



Talk, Tips & Tools:

Improving Parent Center Capacity with the Written Individualized Assistance Tool Kit

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Agenda for Today

We will:

- Explore *The Appropriate Written Individualized Assistance Toolkit*
- Discuss and share how Parent Centers are using the resources in the Tool Kit



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Training PowerPoints **Dialogue Guides**

Types of Tools in the Toolkit

Scenarios & Answer Keys **Self-Assessment Tool & Sample Policies**

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Dialogue Guides

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Two (2) Dialogue Guides

1. Written Individualized Assistance
2. Unauthorized Practice of Law

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Dialogue Guide Contents

1. Overview of the Issue
2. Dialogue Starters:
 - Reaction Questions
 - Application Questions



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Self-Assessment Tool; Sample Policies & Procedures

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Parent Center Checklist

- Policies and procedures/written guidance
- Ongoing staff development
- Supervision
- Feedback loops



**Self
Assessment**

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Providing Quality, Appropriate Written Individualized Assistance Checklist

Policy/Practice	Developed?	Implemented?
Parent Center has a policy governing the provision of written individualized assistance that includes training, supervision, monitoring.		
Parent Center has a policy prohibiting the unauthorized practice of law that includes training, supervision, and monitoring.		
Parent Center has a training for all new staff and volunteers who work with families on appropriate written individualized assistance.		
Parent Center has a training for all new staff and volunteers who work with families on avoiding the unauthorized practice of law.		
Parent Center has a training for all staff who work with families on appropriate written assistance that is provided on a regular schedule.		
Parent Center has a training for all staff who work with families on avoiding the UPL that is provided on a regular schedule.		
Parent Center has assigned knowledgeable supervisory staff who supervise and monitor the provision of written individualized assistance.		
Parent Center reviews parent feedback about written individualized assistance for quality assurance purposes.		
Parent Center makes policy, training, and practice corrections when results of parent feedback indicate quality concerns.		

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Samples

Data	Data Collection & Documentation Case Note Policies & Procedures
Records	Confidentiality & Records Release Policies & Procedures
Disclaimer	Purpose/Role of Parent Center Unauthorized Practice of Law
Procedures	Written Individualized Assistance Unauthorized Practice of Law

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SAMPLE Parent Center Disclaimers/Scripts

1 Each Parent Center employee, independent contractor, or volunteer answering a telephone and/or addressing a question or request for information or assistance from an individual or family member should read the following:

Telephone/Support Disclaimer

My name is _____, I am a parent center staff member. This means that I cannot give you legal advice, nor can I legally represent you in making any decisions for you about your child.

What I can do is provide information and support to you. I can help you learn about your rights and the services available to you. I can help you make decisions about your child and help you understand what you can do with different options. If you have a court order, I can help you understand what you can do with that order. I can also help you understand what you can do with your child's education. I can give you our contact list of attorneys and the attorneys who are experienced with your case in your state and we can help you with that.

2 Each Parent Center employee, independent contractor, or volunteer attending an IEP or 504 meeting/Individualized Education Plan/504 Plan Process with a family member should read the following statement at the beginning of the meeting/Individualized Education Plan/504 Plan Process/Attendance Disclaimer:

My name is _____ and I am from the Parent Center. Parent Center is funded by the US Department of Education to provide information, training, and support to parents of children with disabilities. I am not an attorney and I am not here to represent your child's parents in their advocacy of their rights. I am here to support your child's parents in their advocacy of their rights and to help them understand what they can do to advocate for their rights and to help them understand what they can do to advocate for their rights and to help them understand what they can do to advocate for their rights.

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SAMPLE Policy Unauthorized Practice of Law

Unauthorized Practice of Law

This following policy pertains to the Parent Center's conduct, as well as the conduct of its staff members, any individuals with whom we contract to interact with individuals and families in need of parent center services, and our volunteers.

Parent Center is not a law firm or legal services agency. Our employees and volunteers are not attorneys and do not provide legal advice.

Our mission is to empower parents to become educated about their rights, identify appropriate legal options for their own children and families. To meet this goal, we offer technical assistance, legal and regional assistance, referrals, trainings, parent education, a resource and referral, and information about legal practices in the area of advocacy.

Parent Center does not provide any type of advice that may be construed as practicing law, including but not limited to, giving legal advice, drafting legal documents, or representing individuals/families in legal proceedings.

We frequently receive requests for assistance for individual advocacy. It is not within our province as a Parent Center to hold parents and/or to do legal practice on behalf of or on behalf of for or on behalf of either our ability to explain to the parent his or her rights, the processes and procedures associated with IDEA and state regulations, and of providing legal advice or strategies, research, and other resources germane to the issue under discussion. We cannot provide legal advice, nor can we to anyone seeking to practice, represent, or "practice" for this service. ("Does not have the implications of a disclaimer in the parent or public, but must advise parents a parent is a public official.")

Parent Center (if non-employee employees, independent contractors, and volunteers) may not engage in activities on behalf of Parent Center that may be construed as practicing law, including but not limited to, giving legal advice, drafting legal documents, or representing individuals/families in legal proceedings.

NOTE: IDEA makes it clear that any parent may file a request for complaint investigation with the state or file a complaint. Therefore, Parent Center staff may, but is not required to, investigate with state or federal Department of Education on behalf of families without fear of being charged with the unauthorized practice of law.

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Next Steps for You

Develop, implement, and widely disseminate a POLICY AND PROCEDURES re:

- Written individualized assistance
- Unauthorized practice of law

Provide TRAINING to all staff and volunteers on policy, reason for policy, how policy is implemented and overseen, how they can ensure quality individual assistance and avoid UPL:

- Initial training
- Ongoing training

Identify RESPONSIBLE PARTY(ies) to oversee:

- Written individualized assistance
- Provisions to avoid UPL

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Questions?



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Sharing

- Have you used the Appropriate Written Individualized Assistance Toolkit to train staff and volunteers? Your Board?
- Are you looking for tips to move forward with implementation?
- Have you improved on the toolkit? Added new resources?
- How are your peers addressing issues you are facing related to written individualized assistance and/or avoiding the unauthorized practice of law?

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