

## **Frequently Asked Questions: IEP Meeting Procedures During Blended/Remote Learning**

Annual and requested review IEP meetings for students with disabilities will continue to be conducted throughout the 2020-2021 school year.

This guidance identifies how the requirements in the [Special Education Standard Operating Procedures Manual \(SOPM\)](#) regarding IEP meetings can be adapted to blended and remote environments. The procedures and timelines set out in the SOPM must continue to be adhered to.

### **General Questions**

#### **Are we required to complete annual review IEP meetings?**

Yes. Annual review and requested review IEP meetings must be conducted according to the procedures in the [SOPM](#).

#### **Can IEP meetings (Annual or Three-Year Reevaluation) be delayed because of remote/blended learning?**

There is generally no reason to delay an annual review IEP meeting. The IEP team should consider progress monitoring information available to make appropriate IEP recommendations. IEP recommendations should be made with the normal in-school service model in mind. While the IEP team must discuss the student's experience during blended/remote learning and document this in the Present Levels of Performance, the IEP Special Education Programs and Services recommendation should not reflect remote instruction or teletherapy, and the location of service should be recommended based on what would be appropriate in an in-school learning environment, not under pandemic limitations.

Upon request **of the parent**, the annual review IEP meeting can be delayed. Document the request in the SESIS Event Log.

For reevaluations, refer to the [Best Practices for School-Based IEP Team Functions During Remote and Blended Learning](#).

#### **Can IEP meetings take place in-person? What if a parent requests an in-person meeting?**

IEP meetings will be held remotely until further notice.

If a parent does not have the necessary technology (i.e., telephone or other device for videoconferencing), or if the parent requests a reasonable accommodation for an in-person IEP meeting as a result of a disability, discuss the request with your principal. Document the request and the response to the request in SESIS Events Log. If an exception is made to allow an in-person meeting, ensure that all aspects of the school

safety plan are followed, including appropriate social distancing and use of Personal Protective Equipment (PPE). DOE IEP team members with approved medical accommodations may participate in in-person meetings remotely. Advise the parent when scheduling the meeting of the specific safety protocol that will be followed.

If a parent refuses to schedule or participate in a remote meeting for reasons other than those above, document the communication in the SESIS Events Log, and consult your principal for next steps.

If and only if efforts were made to arrange a mutually agreed upon date and time for the meeting, and appropriate outreach was conducted and documented in the SESIS Events Log, the meeting may proceed without the parent. All other required members of the IEP team must attend, either in-person or remotely, unless the procedures laid out on pages 49-50 of the [SOPM](#) on the excusal of a required member are followed.

### **Can an annual review IEP meeting be combined with a three-year reevaluation when conducting IEP meetings remotely?**

Yes. As noted in the [SOPM](#) on page 87, for students whose annual reviews are upcoming, schools should check the Advanced Report - Status of 3-Year Mandated Reevaluations in Process in SESIS and, if the student's three-year reevaluation is due in the same year, conduct the three-year reevaluation by the student's annual review date.

### **When during the school day should the IEP meeting be scheduled?**

The IEP team must attempt to hold the IEP meeting at a time and date that is mutually convenient for the parent and the DOE IEP team members. IEP meetings can be held during teachers' office hours and preparation period, but may also be held during other times of the day when possible for both DOE and parent IEP team members.

If an IEP meeting is held during a preparation period, the Payroll Administration Memorandum No. 20 2000-2001 applies, and the teacher must be compensated.

### **Can an IEP be amended without an IEP meeting while working remotely?**

Yes, an IEP can be amended without an IEP meeting in the circumstances set out in the [SOPM](#) on page 92. Note that if the parent does not understand the proposed change(s), does not agree with or does not respond to the proposed change(s), or wishes to discuss them with the IEP team, the changes cannot be made without an IEP meeting.

If the parent is unable to return the signed **Waiver of IEP Meeting to Amend IEP** but agrees to the changes to the IEP without a meeting in an email, the IEP team can use a PDF of the email stating the parent's permission to waive the IEP meeting as the parent's permission to amend the IEP. Please review the [Fax/Scan Guidance for Remote and Blended Learning](#) (CSE/School) for more information.

## Before the IEP Meeting

### How do I arrange a remote annual or requested review IEP meeting?

The case manager must refer to the Case Manager / District Representative Preparation for the IEP Meeting section of the [SOPM](#) (page 43) when arranging a remote annual or requested review IEP meeting. One of the student's special education teachers (or, for a student whose only special education service is a related service, one of the student's related service providers) typically serves as the case manager when the school psychologist will not be a required member of the IEP team.

When arranging a remote IEP meeting, the case manager must also:

- Contact the parent to:
  - Discuss a mutually agreeable time to schedule the IEP meeting
  - Determine any special accommodations, including interpretation, that are needed by the parent
  - Ensure that the parent understands how the remote IEP meeting will be taking place (i.e., on what type of video-conferencing platform or by telephone)
  - Ensure that the parent understands that while video participation in the meeting may be possible, the parent has the right to choose to participate by audio only and DOE IEP team members may also need to participate by audio only
  - Discuss a back-up plan in case there are technology issues in holding the meeting remotely
- Enter efforts and method used to contact parent in SESIS Events Log
- Ensure that any accommodations needed by the parent are arranged
- Ensure that all required members of the IEP team have been informed and are available to participate for the entire IEP meeting at the suggested time
- Ensure that non-participating related service providers receive 15 days advance notice of the need to provide a progress report
- Ensure that non-required provider(s) input is included and reflected in the draft IEP to be discussed at the meeting
- Ensure that the Notice of IEP Meeting and copies of assessments and reports and any other documents to be reviewed at the meeting have been sent to the parent at least 7 calendar days prior to the meeting

### How should the Notice of IEP Meeting and copies of assessments/reports and other documents to be reviewed at the meeting be sent to parents?

Special education records should be sent by email or mail.

During blended/remote learning, you may accept a parent's email requesting materials by email as their consent to receive those documents electronically.

If the student's records cannot be sent electronically, the materials should be mailed to the parent. If the case manager is working remotely, contact your school leadership for assistance in mailing materials to the parent.

For more information on sending and documenting communications, please see the [Fax/Scan Guidance for Remote and Blended Learning](#) (CSE/School).

### **What platform should be used to conduct remote IEP meetings?**

IEP meetings should be conducted remotely on any of the following applications:

- Microsoft Teams
- Google Meet
- Zoom

Instructions and access to these applications are available [here](#). The parent and any DOE IEP team members may participate by audio only, and may dial into the meeting by phone.

### **What if the parent asks about the security of the platform?**

These platforms are compliant with FERPA (Family Educational Rights and Privacy Act).

### **If a student is participating in blended learning, do both of the in-person and blended remote special education teachers have to attend the meeting? Do both of the student's general education teachers have to attend the meeting?**

No. At least one of the student's special education teachers must participate in the IEP meeting. If the student has more than one special education teacher, it is good practice to request that all of the student's teachers provide relevant information regarding the student's functioning, performance, and behavior for use at the IEP meeting, either through participation in the meeting or in writing. If such information is provided in writing, it must be provided to the parent prior to the IEP meeting.

If a student is or may be participating in the general education environment, at least one of the student's general education teachers must participate in the IEP meeting.

Please see the [SOPM](#) at pages 44 (special education teacher) and 46 (general education teacher) for more information on the roles of the special education and general education teachers.

### **If there are two or more special education teachers for a student participating in blended or remote learning, which one is the case manager and district representative?**

If there is more than one special education teacher supporting a student in blended/remote learning, the principal should select the case manager and district

representative for the IEP meeting. It is recommended that the teacher most familiar with the student and their needs act as case manager and district representative.

## **DURING THE IEP MEETING**

### **What are best practices for holding a remote IEP conference?**

- School staff should share and update Outlook calendars daily to determine availability to facilitate the planning and organization of IEP meetings.
- Test out the technology in advance, and make sure all devices are charged.
- Have a back-up plan in case technology issues arise.
- Join the meeting early to trouble-shoot any technology issues.
- Ensure that all participants can see and/or hear all other participants. Ask participants to indicate if they are having any difficulties with their video and/or audio at the start of the meeting
- Start the meeting by allowing all IEP meeting participants to take turns introducing themselves by name and title. Participants may also choose to edit their display name to include their name, title, and pronouns.
- Ask participants to mute their microphones if their location has background noise and when not speaking. Microsoft Teams, Google Meet, and Zoom support the use of computer audio.
- Start the meetings by presenting an overview of topics to be covered and planned outcomes. Confirm that all DOE participants and parents have received and have access to any pertinent documentation that will be considered during the meeting.
- When conducting the meeting using Microsoft Teams, Google Meet, or Zoom, it is best practice to display the IEP or other documents being discussed.
- Turn off notifications on your computer – they may show up on others' screens.
- Engage and encourage parent participation and contribution to the discussion, and check for understanding and alignment during the meeting.
- Listen closely and monitor participant's turn-taking during the meeting to ensure engagement and contribution of all IEP participants.
- Confirm that the IEP meeting participants who were automatically populated from the finalized Notice of IEP Meeting are correct. Indicate all participants in the IEP meeting in the attendance page, checking "Participated by Telephone" as applicable.
- Confirm how the parent will get a copy of the Program and Services page of the IEP, the finalized IEP, and the PWN.

### **Must translation (written) and interpretation (oral) be provided?**

Yes. Refer to the [SOPM](#) at page 7 for information on translation and interpretation. These services must be provided as set out in the SOPM, even when IEP meetings are remote.

The IEP team must ensure that notices related to the IEP are provided to the parent in the parent's preferred language, for parents whose preferred language is one of the DOE's covered languages. If a notice is not available in the parent's language, the English version of the notice must be accompanied by a notice in the parent's language stating that the English notice is an important educational document that should be translated, and providing a contact person for any questions.

Upon request, the DOE will translate IEPs and evaluation reports paid for by the DOE into the parent's preferred language. For support facilitating translations and to ensure translations are provided in a timely manner, refer to the Language Access Handbook, contact your Language Access Coordinator, email [LACoordinators@schools.nyc.gov](mailto:LACoordinators@schools.nyc.gov), or visit Translations and Interpretations Unit.

Upon request, interpretation must be made available for parents whose preferred language is other than English at all IEP meetings (including annual and requested review meetings). For guidance on arranging interpretation assistance, refer to the [Language Access Handbook](#), contact your Language Access Coordinator, email [LACoordinators@schools.nyc.gov](mailto:LACoordinators@schools.nyc.gov), or visit the [Translation and Interpretation InfoHub Page](#).

### **What date should be used as the Projected Beginning / Service Date for the Recommended Special Education Programs and Services?**

The projected beginning/service date should be indicated in the same manner and with the same considerations as if school were in session full-time in-person.

### **Can the student's experience with remote/blended learning be discussed at the meeting?**

Yes. The IEP team must discuss the student's experience during blended/remote learning and document this in the Present Levels of Performance. Measurable Annual Goals should also be developed with blended/remote learning in mind. However, the Special Education Programs and Services recommendation should **not** reflect remote instruction, remote services, or teletherapy. The location of service should be recommended based on what would be appropriate in an in-school learning environment, not under remote/blended learning limitations.

If, based on the IEP team's review of progress monitoring and other information related to the student's current level of academic functioning, a change is needed in any area of the IEP, including but not limited to the Management Needs, Measurable Annual Goals, and/or Special Education Programs and Services sections, that change should be discussed with the parent and specified on the IEP in the relevant section.

### **How should student progress towards Measurable Annual Goals be considered during blended/remote learning?**

Students' progress towards their Measurable Annual Goals will continue to be monitored during blended/remote learning, and this progress must be reported to the

parent on the schedule identified in the IEP. For students whose IEPs were developed before the move to remote learning, the Measurable Annual Goals were developed with the in-school learning environment in mind. Providers will attempt to address the skill through blended/remote learning; however, if the goal is not appropriate for remote learning and the student is only participating in remote learning, educators may utilize “Not applicable during this grading period.”

### **Should the student’s PAD and/or RAD be discussed at the IEP meeting?**

Yes. At any IEP meeting for a student in a DOE school, the IEP team should discuss whether any changes will be needed to the student’s Special Education Program Adaptations Document ([PAD](#)) or Related Services Adaptations Document ([RAD](#)). After the IEP has been finalized, if needed, the PAD or RAD should be opened as a revision (for the PAD) or a new document (for the RAD) and revised by the appropriate staff member, based on discussion with the parent at the IEP meeting. The PAD and/or RAD(s) need only be revised or created if a change to the IEP program or service would require such a change. (E.g., if the IEP team recommends a change to a related service recommendation but all other program and service recommendations remain the same, only that RAD would need to be created.) The IEP meeting and conversation with the parent should be noted as the successful outreach attempt.

### **What if the parent is seeking compensatory services for missed instruction or services during the SY19-20 or SY20-21 period of remote and/or blended learning?**

If a parent makes a request to the school/CSE for make-up (or “compensatory”) services or instruction for missed or allegedly ineffective services provided through remote and/or blended learning, the school/CSE should inquire whether the parent believes the currently recommended programs/services continue to be appropriate and should consider whether a requested IEP meeting is required before the next annual review IEP meeting.

If at the annual or requested review IEP meeting, the parent raises a request for make-up (or “compensatory”) services (for any part of the period of remote learning between March 2020 and present), the IEP team must document the request in the **Present Levels of Performance** section of the IEP. The parent should be informed that student needs will continue to be assessed, and after return to a typical learning environment, options for services to account for any long-term impacts of missed or ineffective instruction/services during the pandemic will be discussed and explored. Note that the IEP team must also consider and document the parent’s concerns regarding access to or the effectiveness of programs/services during blended/remote learning.

### **How can parent signatures be recorded during virtual IEP conference?**

To record participation in the IEP meeting, the team will record "participated by telephone" next to each participant's name on the attendance sheet in the IEP

(including the parent's). For SESIS guidance on uploading the attendance page, follow the [Fax/Scan Guidance Remote Blended Learning \(CSE/School\)](#).

**What are next steps if the IEP cannot be finalized immediately after the meeting?**

If the IEP cannot be finalized in SESIS and emailed (if there is consent for electronic communications), mailed, or handed to the parent immediately after the meeting, a printed copy of the Recommended Special Education Programs and Services page of the draft IEP must be completed, printed to PDF, and emailed to the parent (if there is parental consent for electronic communications). If the IEP team is holding the meeting on a videoconferencing platform, that completed page of the IEP should be shared on the screen.

The IEP must be finalized no later than 10 business days after the meeting was held. All efforts must be made to ensure that IEPs are completed within the compliance date.

See the question above **“How should the Notice of IEP Meeting and copies of assessments/reports and other documents to be reviewed at the meeting be sent to parents?”** for more information on sending documents, including the IEP or Recommended Special Education Programs and Services page of the draft IEP to the parent. For more information on sending and documenting communications, please see the [Fax/Scan Guidance Remote Blended Learning](#) (CSE/School).

**For additional guidance, please see:**

[Fax/Scan Guidance Remote Blended Learning \(CSE/School\)](#)

[SEGIS Guidance during School Building Closure FAQs – Working from Home for School and CSE Staff](#) (for staff working remotely)