

IEPs and Evaluations During COVID 19 in NYC



**PRESENTED BY ADVOCATES FOR
CHILDREN OF NEW YORK**

MAY 28, 2020



Advocates for Children of New York
Protecting every child's right to learn

**¿Te Gustaría Escuchar
esta Presentación en Español?**

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POR FAVOR, LLAMA:

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CONTRASEÑA:

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Agenda

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- Introduction
- Referrals & Evaluations
- Individualized Education Program (IEP) Meetings
- Implementation of IEPs/Remote Learning Plans
- Advocacy Tips





What is AFC?

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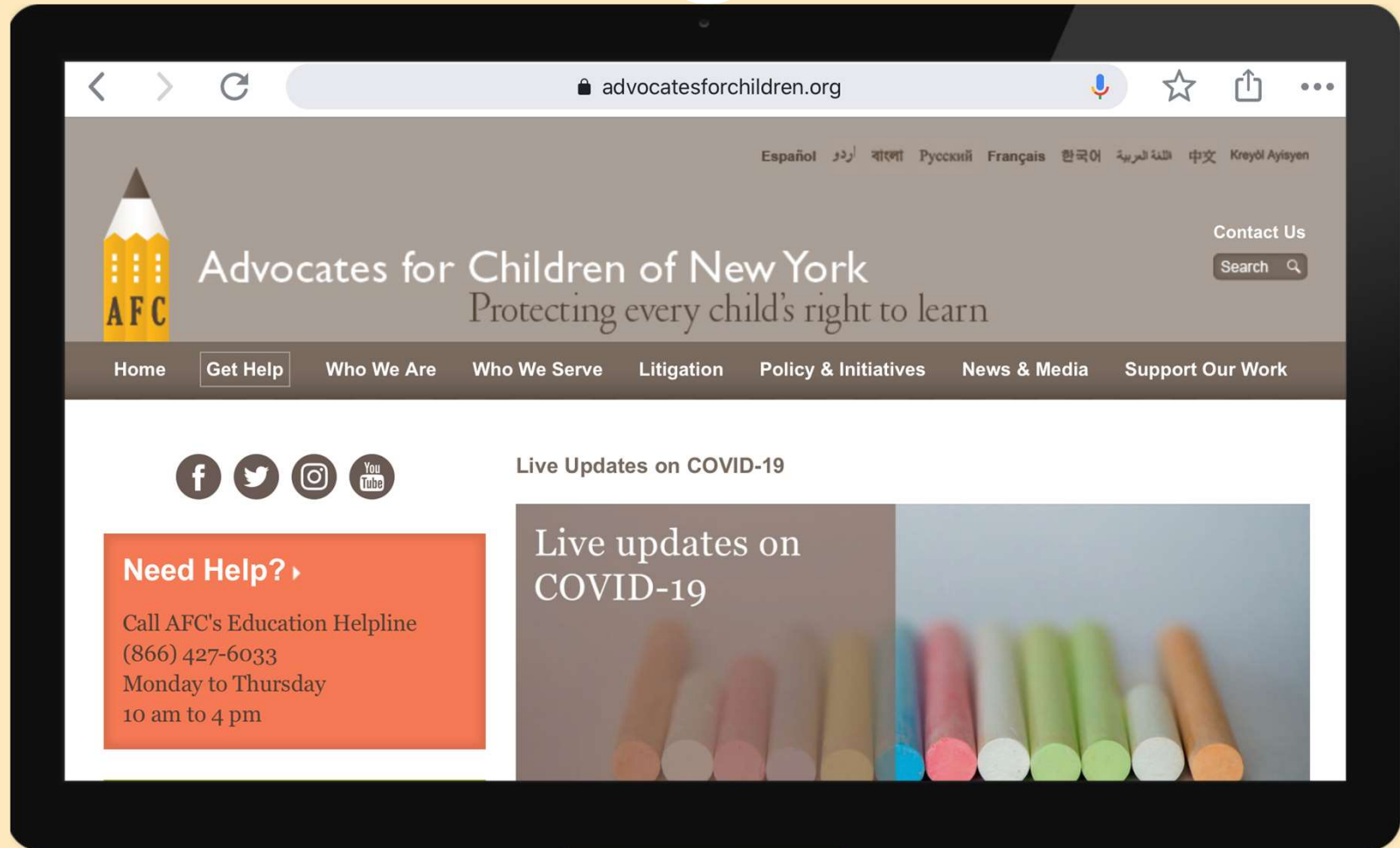
AFC is an independent agency that protects the *educational* rights of ***all*** NYC students.

- Our services include:
- Helpline: **1-866-427-6033** (Mon-Thurs, 10am – 4pm)
- Guides and resources: www.advocatesforchildren.org
- Workshops and trainings
- Free legal services to low-income families



Check For Updates On Our [Website](#)

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Poll!

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Referrals for Special Education

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Can a parent make a referral for special education supports during COVID-19 school closure?





Referral for Special Education

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To refer your child for an evaluation

- Email the Principal/CSE
- Email specialeducation@schools.nyc.gov
- Call 311



True or False?

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If a student needs new evaluations, the evaluations can't happen until school re-opens.



Evaluations During COVID-19

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IDEA still applies

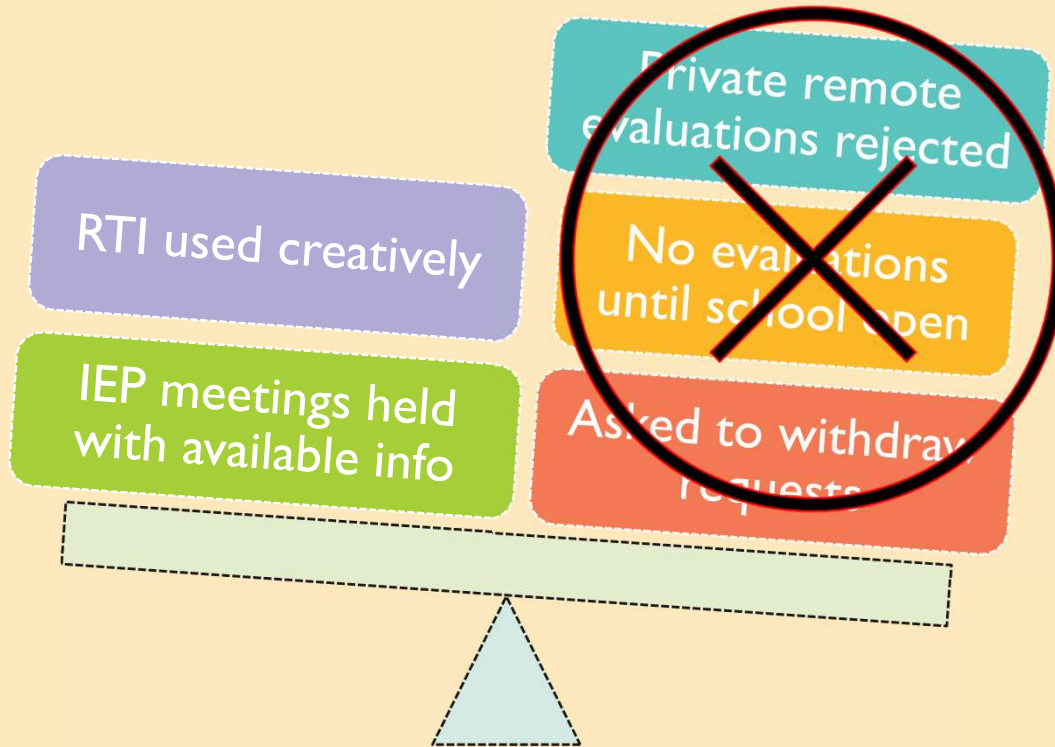
- Evaluate within 60 calendar days of consent
- Ask for evaluation at any time
- Evaluate in all areas of suspected disability

Complications

- Evaluations (especially cognitive) are tough to complete remotely



Evaluations: What's happening?





Evaluations: What the DOE says

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How will my child be evaluated remotely?

Some assessments may be conducted remotely. If an assessment for your child cannot be conducted remotely, we will work with you to arrange the assessment as soon as possible once in-person assessments resume.

While awaiting an in-person assessment, it will often be possible to hold an IEP meeting using the information currently available. Another IEP meeting will be held to consider the in-person assessment after it has been completed.

<https://www.schools.nyc.gov/learn-at-home/information-on-remote-learning>



Evaluations: What SED says

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22. If a student was referred for an initial evaluation prior to school closure or is referred during school closure, must the school district move forward with the evaluation?

Yes. Consistent with the Individuals with Disabilities Education Act (IDEA), section 200.4(b)(1) of the Regulations of the Commissioner of Education, school districts are still required to complete an initial evaluation within 60 days of receiving parental consent for students that are referred prior to and during school closure periods.

23. Can procedures, tests or assessments conducted as part of an initial evaluation or reevaluation be conducted remotely?

Yes. However, the determination as to whether a specific evaluation may be conducted remotely for a particular student must be made on a case-by-case basis.

<http://www.p12.nysed.gov/specialed/publications/2020-memos/special-education-supplement-1-covid-qa-memo-4-27-2020.pdf>



IEP Meetings

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Do I still have the right to participate in an IEP meeting to see if my child can receive services?

If my child already receives services, do I still have the right to participate in annual review of their IEP?

If my child already receives services, do I still have the right to request an IEP meeting?



IEP Meetings

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- ***All IEP meetings are taking place over the phone***
- Before meeting, schools must send:
 - invitation to the Parent **5 days before the meeting**
 - copies of any reports and/or evaluations

Advocacy Tips!

- Check your email!
- If you have not heard from anyone and do not have email, call DOE special education (718) 935-2007



True or False?

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My child cannot receive their first IEP because the DOE is not conducting full evaluations

- False

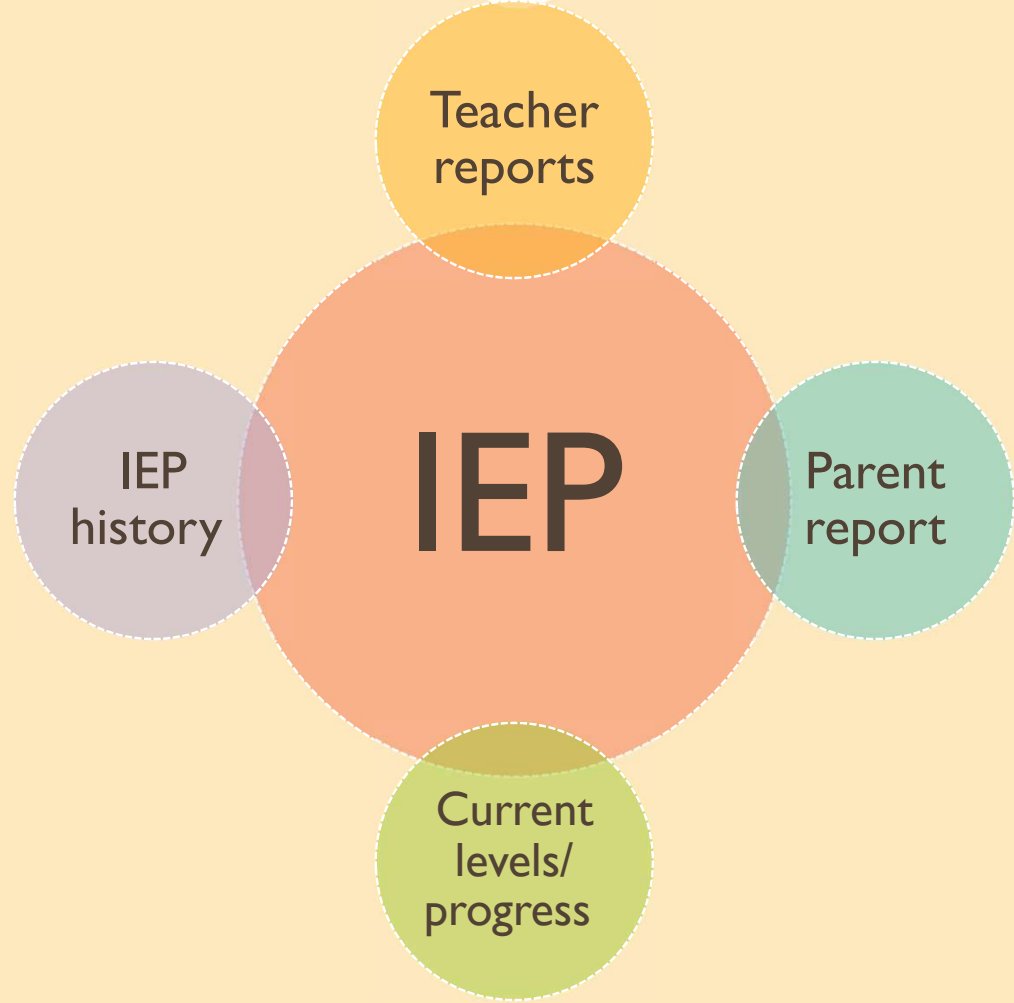
I can request changes to my child's IEP even if the DOE is not conducting full evaluations

- True



IEP Meetings: Recommendations

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IEP Meetings: Advocacy Tips!

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Call
AFC's
helpline:

School refuses to conduct an IEP meeting

School will not recommend any services until schools reopen and/or evaluations are conducted

School says it cannot consider any changes to an IEP until schools reopen and/or evaluations are conducted



Remote Learning Plans v. IEPs

4/3/2020 Special Education Remote Learning Plan for [REDACTED]

NYC
Department of
Education

Special Education Remote Learning Plan

Date: __/__/__

Dear Parent or Guardian of [REDACTED]

Now that your child's school has moved towards a new Remote Learning Model, this Special Education Remote Learning Plan sets out the special education supports that are being provided during the COVID-19 school closure. If you have any questions regarding this plan, you can contact your child's school administration.

STUDENT INFORMATION

Student Name: [REDACTED] NYC Student ID#: [REDACTED] Student's DOB: [REDACTED]

English Language Learner Status: No

Disability Classification: Orthopedic Impairment

STUDENT NEEDS

Does this student use **Assistive Technology**? Yes
Please specify: Two touch screen, software, headmouse, case, desk mount, headphones, switch, 2 chargers, floor mount.
 Does the student require this technology at home? Yes
 Does the student have the technology at home now? Yes

Does the student require **additional classroom tools to supplement learning at home (e.g., enlarged text, rules pages, graphic organizers)**? Yes
Please specify: Enlarged text
 Does the student have these tools at home now? Yes

REMOTE SPECIAL EDUCATION AND RELATED SERVICES

PROGRAM / SERVICE	LANGUAGE	MINUTES PER SESSION	SESSIONS PER WEEK
one-on-one video conferencing - English	English	45	3
one-on-one video conferencing - Math	English	45	3
one-on-one video conferencing - Occupational Therapy	English	45	4
one-on-one video conferencing - Speech Therapy	English	60	3
one-on-one video conferencing - Forensics	English	45	2
ICT Office Hours - Forensics, Alg. 2, ELA	English	45	3 when needed
Google classroom available in every subject with video conferencing, e-books, and digital resources	English	ongoing	ongoing



Remote Learning Plan: Student Info & Needs

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NYC Student ID#: ██████████

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Remote Learning Plan: Program

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Implementation During COVID-19 Related Services

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Services will be
remote

Provider must
reach out to make
a remote plan

You must have the
chance to provide
input about that
plan



Implementation During COVID-19: New Placements

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New placements are still an option

If switching schools, the DOE will send a school location letter

The new school will reach out with a contact number

You can't visit the new school now, but you can talk to staff there and ask questions



Implementation: Timeline

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DOE has still
has **60**
school days
from your
consent to:

- Evaluate
- Hold the IEP meeting
- Put services and any new placement in place



Implementation During COVID-19

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You **STILL**
have the
right to:

- A placement before the start of school
- If you need a placement now, the DOE should find one as soon as possible



Implementation: Know Your Rights

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If no provider is available for services -> related services authorization (RSA)

If no specialized classroom is available -> PI letter may be appropriate



Questions?

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Informal Dispute Resolution

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Start with the School

Parent Coordinator, Principal



District Superintendent's Office

Family Support Coordinator or District Family Advocate



Borough Support Organization (B/CO)

Administrator of Special Education



DOE Central – Office of Special Education

(718) 935-2007 or specialeducation@schools.nyc.gov

For school, superintendent and B/Co Contact Information

visit: <https://sites.google.com/a/strongschools.nyc/contacts/>



Advocacy Tips During COVID-19

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Pay attention to timelines

Keep a list of contacts you've spoken with

Keep/ask for copies of your IEP and your RLP

Track the services your child actually gets

Reach out to the DOE for help



Wrapping up: Reminders!

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- If you need help, ask! We are Open!
- Things change, check for updates: <https://www.advocatesforchildren.org/covid-19-updates>
- Call Our Helpline: 866-427-6033
 - Toll free
 - Monday-Thursday
 - 10am-4pm
- Email Us: Info@advocatesforchildren.org





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THANK YOU!

PLEASE STAY SAFE!

**TEXT AFCALERTS TO 22828
TO OPT-IN FOR WEEKLY UPDATES!!**