COVID-19 FACT SHEET #1: 
IDEA / SPECIAL EDUCATION 
DURING COVID-19 

Parent Information Center 
Project of Parents Helping Parents of WY, Inc. online at wpic.org

We are in unprecedented times. For the first time in known history our schools are closed, at least temporarily, leading to questions about how special education services for students should be provided. Under guidance from the U.S. Department of Education (issued in March 2020) school districts must provide FAPE (Free Appropriate Public Education) while considering the need to protect the health and safety of all students, including students with disabilities and those who provide education, individualized instruction and related services to students. The guidance document also states, “We encourage school teams and parents to work collaboratively and creatively to meet IEP timeline requirements.” With that in mind, IEP team members (this includes parents/guardians and school staff) should be patient, communicative and creative. The goal is to work collaboratively to determine how specialized instruction and related services can occur.

IEP Timelines/Information (specific to students ages 3-21)

What IDEA says:

Initial IEPs: “If a child has been found eligible for services, the IEP Team must meet and develop an initial IEP within 30 days of the determination that the child needs special education and related services. (34 CFR § 300.323(c)(1)).

Annual IEPs: “IEPs also must be reviewed annually. However, parents and the IEP Team may agree to conduct IEP meetings through alternate means, including videoconferencing or conference telephone calls. (34 CFR §300.32

Due to COVID-19 Pandemic: “… the parent of a child with a disability and the public agency may agree to not convene an IEP Team meeting for the purposes of making changes, and instead develop a written document to amend or modify the child’s current IEP. (34 CFR §300.324(a)(4)(i))

IDEA last revised in 2004 provides alternative ways to hold IEP meetings:
“School meetings do not have to be face-to-face. IEP and placement meetings, mediation meetings, and due process (IEP) resolution sessions may be convened by conference calls or video conferences.” (20 USC § 1414(e). [https://www.wrightslaw.com/advoc/articles/advo.create.trails.htm]

*Note* - This guidance is considered valid during the time frame that the COVID-19 Health Emergency is in place. For additional information or specific questions on a students special education or related services, please refer to our website at www.wpic.org or call us at 307-684-2277.