



Stay above fray when parents post on social media about IEP meetings

"They're telling me I can't get a one-to-one aide for my child, but they don't know who they're dealing with."

"The team wants to put my child in a separate school because of his behavior. I won't let them."

"I just wish this team understood my child as much as I do."

These are examples of what parents may post on social media during or after their children's IEP meetings. The parents may have felt frustrated or intimidated, and they lashed out online instead of confronting school-based team members face-to-face about their dissatisfaction with the meetings and the proposed IEPs.

While IEP team members may be tempted to demand parents stop posting on social media about meetings, they may impinge on parents' rights if they do so.

"Addressing social media posts may not be the answer," said Jennifer Baldassari, a school attorney at Lozano Smith in Walnut Creek, Calif. "Recognizing that there has been a breakdown of trust and trying to build that [back] may be better. It comes down to relationship-building."

If you notice a parent gripes on social media during or after his child's IEP meetings, your team should resist directly insisting that the parent stop posting. Otherwise, the district may face claims that you denied the parent meaningful participation in his child's IEP process or blocked his entitlement to free speech. Instead, employ the following tips from Baldassari to coach the team on repairing the relationship and addressing the child's needs. Explain the goal is to avoid addressing parent posts unless they are extreme.

Focus on breakdown of trust, not social media post

If a parent posts negative remarks on social media during or after an IEP meeting, focus on how to rebuild your relationship with her rather than arguing about the post, Baldassari said. "You want to be really careful that you don't make it seem like you're trying to stop a parent from advocating on behalf of that child," she said. Explore why she is upset and how you may be able to resolve the situation. The district may be able to compromise regarding assessments or services.

"Addressing social media posts [about IEP meetings] may not be the answer," said Jennifer Baldassari, a school attorney at Lozano Smith in Walnut Creek, Calif. "Recognizing that there has been a breakdown of trust and trying to build that [back] may be better. It comes down to relationship-building."

"The best approach is to try and drill down what parents are upset about while also trying to build the relationship," Baldassari said.

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Set ground rules for everyone

To avoid a response that seems one-sided, set ground rules before IEP meetings that everyone must follow, Baldassari said. Although you cannot prevent a parent from posting online after the meeting, you can ask *all* meeting participants to stow or silence their phones during the meeting so that no posting occurs while everyone is together. This may also increase the likelihood that the parent will fully participate and not wait until after the meeting to share his concerns online.

"We want to make sure the parent is paying attention and communicating with the team about their concerns," she said. "Sharing them on Twitter isn't helpful in real-time to the progress of the IEP."

Emphasize confidentiality

Remember that districts are subject to FERPA protections, but parents are not, Baldassari said. The team leader can privately remind a parent why she may not want to post confidential information about her child's IEP while she is on social media, but the IEP team shouldn't go on social media to respond to any posts. "You need to take your obligation to keep student information confidential seriously," she said. "Try to defuse the situation rather than escalate it."

Partnering with parent education groups may help the district build positive relationships with parents and clarify why posting information about their child's IEP could be detrimental to the process, Baldassari said. "It may be helpful to get a parent organization involved to train parents on why some of these things aren't helpful for building rapport," she said.

Know when to seek intervention

If a parent continues to post online despite your bridge-building efforts, and the information is personal or threatening in nature, team members may have legal avenues to take for a resolution, Baldassari said. If the parent posts personal information, for example, that may open him up to a liability for disclosure of private facts case. Or if the parent posts something offensive and inaccurate, that may lead to a defamation case. "If we're moving the needle even further and the posts are threatening, they may be considered hate speech," she said. "That's when we may seek a restraining order. But that would be for really extreme circumstances. We shouldn't be chilling their social media or free speech rights unless it's for something extreme."

[Cara Nissman](#) covers autism, school psychology, and IEP team issues for LRP Publications.

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