

Subject: COVID-19 Related School Re-entry Reminders

Source: Bev Luetkemeyer, Director, Office of Special Education Compliance

Intended Audience: Special Education Directors, Process Coordinators, Special Education Teachers, and Parents and Guardians of Students with Disabilities

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The 2020-21 school year presents many challenges, and foremost among them is making sure that each student with a disability, who is eligible for an individualized education program (IEP), has an IEP that meets the student's needs as schools reopen. The IEP must be flexible enough to continue meeting the student's needs when schools follow their plans for responding to pandemic conditions. The Form G Distance Learning Plan is designed to serve as a "Plan B" when students with IEPs cannot attend school due to unplanned closures. It is important to have this Form G contingency plan in place, but it is equally important to include parents and guardians as partners in developing the plan, and that a proper, compliant procedure is used to develop Form G and add it to the IEP. Parents and guardians bear more responsibility than ever for their child's educational success, and their input is critical to the development of a plan that can be successfully implemented in any contingency. Please consider the following rules about IEP development:

- IEP teams must be convened, at a minimum, annually to review the entire IEP and make any changes necessary for the next year. Form G may be added when the IEP team convenes for an annual IEP review meeting.
- IEP teams may convene at any time between annual meetings when there is a need to consider making any change to the IEP. The Individuals with Disabilities Education Act (IDEA) includes a process for amending IEPs between annual meetings. This process is intended to allow the team to focus on specific areas of the IEP instead of conducting a review of the entire IEP, as is required for an annual review meeting. IEP teams may add Form G when convened for the purpose of amending the IEP between annual meetings.
- IDEA also includes a process for amending IEPs without convening the entire IEP team. Amendments can be made when the parent or guardian and a representative of the local education agency (LEA) not only agree to make changes to the IEP, but also determine that there is no need to convene the entire team to consider making these changes. Form G may be added to the IEP when the parent and LEA agree to make changes without convening the IEP team. All team members, and other school personnel relevant for IEP implementation, must be informed of changes made by amending the IEP outside of an IEP team meeting.

Please review *Amending Individualized Education Programs: Mastering the Fundamentals*, a new resource outlining the IEP amendment process posted on the [Special Education Compliance General Guidance web page](#).

Prior written notice informing the parent of changes made to the IEP is required regardless of the method used to add Form G to the IEP.

Please keep in mind the end goal for this school year – to do the best job possible, through in-seat and distance learning, to help all students continue to make progress towards mastering curriculum objectives while being creative and remaining flexible and responsive to students’ needs. Building strong partnerships with parents and guardians will benefit students. Additionally, parental involvement in IEP development is a required component of IDEA compliance. Parents and guardians do not have to agree to amend the IEP outside of an IEP team meeting. Follow the below process for securing parent attendance at IEP meetings when it is necessary to convene the IEP team because a parent does not agree to use an amendment outside of a meeting or when a parent does not respond to requests to discuss amending the IEP:

- Parents must be notified of IEP meetings early enough to allow them to attend. Generally, “early enough” is estimated to be ten days prior to the scheduled meeting, but parents can agree to attend with fewer days of notice.
- The meeting notification must include these required components:
 - Time and date
 - Location
 - Purpose
 - Name or role of others invited to attend
 - The parent and the LEA may invite others to attend that have expertise or knowledge regarding the child
- If a parent fails to attend the first scheduled meeting, then the same steps should be used to schedule a second meeting, with the exception that the meeting notification must be provided through means of direct contact for second meeting attempts.
- The IEP team may hold a meeting without parent participation if unable to convince a parent to attend in-person or by alternative means. In this case, the public agency must have a record of at least two (2) separate attempts to arrange a mutually agreed on time and place, such as:
 - Detailed records of telephone calls made or attempted, and the results of those calls;
 - Copies of correspondence sent to the parents and any responses received; or,
 - Detailed records of visits made to the parents’ home or place of employment, and the results of those visits.

For more details about meeting notification requirements, refer to the [Missouri State Plan for Special Education](#), Regulation IV, page 52, and Indicators 200.600 and 200.610 in the [Missouri Office of Special Education Compliance Standards & Indicators](#).

For more information about parent involvement in IEP development, see the [Parent’s Guide to Special Education in Missouri](#).

Please direct questions to the Office of Special Education Compliance, by calling 573-751-0699 or by sending an email to secompliance@dese.mo.gov.