meeting participation (IDEA, 2004e). Many caregivers and professionals may find scheduling virtual IEP meetings to be easier for all involved (Bateman & Mckittrick, 2021). For example, for many parents and guardians who work during the school day, scheduling a Zoom meeting during a lunch break rather than having to block off time within their schedule to meet in the physical school building will create an ease in scheduling that may have not been afforded to them prior to the pandemic.

Bateman and Mckittrick (2021) informally interviewed parents of children with disabilities and found that most parents and the special education team reported virtual meetings to be engaging for all individuals involved. Additionally, attendance and scheduling were more convenient for both families and the school personnel. Parents reported that they felt like partners in the IEP meetings with the team, and a sense of increased involvement in their child’s education (Bateman & Mckittrick, 2021). These blog posts are useful in understanding views of select caregivers and professionals in regard to online platforms; it is essential for researchers to conduct more studies to fully

understand the larger population's perspectives and capture the negative side effects of virtual meetings as well.

Current Professional Perspectives of IEP Meetings

One major change initiated by COVID-19 was the use of virtual platforms to hold meetings. Even though schools are currently shifting more to face to face interactions, one question that remains is if virtual meetings will continue. Professionals have stated both positives and negatives about the ability to provide services and IEP meetings through a virtual platform.

Perspectives on Virtual Meetings

When the pandemic began, virtual meetings became the way many people communicated and kept in contact. As the pandemic has now lasted over a year, virtual meetings still occur (Karl et al., 2020). In some cases, it is easier to schedule a meeting online as it reduces the need to travel for the meeting and is often easier to schedule with less conflicts. However, there are difficulties that arise during or before virtual meetings, such as internet outages or technological difficulties meaning the meeting will have to be rescheduled or one person would not be able to attend the meeting and have to receive the information from other attendees (Glessner & Johnson, 2020).

A study by Glessner and Johnson (2020) examined the experiences of five special education teachers specifically during the COVID-19 pandemic and found that teachers reported issues such as technology crashing for long periods of time during IEP meetings. Each of the five special education teachers interviewed within this study from varying school districts reported that virtual meetings went “far better than expected” and even

reported that the IEP team stuck to the time frame and agenda of the meeting well (Glessner & Johnson, 2020).

Explanation of Caregiver Rights

As presented, it is pivotal that caregivers are involved in the IEP meeting, their child's education, and services their child is receiving. Currently, there is a lack of research regarding how and if professionals are explaining parental rights to the parent or guardian of a child, specifically within meetings conducted through virtual platforms. This information is key in having the caregivers be an informed member of the special education team, regardless of whether they are participating in-person, or online.

Statement of Problem

Currently, two years passed since the beginning of the pandemic and many schools transitioned into full-time in-person instruction; however, it is likely that teleservices and teleconferences will remain an option of service delivery in years to come (Glessner & Johnson, 2020). It is important to assess caregiver knowledge of legal rights and how legal rights are being communicated to parents and guardians in-person and online. For schools that continue to use online platforms and virtual service options, examining how professionals communicate to parents and guardians is essential to ensure school personnel explain caregiver rights clearly and thoroughly to caregivers.

There is a lack of research regarding the ways in which school personnel explain parental legal rights to parents and guardians of children within special education, especially through online platforms. A review of literature revealed that caregivers face many obstacles in understanding their rights within the special education process, and many do not feel as though they are an equal part of the IEP team. Examining current

perspectives of the IEP team on caregiver rights and the IEP process will contribute to the expansion of research regarding any gaps in parent/professional communication.

Purpose

The purpose of this research is to determine how school personnel explained information to caregivers through teleservices, specifically regarding legal rights as caregivers of children within special education during the 2020-2021 academic year. Additionally, this research seeks to identify professional perspectives regarding obstacles faced when explaining caregiver rights through online platforms during and after COVID-19. Even as schools transitioned back to in-person learning, many schools may choose to keep the option of providing meetings virtually (Glessner & Johnson, 2020). Identifying the obstacles faced now during the provision of online services throughout the course of COVID-19 will be critical in ensuring that caregivers understand their rights. This will also serve to promote active caregiver participation in decisions regarding their child's education programs going forward as the use of online meeting platforms continues to be utilized. The researchers aim to answer the following questions:

1. What methods are school personnel using to provide caregivers with their legal rights during IEP meetings when conducted through virtual platforms?
2. How is self-perceived knowledge of caregiver special education rights by professionals associated with their confidence addressing caregiver questions in meetings?
3. How much time do professionals spend addressing legal rights within virtual meetings compared to how much time they think should actually be spent discussing legal rights?

4. How is respondent training on the procedural safeguards booklet used within their school/county associated with self-perceived confidence when addressing caregiver questions regarding legal rights within virtual meetings?

Method

This study received approval from the Longwood University's Institutional Review Board (IRB) on September 10th, 2021 (Appendix B). The researchers analyzed the survey data using IBM SPSS© (International Business Machines Corporation's Statistical Package for the Social Sciences) software.

Survey and Procedures

First, we conducted a pilot study by sending the survey to 10 participants. The participants consisted of Longwood faculty who provided feedback for clarity of questions. Their answers were not included in the final data analysis.

The final survey consisted of demographic information followed by information on participants' views of conducting meetings online, addressing legal rights through virtual meetings, and comfort discussing legal rights with caregivers. Questions were presented as multiple-choice options, open-ended response questions, and Likert Scales of 1-5 with one being no knowledge and five being extensive knowledge regarding the topic in question. See Appendix A for a copy of the survey.

The researchers used a snowball sample to obtain survey responses from the participants through social media linking participants to an online survey containing an explanation of the research, assurance of voluntary participation, anonymity and confidentiality, and the survey itself. Additionally, we used a convenience sample and

sent targeted emails to school personnel as well as Longwood faculty to disseminate the survey to special education staff and personnel within Virginia.

Assurance of Anonymity and Confidentiality

We informed participants of the voluntary and confidential nature of the research via instructions at the beginning of the survey. Participants voluntarily agreed to participate at the beginning of the survey before proceeding to answer questions. The survey did not collect any identifying information with the exception of a voluntarily supplied email to be entered into a drawing for a \$50 Amazon card for participating in the survey. The survey results were password protected and any raw data was only made accessible to Amber Gordon, B.S., Kurustun Musick, B.S., Dr. Alison King PhD, CCC-SLP, LSLC Cert. AVT, and Dr. Erin Wallace, Ph.D., CCC-SLP.

Participants

Participants included any school personnel who oversee the IEPs of students within public schools in Virginia during the 2020-2021 school year. We explained the purpose of the research to participants at the beginning of the survey. The researchers used the following as inclusion and exclusion criteria, participants must have worked within Virginia public schools during the 2020-21 school year, and participated in IEP meetings, virtually and face-to-face. The study aimed to include school personnel of all age ranges and gender to achieve the most accurate information on how school personnel currently delivering services through online platforms are communicating legal rights to caregivers of children within special education. School personnel who worked online throughout COVID-19 were included. School personnel who are not currently working

were excluded from the study. Data included 41 participant' responses. Table 1 displays the demographics of the 41 participants.

Table 1

Participant Demographic Information

| Demographic Information | Survey measures | <i>n</i> | Percentages |
|------------------------------------|--|----------|-------------|
| Role within special education team | Special education teachers | 16 | 39.02% |
| | Occupational therapists | 5 | 12.20% |
| | Speech-language pathologists | 7 | 17.07% |
| | Physical therapists | 3 | 7.32% |
| | Administrators of special education | 1 | 2.44% |
| | General education teachers | 6 | 14.63% |
| | Instructional assistants/paraprofessionals | 3 | 7.32% |
| Ethnicity | White | 30 | 73.17% |
| | American Indian | 12 | 29.27% |
| | African American | 4 | 9.76% |
| | Hispanic, Latino, or Spanish | 2 | 4.88% |
| | Asian | 0 | 0.00% |
| | Native Hawaiian or Other Pacific Islander | 0 | 0.00% |
| | Other | 0 | 0.00% |
| Location | Central Virginia | 6 | 14.63% |
| | West Central Virginia | 3 | 7.32% |
| | Southside Virginia | 4 | 9.76% |
| | Eastern Virginia | 5 | 12.20% |
| | Southwest Virginia | 17 | 41.46% |
| | Northern Virginia | 5 | 12.20% |
| | Valley Virginia | 1 | 2.44% |
| Highest level of education | High school graduate, diploma or the equivalent (e.g. GED) | 2 | 4.88% |
| | Some college credit, no degree | 1 | 2.44% |
| | Trade/technical/vocational training | 3 | 7.32% |
| | Associate Degree | 0 | 0.00% |
| | Bachelor's Degree | 16 | 39.02% |
| | Master's Degree | 15 | 36.59% |
| | Professional Degree | 2 | 4.88% |
| | Doctoral Degree | 2 | 4.88% |

| | | | |
|-------------------------|------------------------------|-------|--------|
| Age | Under 20 | 1 | 2.44% |
| | 21-25 | 5 | 12.20% |
| | 26-30 | 7 | 17.07% |
| | 31-35 | 7 | 17.07% |
| | 36-40 | 4 | 9.76% |
| | 41-45 | 3 | 7.32% |
| | 46-50 | 6 | 14.63% |
| | 51-55 | 4 | 9.76% |
| | 56-60 | 4 | 9.76% |
| | 61-65 | 0 | 0.00% |
| | 66-70 | 0 | 0.00% |
| 71+ | 0 | 0.00% | |
| School district funding | Title 1 | 14 | 34.15% |
| | Title 2 | 12 | 29.27% |
| | Title 3 | 8 | 19.51% |
| | Unknown | 7 | 17.07% |
| Employer | Employed by county | 25 | 60.98% |
| | Employed by contract company | 16 | 39.02% |

Results

Education and Professional Development Background

When respondents were asked if they received pre-service training while completing their degree on health literacy, 65.85% answered “yes” and 34.15% answered “no”. When asked if this training was mandatory or voluntary, 77.78% of respondents answered “voluntary”, while 22.22% answered “mandatory”.

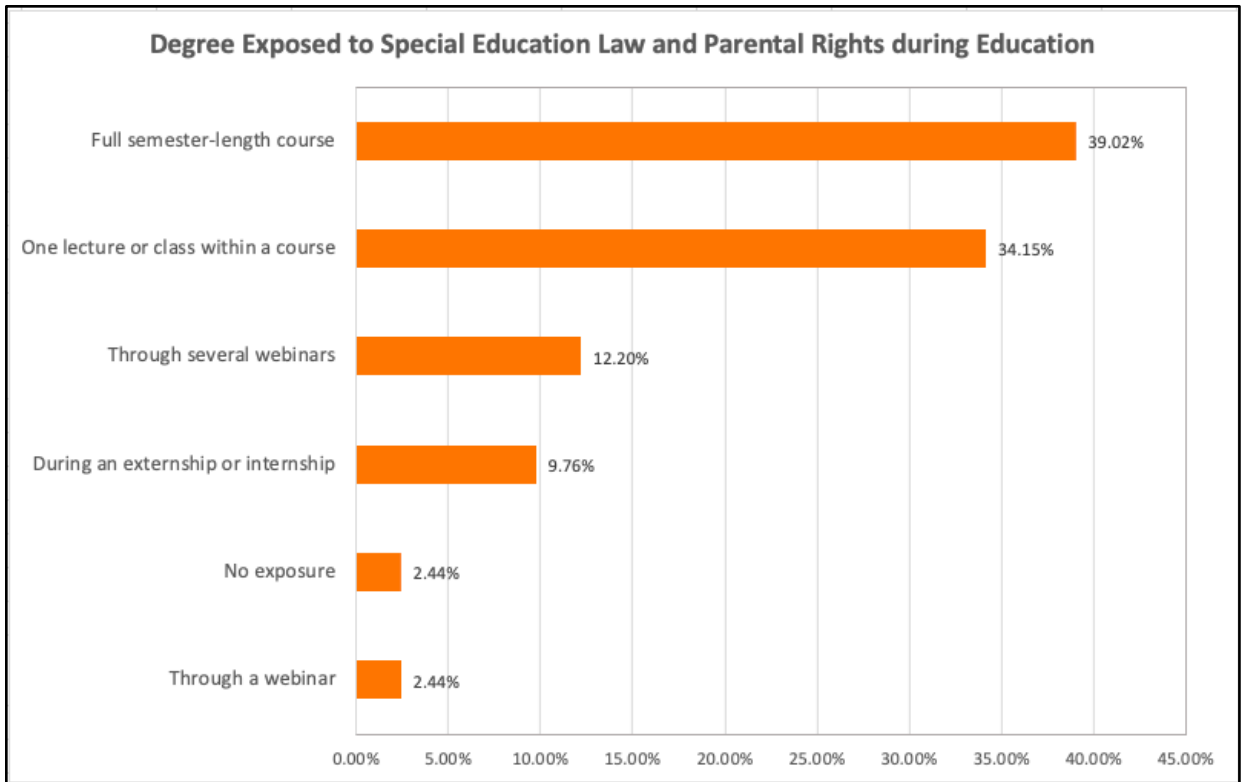
Respondents were asked to what degree within their education they were exposed to special education law and caregiver rights within special education. The greatest number of participants (39.02%) answered “full semester length course”, while 34.15% answered “one lecture or class within a course”, 9.76% answered “during an externship or internship, 2.44% answered “through a webinar”, 12.20% answered “within several webinars”, and 2.44% answered “no exposure” (Figure 1).

When asked to rate knowledge of procedural safeguards/rights on a scale of one to five, with one being “no knowledge” and five being “extensive knowledge” 0.00% of respondents rated “no knowledge”, 26.83% rated “minimal knowledge”, 24.39% rated “neutral knowledge”, 39.02% rated “moderate knowledge”, and 9.76% rated “extensive knowledge

Respondents were asked if they received any training on the booklet that their school district uses to explain caregiver rights. The majority of respondents (70.73%) answered “yes”, while 29.27% answered “no”. To further examine professional development opportunities, respondents were asked if they have participated in any professional development courses or webinars regarding special education law or caregiver rights from the time they began work within the public school system. To this question, 58.54% of respondents answered “no”, and 41.46% answered “yes”. Those who answered “yes” were prompted to further describe what opportunities they participated in, four indicated they participated in training from their administration/county, eight indicated that they participated in online professional development courses/webinars, and four indicated other opportunities (e.g. “new classes every week”, “continuing education”).

Figure 1

Respondents’ exposure to special education law and parental rights within special education during their professional education

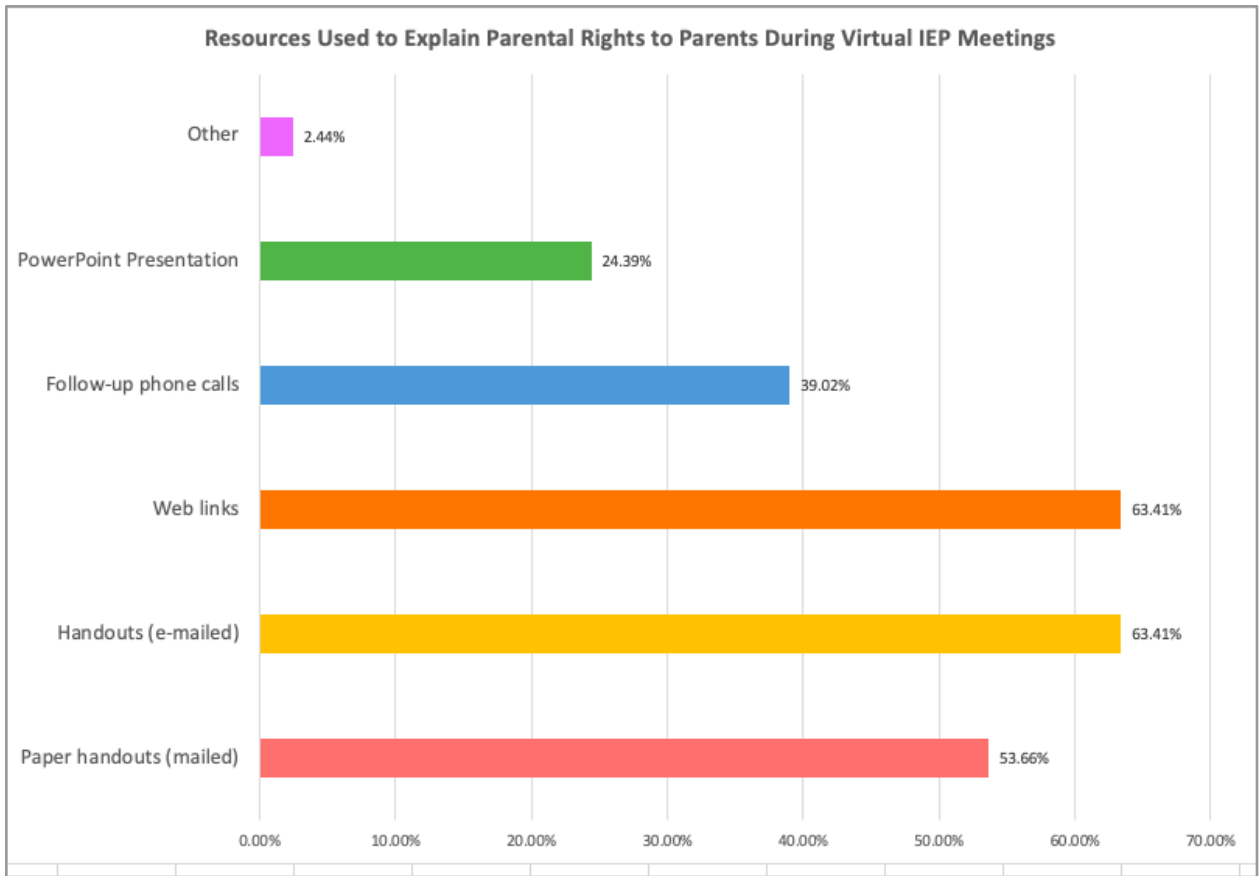


Virtual Meetings

When examining the resources that respondents or their school districts use to explain caregiver rights during virtual IEP meetings, the resources most often utilized were: handouts (e-mailed) (63.41%), web links (63.41%), and paper handouts (mailed) (53.66%). Respondents also identified follow-up phone calls (39.02%) and informational PowerPoint presentations (24.39%) as additional resources used to explain caregiver rights. One participant marked “other” and explained that they give a “brief explanation of [the] handout at beginning/end of IEP meeting(s)” (Figure 2).

Figure 2

Resources used in order to explain parental rights to parents during virtual IEP meetings the pandemic (school year 2020-2021)

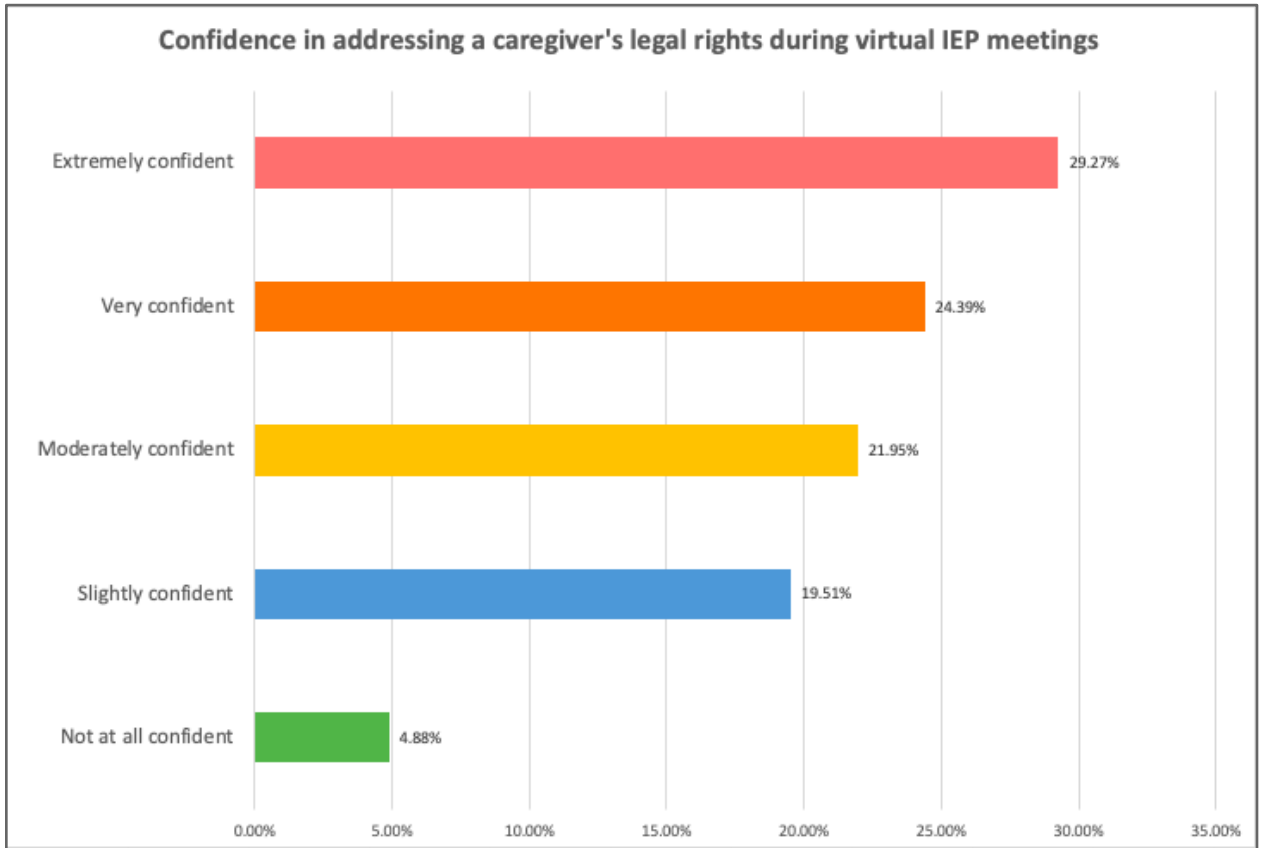


Note. Respondents were given the option to choose all that apply and select multiple answers

Respondents were asked to rate how confident they feel when addressing a caregiver’s legal rights during virtual IEP meetings on a scale of one to five, with one being “not at all confident” and five being “extremely confident (Figure 3). Results demonstrated that 4.88% rated *one* (not at all confident) 19.51% rated *two* (slightly confident), 24.39% rated *three* (moderately confident), 29.27% rated *four* (very confident), and 21.95% rated *five* (extremely confident).

Figure 3

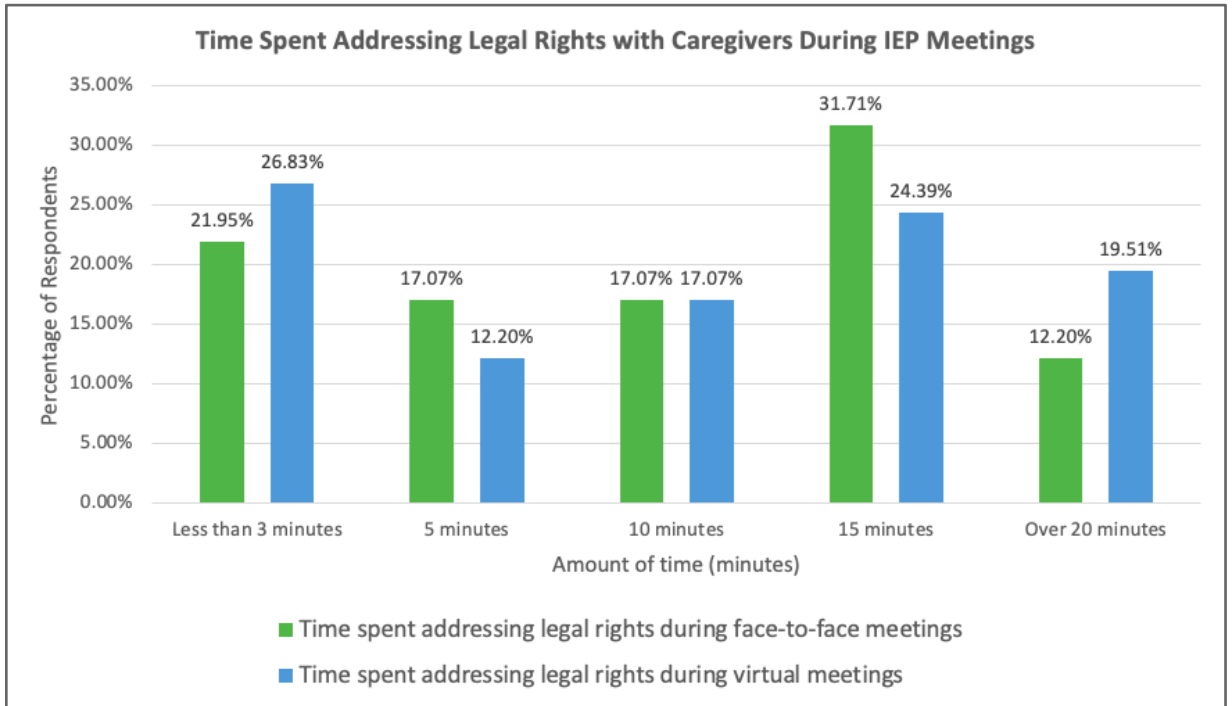
Respondent's confidence in addressing a caregiver's legal rights during IEP meetings when conducted through virtual platforms



Respondents were asked to describe how much time is spent addressing legal rights with caregivers during face-to-face meetings versus virtual meetings (Figure 4). For face-to-face meetings, respondents indicated: less than three minutes (21.95%), five minutes (17.07%), 10 minutes (17.07%), 15 minutes (31.71%), and over 20 minutes (12.20%). For virtual meetings, respondents indicated: less than three minutes (26.83%), five minutes (12.20%), 10 minutes (17.07%), 15 minutes (24.39%), and over 20 minutes (19.51%).

Figure 4

Respondent's report on time spent addressing legal rights with caregivers during IEP meetings in-person and virtually during the pandemic (school year 2020-2021)

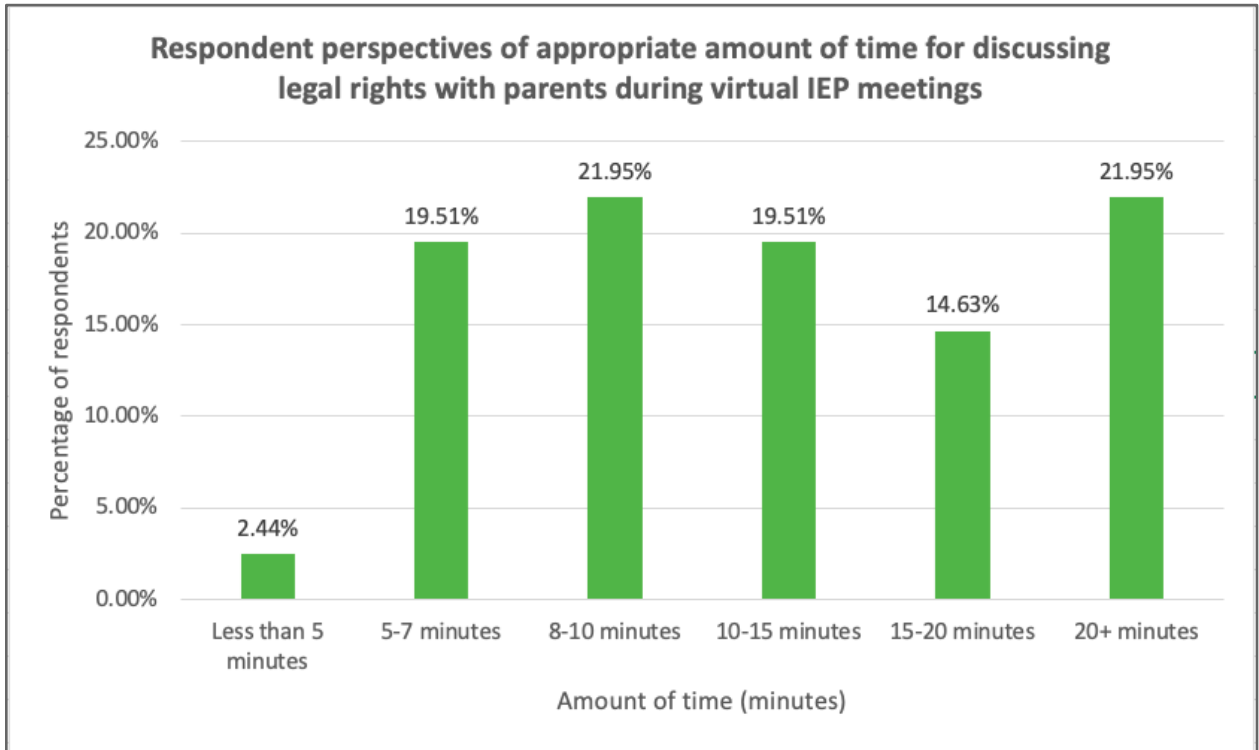


Note: Survey question was presented in a multiple-choice format

Comparatively, respondents were also asked how much time they would consider to be an appropriate amount of time to spend discussing legal rights with caregivers during virtual IEP meetings (Figure 5). In this case, 2.44% of respondents answered “less than 5 minutes”, 19.51% answered “5-7 minutes”, 21.95% answered “8-10 minutes”, 19.51% answered “10-15 minutes”, 14.63% answered “15-20 minutes”, and 21.95% answered “20+ minutes”.

Figure 5

Respondent perspectives of appropriate amount of time for discussing legal rights with parents during virtual IEP meetings during the pandemic (school year 2020-2021)



Note: Survey question was presented in a multiple-choice format

Open-ended questions

Respondents were provided with three open-ended questions in which they were given the opportunity to type a response into a comment box rather than choosing from specific pre-set answer choices. The questions included:

1. Do you feel that parents understand their rights following a virtual meeting?
2. Please explain what aspect of parental rights you find to be the most difficult to explain to parents and guardians.
3. Is there any additional information you feel that we should know?

Table 2 presents varying answers to the first question, in which 65.9% of respondents indicated that parents do understand their rights following a virtual meeting, and 34.1% of respondents indicated that parents do not understand their rights following a virtual meeting. See Appendix C for a full list of respondent answers to open-ended questions.

Table 2

Respondent answers regarding if parents understand their rights following virtual special education meetings

| Category | <i>n</i> | % | Examples of Responses |
|--|----------|-------|---|
| Yes, parents understand their rights | 27 | 65.9% | <p><i>Yes. We share and ask questions throughout the whole process</i></p> <p><i>Mostly yes, or they know where to locate resources to find additional information by the information provided to them.</i></p> <p><i>I think they get it, and if they don't, they'll just ask me.</i></p> <p><i>I think they'll know better.</i></p> <p><i>Yes, the parents are very concerned</i></p> <p><i>[They] should be able to</i></p> <p><i>Yes, the parents are cooperative. They know.</i></p> |
| No, parents do not understand their rights | 14 | 34.1% | <p><i>I am not sure parent[s] truly understand their right[s] outside of knowing about student accommodations</i></p> <p><i>It depends on the prior knowledge that the parent has in regards to special education</i></p> <p><i>Dependent on situation</i></p> <p><i>Not always</i></p> |

In the second open-ended question, respondents were asked what aspect of parental rights are the most difficult to explain to parents and guardians. Responses varied between participants; identified themes and responses are displayed in Table 3. See Appendix C for a full list of respondent answers.

Table 3

Respondent answers regarding what aspect of parental rights are most difficult to explain to parents and guardians

| Themes | <i>n</i> | % | Responses |
|---------------------------------------|----------|-------|--|
| Due process/ Resolving disputes | 3 | 7.3% | <i>Due process information</i> <i>The appeal aspects</i> <i>Due process</i> |
| Discipline or Upbringing | 4 | 9.7% | <i>Children do something wrong, through what way to explain to them and give them punishment.</i> <i>Additional resources, rights about discipline</i> <i>The education and upbringing of children.</i> <i>The question of upbringing.</i> |
| How to utilize parental rights | 9 | 30.0% | <i>How rights are properly used</i> <i>That they can agree to all or parts of IEPs. They can also request accommodations or goals however the team has to agree to those</i> <i>That they are able to dissent anything</i> <i>How parents can be involved in their children's special education methods</i> <i>Rights to question</i> <i>Component of rights</i> <i>Having the parents understand their rights</i> <i>Testing and opting out</i> <i>Personal privacy</i> |
| Power | 5 | 12.1% | <i>How to use power correctly.</i> <i>Use of power</i> <i>What is power</i> <i>How to Use Power</i> <i>Source of power</i> |
| Special Education Process | 8 | 19.5% | <i>Most parents agree with whatever the team decides and I don't believe they really understand the whole process</i> <i>What your child needs to do at each stage</i> <i>Education</i> |

| | | | |
|--------------------------------------|---|-------|---|
| | | | <i>The development of individualized education</i> <i>The benefits of special education for children</i> <i>The directions of the child's education</i> <i>Communicate with multiple parties.</i> <i>How do you differentiate your kids</i> |
| Special Education Services or Jargon | 3 | 7.3% | <i>LRE and ESY</i> <i>Service times and how they work</i> <i>The language used in an IEP</i> |
| No difficulties/ Unknown | 6 | 14.6% | <i>None at this time</i> <i>Not sure</i> <i>I haven't been in this type of situation.</i> <i>Not applicable</i> <i>I don't find it difficult to explain the parental rights.</i> <i>Unknown</i> |

Statistical Analysis

The researchers analyzed data using IBM SPSS© software. A one-way Analysis of Variance (ANOVA) was conducted to compare the effect of respondent's training on the procedural rights booklet that their district uses on their confidence addressing a caregiver's legal rights during virtual IEP meetings. Results of the one-way ANOVA suggest that there was a significant relationship between respondent procedural rights training and their confidence when addressing a caregiver's legal rights during meetings, $F(1, 39) = 18.026, p < .001, \eta^2 = .46$. The means between the two groups are as follows: for those who rated "no", that they did not receive training on the procedural rights booklet, their mean confidence rating was 1.417; for those who rated "yes", that they did receive training on the procedural rights booklet, their mean confidence rating was 2.862. This suggests that the null hypothesis, that the confidence of professionals in their ability to address a caregiver's legal rights during virtual IEP meetings does not differ by whether or not they received training on the procedural rights booklet their district uses,

can be rejected with 99.9% confidence. This is a large effect size according to Cohen's (1988) guidelines. See Table 4 for descriptive statistical data and Table 5 for results of the ANOVA analysis.

Table 4

Descriptive statistics examining the relationship between respondent procedural rights training and their confidence when addressing a caregiver's legal rights during meetings

| | <i>n</i> | <i>M</i> | <i>SD</i> | <i>SEM</i> | 95% CI for <i>M</i> | |
|-------|----------|----------|-----------|------------|---------------------|-------------|
| | | | | | Lower Bound | Upper Bound |
| no | 12 | 1.417 | 1.0836 | 0.3128 | 0.728 | 2.105 |
| yes | 29 | 2.862 | 0.9533 | 0.1770 | 2.499 | 3.225 |
| Total | 41 | 2.439 | 1.1842 | 0.1849 | 2.065 | 2.813 |

Note: The "no" response group includes respondents who indicated that they did not receive training on the procedural rights booklet, and the "yes" response group includes respondents who indicated that they did receive training on the procedural rights booklet.

Table 5

ANOVA analysis examining the effect of respondent's training on the procedural rights booklet that their district uses on their confidence addressing a caregiver's legal rights during virtual IEP meetings.

| | <i>SS</i> | <i>df</i> | <i>MS</i> | <i>F</i> | <i>Sig.</i> |
|----------------|-----------|-----------|-----------|----------|-------------|
| Between Groups | 17.733 | 1 | 17.733 | 18.026 | .000 |
| Within Groups | 38.365 | 39 | 0.984 | | |
| Total | 56.098 | 40 | | | |

A Kendall's tau non-parametric correlation analysis was conducted in order to examine the strength of the relationship between two variables: professional self-perceived

knowledge of procedural rights and confidence addressing a caregiver’s legal rights during virtual IEP meetings. Self-perceived knowledge of procedural rights and confidence of addressing caregiver rights were not found to be significantly correlated ($r=0.57, p=0.669$). This suggests that the null hypothesis, that there is no relationship between knowledge of procedural rights and confidence when addressing legal rights within meetings, remains true. See Table 5 for the Nonparametric correlational data.

Table 5

Kendall’s tau non-parametric correlation analysis examining the strength of the relationship between professional self-perceived knowledge of procedural rights and confidence addressing a caregiver’s legal rights.

| | | Confidence of legal rights | Knowledge of procedural rights |
|--------------------------------|-------------------------|----------------------------|--------------------------------|
| Confidence of legal rights | Correlation Coefficient | 1.000 | 0.57 |
| | Sig (2-tailed) | | 0.669 |
| | N | 41 | 41 |
| Knowledge of procedural rights | Correlation Coefficient | 0.57 | 1.000 |
| | Sig (2-tailed) | 0.669 | |
| | N | 41 | 41 |

Discussion and Implications

Results from the statistical analysis indicated that whether or not professionals receive training on the procedural rights booklet their district uses has a positive impact on their confidence addressing caregiver’s legal rights during virtual IEP meetings, even if it is a small increase in confidence. This suggests that district training on procedural rights is helpful to professionals when later discussing legal rights with caregivers during meetings. School districts can continue to support professionals by creating resources regarding aspects of caregiver rights that are more difficult to explain, such as: due

process or resolving disputes, caregiver rights regarding discipline, testing and opting out, and language used within an IEP.

The statistical analysis also indicated that there is not a significant correlation between professional self-perceived knowledge of procedural rights and confidence addressing a caregiver's legal rights during virtual meetings. A potential reason for this finding may be explained through a cognitive bias coined as the Dunning-Kreuger effect within the field of psychology. Kruger and Dunning (1999) explain through their research that people generally tend to hold "overly favorable views of their abilities in many social and intellectual domains". That is, people tend to overestimate their performance and ability during self-rating tasks. Further research also indicates that people are generally "not adept at spotting the limits of their knowledge and expertise" (Dunning et al., 2003). Conversely, the top performers (those who perform best at a task) have been found to underestimate their own performance when comparing themselves to others (Dunning et al., 2003). While most research conducted regarding the Dunning-Kreuger effect focuses on general knowledge rather than field-specific knowledge (such as special education, in this research study), the cognitive bias may still stand in our results. With this data, it is uncertain if this bias is present for certain, as true knowledge of respondents regarding the subject of procedural safeguards was not directly tested. Rather, respondents self-rated themselves within the survey measures.

Results could also be impacted by the inclusion and exclusion criteria within this study. All members of the IEP team were surveyed within this study, including individuals who do not serve as case managers within the team (i.e. paraprofessionals, general education teachers). Because these individuals do not serve as case managers, it

is likely that this will impact their knowledge and comfort regarding caregiver rights, as they are not typically the professional that addresses this subject within meetings.

Conversely, team members such as special education teachers are likely to have far more education in this area within their curriculum during professional training which will impact knowledge and confidence regarding the subject area of caregiver rights. Should this study be replicated, it would be important to adjust the inclusion/exclusion criteria and survey only professionals who truly serve as case managers within the IEP team in order to better analyze their understanding and comfort when it comes to caregiver rights.

Suggestions for Virtual IEP Meetings

It is important for school professionals to facilitate positive and productive IEP meetings when utilizing virtual platforms to encourage caregiver participation within meetings. There are many strategies that school personnel can use when discussing a child's special education plan in order to ensure that parents and guardians understand the information presented to them through the online platform. The U.S. Department of Education, Office of Special Education Programs [OSEP] (2020) released a collaborative project detailing tips that professionals can use when conducting IEP meetings through virtual platforms. These helpful tips include:

- Contacting parents and guardians before the meeting in order to determine their needs and access barriers regarding technology. This can help to identify barriers to participation.
- Confirm attendance before the meeting and ask parents and guardians if there will be additional attendees present. Send meeting invitations accordingly and share directions for participation.

- Share a meeting agenda with all team members before the meeting and identify the roles of all team members involved.
- During the meeting, make sure to pause and allow wait time for all participants to offer questions or feedback.
- Be sure to discuss and agree on how signatures for forms will be obtained, if applicable, as well as the method of delivery for a copy of the student's completed IEP.
- Always follow student privacy guidelines.
- Conduct a follow-up call with parents and guardians to answer any questions or potential concerns and debrief on how the meeting went.

While it should be noted that video and screen sharing are not required when conducting virtual meetings, they greatly enhance engagement (OSEP, 2020). The reasoning behind why they are not required is to increase accessibility so that parents and guardians without access to the Internet or video cameras can still participate remotely. However, if a meeting is conducted without Internet access, case managers should consider sending home copies of any materials discussed during the meeting with parent permission (OSEP, 2020).

When considering caregiver rights, case managers should consider going a step beyond simply sending home the procedural safeguards booklet once a year or before specific meetings. In Virginia, the procedural safeguard notice provided to caregivers is 40 pages long (VDOE, 2013) and filled with information that can be overwhelming for caregivers. Similarly, the Parent's Guide to Special Education provided by the Virginia Department of Education (VDOE, 2010) is 80 pages long and also filled with a great

amount of information that can be overwhelming at first glance. One study conducted by Fitzgerald and Watkins (2006) found that only 4-8% of procedural safeguard documents produced by state departments of education were written at an appropriate reading level, with 20-50% of documents written at a college reading level or higher. While it is crucial that caregivers be provided with this information prior to meetings as mandated through IDEA, limited time is spent directly discussing these rights with caregivers in person or virtually within meetings.

In order to ensure that parents and guardians are fully understanding their rights within the special education process, case managers and IEP team members can assist in this process by discussing procedural safeguards more in-depth in initial meetings as caregivers are being introduced to the special education process. More time may need to be spent clarifying parent and guardians' rights within initial meetings, including subjects such as parental consent, revoking consent, and confidentiality/access to records. Taking the time to clarify these rights may assist caregivers in being fully informed and involved within their child's special education process.

Fitzgerald and Watkins (2006) explain that professionals who utilize caregiver rights documents should consider attending to the individual needs of parents and guardians, including "parent's level of education, prior knowledge of special education, existing learning or other disabilities, and his or her proficiency in reading English" (p. 507). To assist caregivers in understanding the materials, Fitzgerald and Watkins (2006) suggest that school personnel take time to explain the information contained within parental rights documents and answer related questions within meetings, which may even call for the need to read aloud parental rights for parents who have low literacy skills.

Only once school personnel have evaluated the understanding of parents regarding their own rights can they be assured that parents are giving truly informed consent to special education decisions (Fitzgerald & Watkins, 2006). Regardless of whether a meeting is conducted in-person or virtually, special education teams should take the time to ensure that parents and guardians understand their rights in order to make informed decisions.

Limitations and Future Directions

The results of this study were limited by the total number of participants who completed the survey. It should also be considered that participants only participated within the state of Virginia, which limits perspectives from other professionals across the United States. Future studies should examine professionals from varying states and determine if professional opinions vary based on geographical location. Future studies may also further examine individual roles within the IEP team and if individual professions have more ease or difficulty pertaining to explaining parental rights.

The self-rating aspect of this survey also limited knowledge of participant bias regarding their own knowledge in relation to their confidence regarding the subject of caregiver rights. Future studies may examine IEP team member's knowledge of caregiver rights more directly, such as through an assessment regarding procedural rights, thus examining a tangible "score" of knowledge to self-perceived confidence.

While this study focused on professional perspectives within IEP teams, further study will be needed to further examine caregiver perspectives and knowledge of caregiver rights within the special education process. Caregiver opinions of meetings conducted through online platforms may also be a valuable subject to examine in order to

understand how caregivers feel about participating during meetings when compared to in-person meetings.

Conclusion

Whether special education meetings are conducted in-person or online, caregivers should be active participants in their child's educational decisions. In order to be an informed decision-maker, caregivers must understand their rights. Professionals within IEP teams can assist caregivers by explaining their rights within meetings and utilizing resources beyond their district's procedural rights booklet to enhance understanding. School districts can support professionals within IEP teams by providing training on procedural rights and developing resources for professionals on caregiver rights that are difficult to communicate with parents and guardians.

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Appendix A

Research Survey

Introduction and Informed Consent:

Thank you for considering participation in the research. Our names are Kurustun Musick and Amber Gordon and we are speech-language pathology graduate students at Longwood University. We are conducting a thesis project under the direction of Dr. Allison King, PhD, CCC-SLP, LSLS Cert. AVT and Dr. Erin Wallace, Phd, CCC-SLP. Our research project is entitled *Parental Rights, Virtual Meetings, and the Multidisciplinary Team: Communication of Legal Rights within Special Education*. We will be researching how school personnel are explaining information to parents and guardians regarding their legal rights with children receiving services through special education. Previous research explains the importance of parental understanding of legal rights in order to promote advocacy and make informed decisions regarding the services and accommodations that their child will receive through the school.

We are searching for school personnel who are involved in overseeing the IEPs of students within public schools in Virginia. Participation in this survey is voluntary and no identifying information will be obtained. If you would like to be entered into a drawing for a \$50 Amazon gift card, you may provide an email address in order to be contacted and provided with a virtual gift card code in the event of winning. This survey will take approximately 15 minutes.

If you have any questions, concerns, or complaints about the research study, please contact Dr. Alison King, PhD, CCC-SLP, LSLS Cert. AVT at kingar2@longwood.edu

Consent to Voluntary Participation:

1. I understand that my participation in this research is voluntary, and that I am free to withdraw my consent at any time and to discontinue participation in this project without penalty. I acknowledge that the general purpose of this study, the procedures to be followed, and the expected duration of my participation have been explained to me. I acknowledge that I have the opportunity to obtain information regarding this research project, and that any questions I have will be answered to my full satisfaction. I understand that no information will be presented which will identify me as the subject of this study unless I give my permission in writing. I acknowledge that I have read and fully understand this consent form. I agree to it freely and voluntarily.
 - a. Yes, I consent.
 - b. No, I do not consent.

Demographic Information

2. What category best describes your role?
 - a) Special Education Teacher
 - b) Occupational Therapist
 - c) Speech-Language Pathologist
 - d) Physical Therapist
 - e) Administrator of Special Education
 - f) Instructional Assistant or Paraprofessional
 - g) Principal
 - h) General Education Teacher
 - i) Other (Please Specify: _____)

3. How many years of experience do you have in the field of education?
(Fill in the blank)

4. How many years experience do you have in your current position?
(Fill in the blank)

5. What is your highest level of education?
 - a) High school graduate, diploma or the equivalent (for example: GED)
 - b) Some college credit, no degree
 - c) Trade/technical/vocational training
 - d) Associate degree
 - e) Bachelor's degree
 - f) Master's degree
 - g) Professional degree
 - h) Doctorate degree

6. What certification do you have?
 - a. Certificate of Clinical Competence
 - b. Master of Occupational Therapy
 - c. Doctorate in Physical Therapy
 - d. Teaching Licensure from the Virginia Department of Education
 - e. Other
 - f. Endorsement

7. If you selected Teaching Licensure from the Virginia Department of Education, Other, or Endorsement, please specify.
(Fill in the blank)
8. What category does your school district fall into?
- a) Title I
 - b) Title II
 - c) Title III
9. What is your age?
- a) Under 20
 - b) 21-25
 - c) 26-30
 - d) 31-35
 - e) 36-40
 - f) 41-45
 - g) 46-50
 - h) 51-55
 - i) 56-60
 - j) 61-65
 - k) 66-70
 - l) 71+
10. How would you describe your ethnicity?
- a) American Indian or Alaska Native
 - b) Asian
 - c) Black or African American
 - d) Native Hawaiian or Other Pacific Islander
 - e) White or Caucasian
 - f) Hispanic, Latino, or Spanish
 - g) Other (Please specify)
11. If you selected Hispanic, Latino, or Spanish, please specify.
- a) Mexican
 - b) Mexican American
 - c) Chicano
 - d) Puerto Rican

- e) Cuban
- f) Other (please specify)

12. In what area of Virginia do you currently work and provide services?

- a) Central Virginia
- b) West Central Virginia
- c) Southside Virginia
- d) Hampton Roads Virginia
- e) Eastern Virginia
- f) Southwest Virginia
- g) Northern Virginia
- h) Valley Virginia

13. Are you employed by the county in which you provide services or employed by a contract company?

- a) Employed by the county
- b) Employed by a contract company

Education & Professional Development Background

14. The Health Resources and Services Administration defines health literacy as the degree to which an individual has the capacity to obtain, process, and understand basic health information needed to make appropriate health information needed to make appropriate health decisions (HRSA, n.d.) Did you receive pre-service training while completing your degree on health literacy?

- a) Yes
- b) No

15. If yes, was this mandatory or voluntary?

- a) Mandatory
- b) Voluntary

16. Within your education, to what degree were you exposed to special education law and parental rights within special education?

- a) Full semester length course
- b) One lecture or class within a course
- c) During an externship or internship
- d) Through a webinar
- e) Through several webinars
- f) No exposure

17. Rate your knowledge of procedural rights on a scale of 1 to 5.
- a) 1 - No knowledge
 - b) 2 - Minimal knowledge
 - c) 3 - Neutral knowledge
 - d) 4 - Moderate knowledge
 - e) 5 - Extensive knowledge
18. Did you receive any training on the booklet that your district is using to explain parental rights?
- a) Yes
 - b) No
19. Once you began work within the public school system, have you participated in any professional development courses or webinars regarding special education law or parental rights?
- a) No
 - b) Yes (If yes, please explain: _____)
20. If yes, was this mandatory or voluntary?
- a) Mandatory
 - b) Voluntary

2020-2021 School Year

21. What was your average caseload during the 2020-2021 school year?
- a) Less than 10
 - b) Less than 20
 - c) Less than 30
 - d) Less than 40
 - e) Less than 50
 - f) Less than 60
 - g) Less than 70
 - h) Less than 80
 - i) Less than 90
 - j) More than 100
22. How much of the instruction was face-to-face, virtual, etc.?
- a) All face-to-face (100%)
 - b) All virtual (100%)

- c) Some face-to-face (under 50%)
- d) Some virtual (under 50%)

23. What grade-levels did you serve? Please select all that apply:

- a) PreK - Kindergarten
- b) 1st - 2nd grade
- c) 3rd - 4th grade
- d) 5th - 6th grade
- e) 7th - 8th grade
- f) 9th - 10th grade
- g) 11th - 12th grade
- h) Post-secondary transition program

24. Did you serve as a Case Manager during the 2020-2021 school year?

- a) Yes
- b) No

25. How many meetings did you serve as the Case Manager during in-person meetings during the 2020-2021 school year?

- a) Less than 5
- b) Less than 10
- c) Less than 15
- d) Less than 20
- e) More than 20

Virtual Meetings

26. Were you conducting virtual IEP meetings prior to COVID-19?

- a) Yes
- b) No

27. What virtual platforms were you using after covid (March 2020)?

- a) Zoom
- b) Google Meets
- c) Skype
- d) Other (please specify: _____)

28. What virtual platforms were you using prior to covid (March 2020)?

- a) Zoom
- b) Google Meets

- c) Skype
- d) Other (please specify: _____)

29. How many cases did you manage on average prior to covid (March 2020)?

- a) On average 5
- b) On average 10
- c) On average 15
- d) On average 20
- e) On average 25
- f) On average 30
- g) On average 35
- h) On average 40
- i) On average 45
- j) On average 50

30. How many cases did you manage on average after covid (March 2020)?

- a) On average 5
- b) On average 10
- c) On average 15
- d) On average 20
- e) On average 25
- f) On average 30
- g) On average 35
- h) On average 40
- i) On average 45
- j) On average 50

31. What resources do you (or your school district) use to explain parental rights to parents during IEP meetings when conducted through virtual meetings?

- a) Paper handouts (mailed)
- b) Handouts (e-mailed)
- c) Web links
- d) PowerPoint
- e) Follow-up phone calls
- f) Other (please specify: _____)

32. How confident do you feel when addressing a caregiver's legal rights during IEP meetings when conducted through virtual IEP meetings?

- a) Not at all confident
- b) Slightly confident

- c) Moderately confident
 - d) Very confident
 - e) Extremely confident
33. In your experience, how much time is spent addressing legal rights with caregivers during Face-to-Face IEP meetings?
- a) Less than 3 minutes
 - b) 5 minutes
 - c) 10 minutes
 - d) 15 minutes
 - e) Over 20 minutes
34. In your experience, how much time is spent addressing legal rights with caregivers during Virtual IEP meetings?
- a) Less than 3 minutes
 - b) 5 minutes
 - c) 10 minutes
 - d) 15 minutes
 - e) Over 20 minutes
35. How much time would you consider to be an appropriate amount to spend discussing legal rights with caregivers during IEP meetings conducted through virtual IEP meetings?
- a) Less than 5 minutes
 - b) 5-7 minutes
 - c) 8-10 minutes
 - d) 10-15 minutes
 - e) 15-20 minutes
 - f) 20+ minutes
36. Do you feel that parents understand their rights following a virtual meeting?
37. Please explain what aspect of parental rights you find to be the most difficult to explain to parents and guardians.
38. Is there any additional information you feel we should know?
39. Please include your e-mail if you would like to be entered into a drawing for a \$50 Amazon gift card

Appendix B

Copy of IRB Approval Email



IRB
Fri 9/10/2021 11:36 AM

Mark as unread

To: King, Alison;

Cc: Wallace, Erin; Gordon, Amber; Musick, Kurustun; IRB;

Bing Maps

Action Items

+ Get more apps

Dear Dr. King, Dr. Wallace, Amber Gordon, and Kurustun Musick,

IRB Reference #: 2021-09-02

Your study titled: *Parental Rights, Virtual Meetings, and the Multidisciplinary Team: Communication of Legal Rights within Special Education* is **approved**.

Please note the following information:

- **Type of approval:** Expedited, 45 CFR 46(110)(a) category 7.
- **Expiration:** September 10, 2022, if you need to continue collecting data beyond this date please apply for continuing approval prior to expiration. Continuing approval is usually expedited.
- **Amendments:** If you need to make any amendments please resubmit your proposal with the amendments highlighted. Approval for amended protocols is usually expedited.
- **Unanticipated problems:** Please report any [unanticipated problems](#) that are serious adverse events to the IRB within 1 week of becoming aware of the event. All other unanticipated problems should be reported to the IRB within 2 weeks of the investigator becoming aware of the event.

JPM

Jo Morrison, Ph.D
Associate Professor of Kinesiology,
Chair, Institutional Review Board,
Department of Health, Athletic Training, Recreation, and Kinesiology,
Longwood University,
Farmville, VA 23909
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Appendix C

Respondent answers to open-ended questions

| Question | Responses |
|---|--|
| 36. Do you feel that parents understand their rights following a virtual meeting? | <p>Yes. We share and ask questions throughout the whole process.</p> <p>No</p> <p>Some do some do not.</p> <p>It depends on the prior knowledge the parent has in regards to special education</p> <p>Sometimes</p> <p>No</p> <p>Mostly yes, or they know where to locate resources to find additional information by the information provided to them.</p> <p>Most of them are.</p> <p>Yes.</p> <p>I think they get it, and if they don't, they'll just ask me.</p> <p>I think they'll know better.</p> <p>Yes, we'll answer any questions we have.</p> <p>Yes.</p> <p>Yes.</p> <p>Yes, the parents are very concerned</p> <p>Sure, no problem</p> <p>Yes: yup</p> <p>Should be able to</p> <p>Of course</p> <p>No problem</p> <p>No problem</p> <p>Maybe</p> <p>Not sure</p> <p>Yes, the parents are cooperative. They know.</p> <p>Yes.</p> <p>Yes.</p> <p>Yes.</p> <p>Yes.</p> |

I am not sure parent truly understand their right outside of knowing about student accommodations

I feel that they do at the time. However, I always advise my parents to reach out to me, my Principal, Guidance Counselor, or Special Education Director for further explanation if they desire.

No.

I think they understand the basics for what is needed for their individual student

As well as they understand them in a face to face meeting.

No

I've only been a part of minimal IEP meetings but based on the few I have been a part of I would say the parents had a basic understanding but more time should have been spent on explanation.

Yes

Dependent on situation

Yes, because always ask if there's any questions, or concerns.

Not always

Not always

Yes

37. Please explain what aspect of parental rights you find to be the most difficult to explain to parents and guardians.

LRE and ESY

Testing and opting out

Unknown

That they are able to dissent anything

Service times and how they work

Most parents agree with whatever the team decides and I don't believe they really understand the whole process

Due process information

To get treatment.

Communicate with multiple parties.

Children do something wrong, through what way to explain to them and give them punishment.

The education and upbringing of children.

Education

The appeal aspects

The development of individualized education

The directions of the child's education

How rights are properly used

The question of upbringing.
 Source of power
 Component of rights
 How to use power correctly.
 Use of power
 What is power
 how to Use Power
 What your child needs to do at each stage.
 What is the most difficult proposal
 How do you differentiate your kids
 The benefits of special education for children.
 How parents can be involved in their children's special
 education methods
 additional resources, rights about discipline
 None at this time.
 Rights to question
 The language used in an IEP
 Due process
 Not applicable
 I haven't been in this type of situation.
 Personal privacy
 Having the parents understand their rights
 I don't find it difficult to explain the parental rights.
 Not sure
 That they can agree to all or parts of IEPs. They can also request
 accommodations or goals however the team has to agree to
 those
 Due process

38. Is there any additional information you feel we should know?

It's important that parents are truly part of the IEP team.
 Communication should be open and often... both directions.
 No
 No
 N/A
 No
 No
 N/A
 Pay more attention to where things are going.
 Not yet.

Although this is a simple survey, the questions are relatively comprehensive, and there are no other ones at present.

The pandemic may affect future directions.

All the problems are easy to spot.

Not yet.

No.

N/A

Parents should actively use their rights

Real cases, including the end result.

Without the

How people use their rights

Without the

You did a good job

no problem

You did a good job.

N/A

No.

No.

No.

No.

I am also a parent of a student with disabilities. He graduated from high school in 2017.

My parents have never had any issue regarding parental safeguards during our IEP or Eligibility meetings or after our meetings

Better team work

I'm not a sped teacher, I'm just in the program to get additional knowledge for my gen Ed class. I am not a case manager but attend IEP meetings occasionally for students in my class.

NA

None

NA

None

n/a

Not that i'm aware of

no

No

No
