

Expanded Parameters for AEA Staff Working During COVID-19 Outbreak

Special Education - Part B

March 26, 2020

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Working Remotely Guidelines

Confidentiality

Even though you are working remotely you need to maintain confidentiality and ensure that child specific or sensitive information isn't heard or seen by others. Staff should ensure they are logged into their Zoom desktop client (using their AEA email address) to provide an encrypted session. The green padlock icon should appear in the top left corner of your screen to indicate encryption.

Online Etiquette

Best Practice for participating online meetings:

- Maintain the same environment during the meeting as you would working from the office or in a school (e.g well lit and quiet).
- Treat these online interactions with the same professionalism normally exhibited for our families.
- Keep distractions to a minimum.
- Keep the camera on during professional meetings.
- Mute microphones when not speaking to reduce background noise.
- Speak up, stay seated and stay present.

Special Education- Part B

This information is fluid and may change once more information is provided by OSEP and the Iowa Department of Education. We will update the information as needed.

IEP Meetings

During the closure, staff should not hold **any** face-to-face meetings or attempt to complete **any** direct assessments or observations of students.

It is acceptable to hold IEP team meetings (e.g., eligibility team meetings, IEP meetings, etc.) via Zoom or conference call. The standards for required IEP team members apply to virtual IEP meetings. If the required IEP team members are unavailable or unable to connect via Zoom or phone, then the IEP team must consider rescheduling the meeting to a mutually agreeable time and setting.

AEA staff members must take the lead from the local district on whether or not to reach out to district staff.



Parent Consent to Receive Electronic Communication

If a parent had previously consented to receive electronic communication, no additional steps are needed prior to sending IDEA related information electronically with the parent.

If consent to receive electronic communication had previously NOT been obtained from parents, the IEP team should inform and request parent consent to receive electronic communication.

- If a parent consents to receive electronic communication, the parent may send an email or text message stating their consent.
 - If parents sent an email or text message documenting their consent, upload a copy to associated files.
 - Regardless of the method (text message or email), staff must complete the Consent to Receive Electronic Communication form within the Web IEP system to document the consent.

If consent to receive electronic communication had previously been sought and parents had indicated “do not consent,” the IEP team should inform and request parent consent to receive electronic communication.

If a parent reconsiders their decision and consents to receive electronic communication, the parent may send an email or text message their consent documenting their consent.

- If parents sent an email or text message documenting their consent, upload a copy to associated files.
- Regardless of the method (text message or email), staff must complete the Consent to Receive Electronic Communication form within the Web IEP system to document the consent.

Existing IEPs

IEP Meetings which Occurred Prior to Closure (including Annuals, Amendments, and Reevaluations)

If the IEP team meeting occurred prior to the closure, AEA staff should complete their portion of the IEP paperwork. If the IEP is ready to submit once the AEA staff have completed your portion, please submit the IEP for review. If the IEP isn't ready to submit and the IEP needs additional information from a district staff member, take the lead from your district on whether or not to reach out to them. Provide the parent with a copy of the final IEP by email with parent consent to receive electronic communication or mail as soon as reasonably possible.

Annual IEP with Due Date which will Occur During the Closure

AEA staff members must take the lead from the local district on whether or not to reach out to district staff and if IEP meetings will occur during the closure. Districts should be encouraged to communicate their plans with families if they are waiting to hold IEP meetings.

If an IEP due date occurs during the closure AND district staff are holding meetings, IEP teams should consider making reasonable efforts to hold a meeting using other options such as video conferencing or teleconferencing if feasible **and** agreed upon by parents.


- If virtual methods are used, all procedural safeguards must be assured (i.e. meeting notice, parent participation, all required IEP meeting members in attendance, offering parents a copy of the Procedural Safeguard Manual for Parents).
- If the parents are unavailable to participate in the IEP meeting because of work or other commitments, offer other meetings dates and time to try and attempt to schedule the IEP meeting. If the IEP team can't find a common time to meet, document attempts to schedule on the PWN and schedule a meeting when school resumes.
- If the parents are unavailable to participate in the IEP meeting for any health and safety reason (not related to a scheduling conflict), document attempts to schedule the meeting on a PWN and outline that an IEP meeting will be attempted again upon reopening. Schedule the IEP meeting as soon as possible upon reopening.
For example: *Due to the unprecedented COVID 19 pandemic, all face-to-face special education services were paused for an extended period of time. As a result, the team was unable to meet face to face to complete the annual IEP review for _____ by the intended deadline of _____. The team will meet when school closure ends.*

Evaluations

Parent Requests for Initial Evaluations

If a parent request for an evaluation is received, AEA staff should contact the family in a timely manner.

- *Due to the COVID-19 pandemic, we are unable to provide direct services at this time in an effort to mitigate the spread of the virus. We are unclear how long this will last and the AEA administration team is communicating weekly to assess the situation.*
- *At this time, we are limited to gathering information from families which includes interviews and review of existing information.*
- *To best determine how we can support you and your child during this unique time, could you share information on the child and your concerns?*
 - *If information shared indicates a suspicion of a disability, move forward with completing the DS form.*

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- *If **yes**, seek consent for evaluation (virtually), provide parents with the Procedural Safeguards electronically, and begin evaluation using interviews and a review of existing data only at this time.*
 - *If **yes**, seek consent for evaluation (virtually), provide parents with the Procedural Safeguards electronically, and if mutually agreed start the evaluation when schools resume. Provide a PWN. Make sure the evaluation team begins the evaluation as soon as school resumes.*
 - *If **no**, complete prior written notice and provide parents Procedural Safeguards electronically.*

Note: For all consents requiring parent signature (excluding exchanges/releases of information), the team may accept an email or a text message indicating parent consent.

Open Evaluations (Initials and Reevaluations)

AEA staff members must take the lead from the local district on whether or not to reach out to district staff and if IEP meetings will occur during the closure. Districts should be encouraged to communicate their plans with families if they are waiting to hold IEP meetings.

The DE guidance states that evaluation teams should complete evaluations if they have the necessary existing data to make the determination or if the data can be gathered through alternative means. The goal will be to complete as many open evaluations as possible while having great respect for the need to have adequate data to make these decisions.

Initial Eligibility Determination Meeting and Initial IEP meeting Occurred Prior to Closure

If the eligibility meeting and initial IEP occurred prior to the closure, AEA staff should complete the evaluation and complete their portion of the IEP paperwork. If the IEP is ready to submit once the AEA staff have completed your portion, please submit the IEP for review. If the IEP isn't ready to submit and the IEP needs additional information from a district staff member, take the lead from your district on whether or not to reach out to them. Provide the parent with a copy of the final IEP by email with parent consent to receive electronic communication or mail as soon as reasonably possible.

Provide the parent with a copy of the evaluation report, final IEP, and printed copy of the Procedural Safeguards Manual for Parent (if not offered at the Eligibility Determination meeting) by email with parent consent to receive electronic communication or mail as soon as reasonably possible. Parent consent for initial services may be obtained during the closure, or upon reopening, and prior to delivery of special education services



Only Initial Eligibility Determination Meeting Occurred Prior to Closure

If the eligibility meeting occurred prior to the closure, AEA staff should complete the evaluation paperwork in the system. To develop the initial IEP, the IEP team should consider making reasonable efforts to hold a meeting using other options such as video conferencing or teleconferencing if feasible **and** agreed upon by parents.

- If virtual methods are used, all procedural safeguards must be assured (i.e. meeting notice, parent participation, all required IEP meeting members in attendance, offering parents a copy of the Procedural Safeguard Manual for Parents).
- If the parents are unavailable to participate in the IEP meeting because of work or other commitments, offer other meetings dates and time to try and attempt to schedule the IEP meeting. If the IEP team can't find a common time to meet, document attempts to schedule on the PWN and schedule a meeting when school resumes.
- If the parents are unavailable to participate in the IEP meeting for any health and safety reason (not related to a scheduling conflict), document attempts to schedule the meeting on a PWN and outline that an IEP meeting will be attempted again upon reopening. Schedule the IEP meeting as soon as possible upon reopening.
For example: *Due to the unprecedented COVID 19 pandemic, all face-to-face special education services were paused for an extended period of time. As a result, the team was unable to meet face to face to complete the IEP for _____ by the intended deadline of _____. The team will meet when school closure ends.*


Provide the parent with a copy of the evaluation report, final IEP, and electronic copy of the Procedural Safeguards Manual for Parent (if not offered at the Eligibility Determination meeting) by email with parent consent to receive electronic communication or mail as soon as reasonably possible. Parent consent for initial services may be obtained during the closure, or upon reopening, and prior to delivery of special education services.

Initial Evaluations In Progress at Point of Closure or Due During Closure

If an initial evaluation is due or will be due during the closure, staff must use their professional judgment to determine if sufficient information has been collected to ensure a comprehensive evaluation to determine eligibility and develop an IEP.

If the team has adequate data to complete the comprehensive evaluation, the team may move forward with the eligibility determination meeting.

- If virtual methods are used, all procedural safeguards must be assured (i.e. meeting notice, parent participation, all required IEP meeting members in attendance, offering parents a copy of the Procedural Safeguard Manual for Parents).

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- If the parents are unavailable to participate in the IEP meeting because of work or other commitments, offer other meetings dates and time to try and attempt to schedule the IEP meeting. If the IEP team can't find a common time to meet, document attempts to schedule on the PWN and schedule a meeting when school resumes.
 - If the parents are unavailable to participate in the IEP meeting for any health and safety reason (not related to a scheduling conflict), document attempts to schedule the meeting on a PWN and outline that an IEP meeting will be attempted again upon reopening. Schedule the IEP meeting as soon as possible upon reopening. For example: *Due to the unprecedented COVID 19 pandemic, all face-to-face special education services were paused for an extended period of time. As a result, the team was unable to meet face to face to complete the IEP meeting for _____ by the intended deadline of _____. The team will meet when school closure ends.*

In light of the unique circumstances impacting the ability to obtain data and gather information, if the team needs additional time to ensure a comprehensive evaluation and solid decision-making, they may elect to consider exceeding the evaluation timeline. The team will use a Prior Written Notice to inform the parents of the proposal to resume the evaluation process upon the conclusion of the closure. It will be important to ensure that teams adhere to the practice of not delaying services to potentially eligible individuals.


For example: *Due to the unprecedented COVID 19 pandemic, all face-to-face special education services were temporarily paused for an extended period of time which inhibited the collection of meaningful data . As a result, the team mutually agreed to resume the evaluation when the school closure ends.*

Reevaluations In Progress at Point of Closure

If a reevaluation is due during the closure, staff must use their professional judgment to determine if sufficient information has been collected to ensure a comprehensive reevaluation and determine eligibility.

If the team has sufficient data to complete the comprehensive reevaluation, the team may move forward with the IEP meeting.

- If virtual methods are used, all procedural safeguards must be assured (i.e. meeting notice, parent participation, all required IEP meeting members in attendance, offering parents a copy of the Procedural Safeguard Manual for Parents).
- If the parents are unavailable to participate in the IEP meeting because of work or other commitments, offer other meetings dates and time to try and attempt to schedule the IEP meeting. If the IEP team can't find a common time to meet,



document attempts to schedule on the PWN and schedule a meeting when school resumes.

- If the parents are unavailable to participate in the IEP meeting for any health and safety reason (not related to a scheduling conflict), document attempts to schedule the meeting on a PWN and outline that an IEP meeting will be attempted again upon reopening. Schedule the IEP meeting as soon as possible upon reopening. For example: *Due to the unprecedented COVID 19 pandemic, all face-to-face special education services were paused for an extended period of time. As a result, the team was unable to meet face to face to complete the IEP for _____ by the intended deadline of _____. The team will meet when school closure ends.*

In light of the unique circumstances impacting the ability to obtain data and gather information, if the evaluation team needs additional time to ensure a comprehensive reevaluation and solid decision-making, they may elect to consider extending evaluation timelines. The team will resume the evaluation process upon the conclusion of the closure.

Note: For all consents requiring parent signature (excluding exchanges/releases of information), the team may accept an email or a text message indicating parent consent.

Documentation - Part B

Associated Files: The IowaIDEA Web system allows documents with .doc, .xls, .xlsx, .jpeg, .gif, .png file extensions to be uploaded to Associated Files. If staff need assistance saving a file in one of the listed formats, they should seek assistance from their agency technology staff.


Consents: For all consents requiring parent signature (excluding exchanges/releases of information), the team may accept an email or a text message indicating parent consent.

Progress monitoring data/graphing data: A comment can be added to the IEP graph indicating an *"interruption in services due to an extended school break."*

Reporting Progress to Parents: Direct services providers may, or upon parent request, share progress reports by email with parent consent to receive electronic communication or mail as soon as the district opens. However, progress reports are only required to be sent when the district is providing reports on all students.

Web IEP Changes

- Added "Public Health Emergency- COVID 19" as a reason for missing the 60-day evaluation timeline (including Early ACCESS transition).
- As of 3/24/20 CF records will not drop off lists automatically after 45 days.



Notes: Extending the duration date of IEP with an Amendment is not an option with the Web IEP system. Additional adjustments may arise in the weeks to come to support users.

Additional Information

If you are a member of a statewide team, you may be contacted to engage in statewide work.

[IDoE Guidance from 3/17/20](#) (guidance around numerous topics in special education)

[IDoE Guidance from 3/18/20](#) (SPED Q&A around 4+ programming)

IDoE will be providing guidance on a regular basis on the [DE website](#).