

## IEP Guidance- continued

Based on some questions I have been receiving, I wanted to reissue the guidance on IEPs.

During this period of alternative learning, the Office of Special Education and Rehabilitative Services (OSERS) has indicated that if all students are receiving continued educational opportunities (homework packets, continuous learning opportunities, online/virtual learning), *SAUs are not required to revise an IEP because all students are receiving an alternate mode of instructional delivery of the general education curriculum.* This would avoid the need to conduct IEP meetings related to the instructional delivery method in those cases and would not constitute a change in placement. This also allows school staff to focus on the provision of supports and services, rather than engaging in numerous IEP meetings. If a parent or the SAU wishes to discuss the student's continued educational opportunity, the parent and SAU have flexibility to use other means of conferring with one another, rather than convening the IEP team for a meeting.

There may be unique instances, however, when a SAU and a parent agree that an IEP team meeting is necessary. In such cases, the parties may agree to conduct the meeting via an alternate means of meeting participation, such as video conference or conference call. In determining if an IEP team meeting is necessary please consider the following:

- The purpose of the IEP team meeting (e.g., Given that there is no requirement to revise IEPs to include remote continued educational opportunities, is having an IEP team meeting necessary? Will holding the meeting affect the continued educational opportunities being provided to the student? etc.).
- The IEP team membership requirements (e.g., Will each member be available and able to meaningfully participate in the meeting? etc.).
- Confidentiality and privacy concerns (e.g., If the meeting is being held telephonically or virtually, will each team member have access to a private space? Is the virtual format that you are using secure? etc.).

Please note, if there is a need to change the IEP during alternative instruction, the parent of a child with a disability and the SAU may agree not to convene an IEP meeting for the purpose of making those changes, via an IEP amendment Agreement to Change an Individualized Education Program Without Convening a Planning and Placement Team Meeting.

Remember, make sure the parents are on board with how you are proceeding. Document what you are doing. Extend the IEP if it is not changing during the period of alternative learning. Keep the current IEP in place when you resume regular school programming.