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## MEMORANDUM

To: Officers and Borough Representatives  
From: Carmen Alvarez   
Date: June 3, 2010  
Re: Travel Time and Location of Service

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A memo issued on May 26, 2010 by Bonnie Brown, Superintendent of District 75, clarifies two long-standing issues regarding **travel time and location of service** for related services. According to the memo,

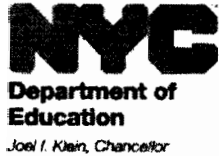
- travel time may not be included as part of the direct service time for students receiving related services and
- students with disabilities who receive instruction in special (self-contained) classes may receive related services in a location outside of the special class.

This memo also clarifies that it is insufficient to state that services will be provided "within the general or special education class" or in a "separate location." Rather, in accordance with state policy, the location of service must be stated specifically enough so that parents and staff are clear where the service will be provided, i.e., general education English class, separate therapy room, etc.

The memo is directly addressed to District 75 Principals, Related Service Supervisors and Related Service Providers because the issues have been pervasive in that organization due to District 75 policies. However, the same rules apply to all other elementary, intermediate/junior high and high schools.

Questions regarding the memo and implementation issues should be directed to Lisa Mendel and Walter O'Leary for District 75, to Lisa Mendel for schools in the Bronx and Queens, and Emma Mendez for schools in Brooklyn, Staten Island and Manhattan.

CA:pm



THE NEW YORK CITY DEPARTMENT OF EDUCATION  
DISTRICT 75 – CITYWIDE PROGRAMS  
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NEW YORK, NY 10010

**MEMORANDUM**

May 26, 2010

**TO: D75 Principals, Related Service Supervisors, Related Service Providers**  
**FROM: Bonnie Brown, Superintendent** *Bonnie Brown*  
**SUBJECT: Related Services: Frequency, Duration, and Location of Related Services**

This correspondence provides updated information regarding the frequency, duration and location of related services. It clarifies that travel time may not be included as part of the direct service time. It also clarifies that related services can be provided in a location outside of the classroom for students who receive instruction in special classes and provides new information about how location of service must be documented on the IEP. The information regarding location of service supersedes information contained in Part II, Section 3, Paragraph 5 of *Special Education Services as a part of Unified Service Delivery System: Continuum of Services* and paragraph 3 on page 45, paragraph 3 on page 53 and paragraph 4 on page 64 of *Creating a Quality IEP: IEP Program Manual*. It also supersedes any professional development materials based on information regarding location of service in those documents.

The IEP must indicate the frequency (how often), duration (how long) and location (where) each recommended service will be provided. Frequency, duration and location must be stated with sufficient clarity to be understood by all persons involved in the development and implementation of the IEP. This quantifies the school's commitment of resources to address the student's needs.

The frequency and/or duration of services must be specific enough so that the extent to which services will be provided is clear. Only in unique situations when the frequency or duration of a service may vary because of a student's unique needs may frequency or duration be indicated in the IEP as a range (e.g., 30–40 minutes per day as determined by the student's evidence of fatigue). A range may not be indicated for reasons other than to address a student's unique needs (e.g., personnel availability, budget or administrative convenience).

**Frequency**

Frequency is the number of sessions a service will be provided during a particular time period (e.g., 3 times per week). This must be stated in the IEP in a manner that is appropriate to the type of service being provided. Frequency can be stated, for example, as the number of times per day, week or month that a service will be provided.

**Duration**

Duration is the amount of time within a time period that a service will be provided. Duration can be stated, for example, as the number of minutes per session or per week (e.g., two one-hour sessions per week) or the duration of an activity (e.g., for all writing assignments). A range may not be indicated for reasons other than to address a student's unique needs (e.g., personnel

availability, budget or administrative convenience). Time spent by a related service provider picking up students from class and returning them to class and time spent by the related service provider traveling to and from the location where services are delivered may not be counted as part of the service provided to a student. Students are to receive the full duration of service as indicated on their IEPs.

Location

The "location" of services in the context of a student's IEP generally refers to the type of environment that is the appropriate place where a particular service, program modification or accommodation would be provided. The decision as to the location where a service will be provided should be made in consideration of the least restrictive environment provisions and in consideration of the student's overall schedule and participation in general education classes. The IEP Team should first consider the classroom as the location for special education services including related services rather than a separate location in order to facilitate the student's maximum participation in instructional programs and in the instructional curriculum.

The determination of location for the special education services may influence decisions about the nature and amount of these services and when they should be provided. For example, an appropriate location for the related service of occupational therapy may be the English class during which the student may have opportunities for writing activities. Students who receive instruction in general education or special classes, including special classes in District 75, may receive related services in their general education or special education class or in a location other than their general education or special class.

- The location where services will be provided needs to be stated specifically enough so the Committee's recommendations regarding location of services is clear (e.g., general education English class; gymnasium; separate therapy room; cafeteria; playground; community; special class-Math; general education summer school academic program).
- It is not sufficient to simply state "within general (or special) education classes or outside general (or special) education classes," "separate location," or "in class and separate location" for the location of services.

The following is an example of how IEP services can be documented on an IEP:

Applicable Service Delivery Recommendation	Frequency	Duration		Location	Initiation Date
Speech Language Therapy	Individual.	1x week	30 minutes per session	Therapy room	9/6/11
	Bilingual - Spanish	1x week	30 minutes per session	Special Class-ELA	9/6/11

Cc: Laura Rodriguez  
Marykate O'Neil