

This is a hard time for everyone, and it is likely even more difficult for children with 504 Plans and Individualized Education Plans (IEP). As schools continue to move between in-person and distance learning, we want to help you navigate your family's education rights for the remainder of the school year.

INDIVIDUALIZED EDUCATION PLAN (IEP)

During this time, it is especially important for parents and teachers to work together to develop a plan that works. As much as possible, the school team should provide the instruction as it was written on the IEP. This may be difficult or impossible to do with distance learning, but IEP teams must do their best to meet the child's needs.

Your child's annual IEP review can happen by video or phone conference while your child is distance learning. Teams should work together to find a way to hold the meeting that works best for everyone.

You have the right to:

- Have your child's unique needs considered for distance learning.
- Suggest changes to your child's distance learning plan if it includes things that are not helping your child learn at home.
- Request a meeting virtually or over the phone to discuss proposed changes to the IEP and/or distance learning plan.

FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

Districts are still required to provide a Free Appropriate Public Education (FAPE). However, schools have never been in this situation before and things continue to change. Teachers, parents, aids and administrators must work together and be patient.

If you think your child is not receiving a FAPE, we encourage you to work with your IEP team to talk about how things are going and what else is possible. If that doesn't work out, there are other options, like compensatory education, that might help.

Your child's rights:

- The school district must do everything it can to provide your child a FAPE during this time.
- If FAPE is not possible or effective through distance learning, your child may be entitled to receive compensatory education services for services missed during the distance learning period.

COMPENSATORY EDUCATION

Compensatory education provides services that the child should have received at school but didn't. These services can be provided after school hours or during the summer. For example, if your child was supposed to receive speech language services from a Speech Language Pathologist (SLP) but didn't get those services, you can ask the district to provide those services over the summer or twice as many hours during the school year to make up for it.

It is helpful to keep logs of your child's services and skills. Tracking the services your child missed will help you know what compensatory education to request. Tracking your child's skill levels at the beginning of school and after can help you share your child's needs with their IEP team.

Your child may be eligible for compensatory education services if:

- They are not making progress toward their goals even after attempts to work things out with your team.
- They are not being provided services listed on their IEP.

You have a right to:

- Meet with your child's IEP team to express your concerns. During this time see if there are other ways to make progress towards your child's goals.
- Request compensatory education if there are no other ways to make progress towards your child's goals.

504 PLANS

Both you and your child's teacher should review the current 504 plan and decide if any changes are needed to help your child with distance learning. If changes are needed, you should meet with the school by phone or video to change the plan. You can include language that the changes only apply during distance learning.

You have a right to:

- Request a meeting by video or phone with your child's teacher to review the current 504 Plan.
- Request changes to the 504 Plan. These changes may only apply to distance learning if necessary.



ADVOCACY TIPS

- 1 Never hesitate to ask for help when needed.
- 2 Reach out regularly to your child's teachers even if they aren't reaching out to you.
- 3 Ask for training or help as you help your child with virtual learning and implementing their IEP. This might include direct training via computer with behavior specialists or other related services providers.
- 4 Put service requests and concerns to the school in writing.
- 5 If your child is struggling with school during virtual or in person learning and the teachers are not helping, contact the principal, special education administrator, or Section 504 coordinator.



HELPFUL LINKS

- [STEP TN](#) - (800) 280-STEP or InformationTNStep.org
- [The Arc Tennessee](#) - (800) 835-7077 or SpecialEducation@TheArcTN.org
- [Vanderbilt Kennedy Center: Resources for Supporting Students with Disabilities During COVID-19](#)
- [TN Department of Education](#)
- [Volunteer Advocacy Project](#)

NEED HELP?

Do you have issues with education services or other issues related to COVID-19?

Contact DRT at (800) 342-1660 or GetHelp@DisabilityRights.org

www.DisabilityRightsTN.org

