

Distance Learning and Resolving Disputes Regarding My Child's IEP

Parents of children with disabilities in Minnesota have the same due process rights within the special education process with distance learning. There are some important facts that parents of children with disabilities should be aware of during these unique circumstances.

- Individualized Education Programs (IEPs) still need to be implemented. While the services may look different than when your student was in a school building, the school still must ensure that your child with a disability is given equal access to the same opportunities as the general education population, including the provision of a free appropriate public education (FAPE).
- With distance learning, IEP teams may need to revise the IEP to align with the child's needs in the new learning environment. In situations like this, the team can either:
 - o Meet on a phone call or video conference to determine how the services will be provided to meet the student's needs
 - o Determine that a meeting that would include the entire team is not needed. Instead, a smaller group of people (as long as the parent is involved) can meet to make the changes.

The school can make a written proposal with a draft of their suggested changes to send to parents along with a Prior Written Notice. Parents need to give written permission for any agreed upon changes. This can be done with an electronic signature or an email from the parent giving approval to the proposed change.

- If you are in disagreement with any proposed changes, you still have the right to alternative dispute resolution options to resolve the disagreement. If you have documented your disagreement, the school cannot move forward with the proposal. You then have the right to request a conciliation conference or other dispute resolution option. Please see PACER Center's Dispute Resolution information located at PACER.org/disputeresolution for further information.

For additional information, contact PACER Center at (952) 838-9000 or PACER@PACER.org.