

## FREQUENTLY ASKED QUESTIONS FOR FAMILIES REGARDING SPECIAL EDUCATION

August 2021

The Department of Elementary and Secondary Education (the Department) continues to provide new information and updates related to special education and the COVID-19 pandemic. This Frequently Asked Questions (FAQ) document is intended to empower families by providing information on meaningful engagement with schools and districts, and to provide support so students and their families can actively participate in the IEP Team process.

The goal of family engagement in education is to build genuine relationships between students, families, educators, and the community. Positive relationships and shared responsibility support family well-being and children's academic achievement and healthy development from the earliest ages into young adulthood.

- *Effective family engagement is culturally responsive, collaborative, equitable, and respectful of diverse languages, norms, and values.*
- *Effective family engagement tries to eliminate barriers to participation and takes place in schools, the community, and wherever students live and learn.*

### **Q. What things have NOT changed because of COVID-19:**

- Districts must provide a free and appropriate public education (FAPE) to students with an Individual Education Program (IEP).
- Students with IEPs must receive all special education services agreed upon in their IEPs.
- IEP and evaluation timelines have not changed.
- Districts must continue to hold IEP Team meetings. With your consent, the IEP Team meetings may be held virtually, such as by telephone and/or video.
- Districts are required to complete preschool screenings for 3 and 4-year-old children and for all children who are of the age to enter kindergarten.
- Districts must accept and act on referrals from Early Intervention providers within required timelines.

### **Q. How can I help the IEP Team understand how my child did during periods of hybrid and/or remote learning?**

Your input is always valued and is particularly critical during this time when you may have added insight into your child's learning experiences, including any difficulty in accessing remote learning. Sharing what you know about your child's needs, including their engagement, attention, behavior, progress, skills, home experiences, and other observations about their academic, emotional and social well-being, is important and can help the school to better meet your child's needs. Reach out to your child's teachers or the special education contact to find out how best to share this information.

- Share information about the impact of the COVID-19 pandemic on your child.
- Share information about your child's daily routines.
- Share information about how your child has been learning.
- Share information about how your child is feeling about returning to school, changes in schedules, and any other changes or challenges that your child is experiencing at home or at school that may impact your child's school experience.

### **Q: Will schools use "COVID-19 Special Education Learning Plans" during school year 2021-2022?**

No. Schools must use IEPs.

**Q: Can districts continue to hold virtual IEP Team meetings?**

Yes. If you agree, IEP Team meetings may be held by telephone and/or as a video meeting. Procedural safeguards do not change for meetings held virtually. For example, the school or district must provide interpreters and translate documents for IEP Team meeting, as needed.

**Q: What if one of the [IEP Team members](#) cannot be at my child's IEP Team meeting?**

If an IEP Team member cannot attend in person but can attend virtually or by phone, the IEP Team chairperson should let you know prior to the meeting which IEP Team member will be attending virtually or by phone.

- If the IEP Team member(s) cannot attend the meeting in person, by phone, or virtually, they can be excused from the Team meeting, if:
  - you and the district agree, in writing, that the IEP Team member does not need to be at the meeting because the member's area of the curriculum or related services is not being modified or discussed; *or*
  - you and the district agree, in writing, that the Team member can provide written information about the development of the IEP to the IEP Team prior to the meeting.

**Q: Are evaluation timelines still in effect if a student or staff are required to quarantine?**

Yes, evaluation timelines remain in effect. Schools and districts are encouraged to contact you if they need to extend those timelines. For example, you may agree to extend evaluation timelines if your child or an evaluator is in quarantine.

**Q. What if my child needs new special education services that are not currently included on the IEP?**

If you think that your child may require new services to address new areas of a suspected disability, including mental health needs, you can request an IEP Team meeting to share your concerns and discuss the services or you can request further evaluation and/or re-evaluations to determine if new services are needed.

**Q. What do I do if my child's IEP missed any special education services?**

If your child did not receive specific special education services listed on the IEP, you can ask for an IEP meeting to determine whether your child needs compensatory services because of issues resulting from the pandemic during the 2020-21 school year or the spring of 2020 school year. Eligibility for such services is based on the individual circumstances and the needs of your child. If there is a disagreement as to the services your child needs, you may request a due process hearing at the Bureau of Special Education Appeals or file a complaint with the Department's [Problem Resolution System](#) Office.

**Q. Where can I find more information to support my child who is an English learner?**

The Department provides resources regarding English learner services on its website at: <https://www.doe.mass.edu/ele/>. School districts must provide English learners with disabilities with both the English learner services and the special education services to which they are entitled under state and federal laws. If you have any questions or concerns about your child's services, please do not hesitate to contact your child's teacher(s) or other school personnel.

**Q. How should I communicate with my district?**

If you want to communicate regularly with your child’s teacher, you should contact them to set up a plan. You can share what works best for you – phone or email. You can also reach out to other members of the school staff, as needed, to discuss any questions or concerns that you may have. Please do not hesitate to let your child’s school know if your primary language is a language other than English and you need translation or interpretation services to communicate with the school.

***Q. Who can I talk to if I have questions?***

You can contact your child’s teacher(s), your school district contact person, the IEP Team chairperson, or any other school personnel, such as principals and guidance counselors.

***Q. Where can I find additional resources?***

For DESE’s Special Education webpage: <https://www.doe.mass.edu/sped>. For DESE’s webpage dedicated to information for Students and Families: <https://www.doe.mass.edu/StudentsFamilies.html>.

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