



## Case Conference Committee (CCC) Procedures

Definition: Case Conference Committee (CCC) - The CCC is the group of people including the parent/guardian and the school personnel, who share the responsibility of making educational decisions for a student with a suspected or identified disability. In the CCC meeting the parent/guardian is an equal partner with the representative of the school. In the case where the student with a disability has attained adult legal status, the student will act on his/her own behalf thus assuming all of the functions and rights given to the parent/guardian.

Staff members are encouraged to review the following information ([Indiana IEP video link](#)) which will provide information on running an effective CCC meeting.

To ensure the best decisions are made regarding this process, the following procedures are in place:

### Required CCC participants

**(1) Public Agency Representative:** Each CCC meeting must have a public agency representative, referred to as the case conference coordinator. The building principal and/or assistant principal serves as the public agency representative at the CCC meeting. If the building administrator is unavailable, another district administrator, such as a student services special education administrator may serve as the public agency representative.

The public agency representative must have the following qualifications:

- Is knowledgeable about available resources and has the authority to commit the resources.
- Is qualified to provide or supervise the provision of specially designed instruction to meet the individual needs of students with disabilities.
- Is knowledgeable about the general education curriculum.
- Is not the student's special education teacher or teacher of record (TOR).

Training for this role will be provided annually by the Elkhart Community Schools student services administrators.

**(2) Other School personnel:** In addition to the designated case conference coordinator, other required CCC participants include:

- (1) The student's current TOR.
  - If an initial CCC meeting is convened, a teacher licensed in the area of the student's suspected disability.
  - If the student has only a language or speech impairment, the speech and language pathologist (SLP) will serve as the TOR.
- (2) At least one of the student's general education teachers if the student is or may be participating in general education.
- (3) For an early childhood student, the general education teacher can be: A general education teacher who provides services to nondisabled students in the school's preschool program, or an individual who is knowledgeable about early childhood development, curriculum and integrated placement options.
- (4) A qualified individual who can interpret the instructional implications of evaluation results if the student has been evaluated. This does not need to be a school psychologist. The TOR or other qualified individual can perform this role.
- (5) The parent/guardian of a student less than eighteen (18) years old, or the student eighteen (18) years old or older, unless the parent/guardian or student decline to participate in the meeting.
- (6) Additional CCC members are required based upon the purpose of the meeting.
- (7) The public agency must ensure the participation in the CCC of additional individuals in the following circumstances:

1. When a purpose of the meeting is the initial consideration of the student's eligibility for special education and related services, at least one (1) qualified professional who is a member of the multidisciplinary team that evaluated the student.
  2. When a purpose of the meeting is to develop, review or revise the individualized education plan (IEP) for a student to be enrolled or currently enrolled in a residential setting, a representative of the alternative school or alternative education program who is authorized to:
    - (A) Make a recommendation regarding admission to the school; and
    - (B) Commit resources
  3. When a purpose of the meeting is to develop, review or revise the IEP for a student to be enrolled or currently enrolled in a state operated school or state operated, a representative of the state operated school or state operated facility who is authorized to:
    - (A) Make a recommendation regarding admission to the school or facility; and
    - (B) Commit resources
  4. When the student has been unilaterally enrolled in a nonpublic school or facility by the student's parent/guardian, a representative of the nonpublic school or facility.
  5. The public agency must invite the following individuals to participate in the CCC meeting in the following circumstances:
    - a. In the case of a child who is transitioning from Part C of the Individuals with Disabilities Education Act, an invitation to the initial CCC meeting must, at the request of the parent/guardian, be sent to the Part C service coordinator or other representatives of the Part C system to assist with the smooth transition of services.
    - b. When a purpose of the meeting is to develop or revise the transition, the public agency must invite the following:
      - i. The student. If the student does not attend, the public agency must take other steps to ensure that the student's preferences and interests are considered.
      - ii. To the extent appropriate, and with the consent of the parent/guardian (or student of legal age), a representative of any participating agency (other than the public agency) likely to be responsible for providing or paying for transition services.
- (3) At the discretion of the parent/guardian, the student may participate in any CCC meeting in addition to those meetings to which the student must be invited.

#### Excusals

A member of the CCC is not required to attend a CCC meeting, in whole or in part, if the parent/guardian and the public agency agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.

- A member of the CCC, may be excused from attending a CCC meeting in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services. If the parent/guardian, in writing, and the public agency consent to the excusal; and member submits, in writing, to the parent/guardian and the CCC, input into the development of the IEP prior to the meeting, unless the member attends the part of the meeting that involves a modification to or discussion of the member's area of the curriculum or related services.

When the purpose of the CCC is:	The CCC must include:
Initial consideration of eligibility for special education and related services	At least one member of the multidisciplinary team
To develop, review or revise the IEP for the student to enroll in an alternative school or alternative education program	<ul style="list-style-type: none"> <li>• TOR</li> <li>• Representative of alternative school (Jr. Life, Life, Bashor, etc.)</li> <li>• Appropriate special education supervisor</li> </ul>
To develop or revise an individualized service plan (ISP) for a student who has been parentally enrolled in a nonpublic school	<ul style="list-style-type: none"> <li>• Private school representative</li> <li>• Elkhart Community Schools special education administrator</li> <li>• Elkhart Community Schools TOR</li> </ul>

Initial CCC for a First Steps student transitioning from Part C to Part B	<ul style="list-style-type: none"> <li>• TOR</li> <li>• Preschool coordinator</li> </ul>
Transition conference when an IEP is developed or revised for students aged fourteen (14) years old or older	<ul style="list-style-type: none"> <li>• TOR</li> <li>• Student</li> <li>• Other agency representative such as office of vocational rehabilitation counselor.</li> </ul>

**When to convene a CCC meeting:**

A case conference committee meeting must convene in the following circumstances:

- (1) After an initial evaluation or reevaluation in accordance with timelines.
- (2) At least annually to review the student's IEP and revise as needed.
- (3) If the parent/guardian or the school believes a required component of the IEP needs to be changed.
- (4)
- (5) Within ten (10) school days of the enrollment of a student who was receiving special education services in another district (regardless of whether the district was in Indiana or another state).
- (6) When the student has received five (5) days of suspension. This is considered a disciplinary change of placement, and manifestation determination conference is held to revise the IEP and to conduct a functional behavior assessment (FBA) if one has not been done, and to develop or revise the IEP.
- (7) To determine an interim alternative education setting (for misconduct involving weapons, drugs or serious bodily injury).
- (8) At least every sixty (60) days when the student receives services at home (homebound). Within ten (10) days when the student has been enrolled in a nonpublic school.

**The case conference coordinator (public agency representative) performs the following role as part of the CCC process:**

- (1) Participates in scheduling and arranging for CCC meeting.
- (2) Becomes familiar with the students strengths and areas of educational concern.
- (3) Facilitates the explanation of assessment data to parent/guardian.
- (4) Leads the CCC meeting.
- (5) Assure that the parent/guardian understands the IEP developed by the committee.

**Notice of CCC meeting**

A CCC meeting must be scheduled at a mutually agreed upon date, time and place. If a parent/guardian cannot attend in person, they can attend via conference telephone or video conference.

A CCC meeting may be conducted without a parent/guardian in attendance if the parent/guardian chooses not to participate in person or by other methods. In this case, the TOR must keep a record of attempts to arrange a mutually agreed upon date, time and place for the CCC meeting, such as the following:

- (1) Detailed records of:
  - a. Telephone calls made or attempted; and
  - b. The results of the calls.
- (2) Copies of:
  - a. Correspondence sent to the parent/guardian; and
  - b. Any responses received.
- (3) Detailed records of:
  - a. Visits made to the parent/guardian's home or place of employment; and
  - b. The results of those visits.

The attempts to arrange the CCC meeting should be recorded on Indiana IEP.

The parent/guardian must be given adequate notice of the CCC meeting in the parent/guardian's native language or other mode of communication; early enough to ensure that one (1) or both parent/guardian

have the opportunity to attend. The TOR will send the notice of the case conference to the following persons:

- (1) The parent/guardian, regardless of the age of the student.
- (2) The student of legal age, regardless of the purpose of the CCC meeting.
- (3) All other persons that must attend the CCC meeting as specified in section 3(b) and 3(c) of this rule.

The notice of the meeting must include the following:

- (1) The date, time and place of the meeting.
- (2) The purpose of the meeting.
- (3) The name and title or position of the designated public agency representative and a list, by name and title or position, of other expected participants.
- (4) A two (2) part statement that the:
  - a. Parent/guardian or school may invite any other individual whom the parent/guardian or school has determined knowledge or special expertise regarding the student, including related services personnel, as appropriate; and
  - b. Determination of the knowledgeable or special expertise of any invited individuals must be made by the person (parent/guardian or public agency) who invited the individual to participate in the CCC meeting.
- (5) A statement that, in the case of a child who was previously served under Part C of the Individuals with Disabilities Education Act, 20 U.S.C 1400 et seq., an invitation to the initial CCC meeting must, at the request of the parent/guardian, be sent to the Part C service coordinator or other representatives of the Part C system to assist with the smooth transition of services.
- (6) An explanation:
  - a. That the student will be invited to the CCC meeting when a purpose of the meeting is to develop or revise the transition IEP in accordance with 511 IAC 7-43-4 and section 9 of this rule; and
  - b. Of any other agency that will be invited to send a representative.

#### **Written notice before initial case conference committee meetings**

The public agency must provide to the parent/guardian written notice described in subsection (b) not later than five (5) instructional days prior to an initial CCC meeting.

The written notice must contain the following:

- (1) A description and overall findings of each:
  - a. Evaluation;
  - b. Procedure;
  - c. Assessment;
  - d. Record; or
  - e. Report;the public agency used as a basis for any proposed action.
- (2) A description of action that may be proposed by the public agency.
- (3) An explanation of why the public agency may propose an action.
- (4) A statement that the parent/guardian of a student with a disability has protection under the procedural safeguards and the means by which a copy of a description of the procedural safeguards can be obtained. The statement must also explain that after a public agency provides written notice regarding a proposed or refused action that is subsequent to the initial IEP, the parent/guardian may challenge the action proposed or refused by the public agency by doing any of the following:
  - a. Requesting and participating in a meeting with an official of the public agency who has the authority to facilitate the disagreement between the parent/guardian and the public agency.
  - b. Initiating mediation.
  - c. Requesting a due process hearing.
- (5) A statement that if a parent/guardian challenges a proposed IEP prior to its implementation, the public agency must continue to implement the current IEP, except as provided in section 8(e) and 8(f) of this rule.
- (6) Sources for the parent/guardian to contact to obtain assistance in understanding the provisions of this article.

The written notice must be written in language understandable to the general public and provided in the native language of the parent/guardian or other mode of communication used by the parent/guardian, unless it is clearly not feasible to do so. If the native language of the parent/guardian or other mode of communication used by the parent/guardian is not a written language, the public agency must take steps to ensure the following:

- (1) That the written notice is translated orally or by other means to the parent/guardian in his or her native language or other mode of communication.
- (2) That the parent/guardian understands the content of the written notice.
- (3) That there is written documentation that the requirement in subdivisions (1) and (2) have been met.

The written notice described in this section may be:

- (1) Provided to the parent/guardian at the conclusion of the CCC meeting; or
- (2) Mailed to the parent/guardian at a later date.

If mailed, the written notice must be received by the parent/guardian not later than ten (10) business days after the date of the CCC meeting.

After the public agency has provided written notice, the public agency must obtain written consent from the parent/guardian before the initial provision of the special education and related services to the student. This encompasses the initial IEP and the initial education placement.

If the public agency is required to obtain consent from the parent/guardian under subsection (f), written notice can be provided at the same time as parental consent is requested.

A public agency must make reasonable efforts to obtain written parental consent required under subsection (f). To meet this requirement, the public agency must document its attempts to obtain parental consent, such as the following:

- (1) Detailed records of:
  - a. Telephone calls made or attempted; and
  - b. The results of the calls.
- (2) Copies of:
  - a. Correspondence sent to the parent/guardian; and
  - b. Any responses received.
- (3) Detailed records of:
  - a. Visits made to the parent/guardian's home or place of employment; and
  - b. The results of those visits.

If the parent/guardian of a student refuses to consent to (or fails to respond to a request for consent for) the initial provision of special education and related services described in subsection (f), the public agency:

- (1) May not:
  - a. Initiate mediation; or
  - b. Request a due process hearingin order to obtain an agreement or a ruling that the services may be provided to the student; and
- (2) Must not be considered to be in violation of the requirement to make available a free appropriate public education (FAPE) to the student.

After a public agency provides written notice regarding a proposed IEP that is subsequent to the initial IEP, the parent/guardian may challenge the action proposed or refused by the public agency by doing any of the following:

- (1) Requesting and participating in a meeting with an official of the public agency who has the authority to facilitate the disagreement between the parent/guardian and the public agency.
- (2) Initiating mediation
- (3) Request a due process hearing

**A CCC meeting does not include:**

- (1) Informal or unscheduled conversation involving public agency personnel and conversations on issues such as:

- a. Teaching methodology;
  - b. Lesson plans; or
  - c. Coordination of service provision; or
- (2) Preparatory activities that public agency personnel engage in to develop a proposal or response to a parent/guardian proposal that will be discussed at a later CCC meeting.

When a CCC is convened, the public agency must take whatever action is necessary to ensure the parent/guardian understands the proceeding of the CCC meeting, including arranging for an interpreter for a parent/guardian:

- (1) Who is deaf or hard of hearing; or
- (2) Whose native language is not English.

The public agency must provide information and training that address the requirements set forth in this article to ensure that public agency staff members have the necessary knowledge regarding the following:

- (1) How to arrange and document CCC meetings.
- (2) How to develop an IEP, including the required components of an IEP.
- (3) How to serve as the public agency representative, including information about the availability of, and has the authority to commit, resources of the public agency.