

Guidelines for Conducting Recovery Services Meetings

The District understands that the Public Health Emergency caused by the COVID-19 pandemic has impacted our students, especially our students with disabilities. The purpose of this Guidance and FAQ document is to establish a consistent approach across the District to determine whether a student with a disability has experienced a skill regression on a goal (i.e., Section 11: Specialized Instruction) within their IEP. This approach outlines a process for IEP teams to use data to determine whether a student has experienced a skill regression and provide supports and services that will lead to meaningful recoupment. For additional information, please see ISBE's [CORONAVIRUS \(COVID-19\) UPDATES AND RESOURCES](#).

Determining Recovery Services

1. The IEP team must review the Student's prior present level of performance from March 2020 or last data available.
2. The IEP team must assess the present level of performance through formal assessments, informal assessments, student school work, and/or observation. Observation should not be the sole data source.
3. If the data indicates significant regression and/or the parent/guardian requests Public Health Emergency Recovery Services, then the case manager must schedule a Recovery Services Meeting either as a stand alone meeting or as part of an IEP meeting and send home a Notice of Conference (NOC). Be sure to include on the NOC the purpose of the meeting: "Public Health Emergency Recovery Services"
4. The team should use the Recovery Services document to guide them through the determination discussion and document the data reviewed to make the regression of skills determination.
5. If the team determines there has been a skill regression compared to the student's previous present level from March 2020, the team will need to determine how skill recoupment, via recovery service(s), will be provided and how often the service provider will monitor progress as indicated on the Recovery Services document.
 - a. The IEP team needs to discuss when and how the recovery service would be provided.
 - b. Recovery Services include: additional related service minutes (until the student can recoup the skill), ESY, subscription services or tutoring after school.
6. The IEP team should use the Recovery Services document to document the plan for recoupment. The team will also need to determine how often the progress of skill recoupment will be monitored.

7. When the IEP Team determines, based on data collected, that the skill(s) has been recouped, a finalization letter will be issued to the parent/guardian stating that recoupment via recovery services is now completed and services will no longer be provided.

FREQUENTLY ASKED QUESTIONS (FAQs)

1. **What data should the IEP team use to determine the Student's level of performance?**

It is recommended to use more than one data source to determine a Student's level of performance. Utilize data sources such as IEP Report Card, Evaluation Data, student work samples, Progress Monitoring Data, classroom assessments, etc. Observation should not be the sole data source.

2. **What is skill regression?**

Skills regression occurs when the student compared to students without disabilities:

- Loses knowledge/skills related to specific IEP goals during periods of remote learning;
- AND**
- Requires more time to recoup the knowledge/skills relevant to the measured IEP goals.

Note: All students typically spend time at the beginning of each school year for review and re-teaching of previously learned skills. Longstanding ISBE guidance suggests that review and re-teaching should not extend beyond the first 30 school days of a school year.

3. **When is a child eligible for a Recovery Services Meeting?**

A team can hold a Recovery Services Meeting for any Student who demonstrates an IEP goal skill regression from March 2020 to their return to in-person learning. These meetings can be parent/guardian-requested or school-initiated.

4. **What is the timing of the Recovery Services Meeting?**

The student needs to be receiving in-person learning for at least 4 days a week. Once a student returns to in-person learning (at least 4 days per week), the teacher and/or related service provider(s) should collect a minimum of 4-6 weeks of data on the student's current levels of functioning.

5. **If a parent/guardian requests a Recovery Services Meeting, how long does the IEP team have to respond to the request?**

The IEP team must respond to the parent/guardian within 14 school days. However, the meeting does not have to be held during this time period.

6. **Does the IEP team need to provide 10 days notice for a Recovery Services Meeting?**

Yes. The local school district representative must ensure the parents/guardians are provided with written notice of a Recovery Services meeting at least 10 calendar days prior to the meeting. The parent/guardian may agree, in writing, to waive the right to this 10-calendar day notice.

If the parent/guardian does not show up to the scheduled meeting, the meeting must be rescheduled at least once. The second Parent/Guardian Notification of Conference form must be sent in three different formats, one of which is US mail. Other types of transmission of the notice could be email, facsimile, or certified mail, phone call/voicemail, etc. If the parent/guardian does not show up for the second meeting, the IEP team can proceed without them unless the parent/guardian has requested another meeting date. The third meeting notice should be sent via US mail. The team may proceed on the third meeting date even if the parent/guardian does not show up or requests a fourth meeting date.

7. What if the parent/guardian does not attend the Recovery Services meeting?

If the parent/guardian does not attend the 2nd attempted meeting, and did not request a reschedule of that meeting, the school-based members of the Team can move forward with the Recovery Services meeting. The documentation of the meeting, including whether the Student requires Recovery Services, and the recommended services, should be sent to the parent/guardian.

8. What should the purpose of the meeting be listed as on the Notice of Conference (NOC) that is sent to the parents/guardians?

The purpose of the meeting should be listed as the "Public Health Emergency Recovery Services," which is a check box available under "other".

9. Can IEP team members be excused from the Recovery Services Meeting?

Yes, a parent/guardian can excuse certain members of the team if their input is not being considered to determine whether there has been a skill regression (for example: a nurse provides consult services so no goal is being considered).

If the service provider's input is needed in order to determine whether there has been a loss of skill, they must attend the meeting. In extenuating circumstances, a service provider can provide input in writing prior to the meeting for the team to consider.

10. If a team determines that the Student met their goals, does the Student qualify for recovery services?

No, the Student does not qualify for recovery services.

11. What should the team do if the District and the parent/guardian do not agree?

A determination for Recovery Services should be reached through consensus. Consensus is defined as a general agreement, not necessarily a unanimous agreement. It is a judgment arrived at by most of the participants. If a consensus cannot be reached,

the school must provide the parent/guardian with a written copy of the school's proposals, refusals, or both, regarding the Recovery Services, and the parents/guardians have the right to seek resolution of any disagreements as outlined in the procedural safeguards. If there are additional questions, case managers should contact their ODLSS District Representative for support and related service providers should contact their managers for support.

12. Who must attend the meeting in order to commit the District to services?

A member of the school's administration team (i.e., principal, assistant principal, or their designee) must be present to commit school-based services (e.g. tutoring). Additionally, the related service provider or special education teacher must be present to commit additional services. The ODLSS District Representative is not a mandatory member and does not have to attend the meeting.

13. Can data from ESY be used to determine a student's present level of functioning?

Yes. Data from ESY may be considered; however, it must be used in conjunction with other data. In order to determine skill regression for Recovery Services, teams must use data representative of a student's levels of functioning in March 2020 compared to present levels of functioning once the student returns to in-person learning (4-6 weeks of data).

14. How does the IEP team determine the amount of time needed for a student to recoup a skill?

IEP teams must have a discussion based on the skill regression data and the student's individual need for recoupment. The IEP team should determine how long the services will be offered to the student based on the data collected upon return to in-person learning, as described above. The student should receive recovery services until the skill is recouped, within a reasonable amount of time.

15. What if the student does not recoup the skill in the timeframe designated on the Recovery Services document?

The IEP team may create a new Public Health Emergency Recovery Services document to guide them through the determination of how to address continued recoupment of the skill. Alternatively, if Recovery Services have been provided for a reasonable amount of time, and the student has not recouped the skill, the IEP team may need to reconvene and consider whether the student's IEP should be revised to reflect the student's current level of functioning and needs.

16. Can the IEP team add specific curricula to the IEP in order to provide recovery services?

No. While a school may utilize a curriculum (e.g. Wilson, Orton-Gillingham, etc.) if the teacher determines it is appropriate, the name of the curriculum should not specifically be made part of the Recovery Services Meeting documentation. Rather, the IEP team

should focus on listing the tools and strategies of the program that will be effective for the student.

17. How will a student's lack of participation in remote learning impact the skill regression discussion? If we have documented lack of participation or lack of attendance or parent/guardian's refusal to have a student participate, what are our next steps?

The IEP team will need to compare skills in March 2020 to current data in order to determine whether there has been a skill regression and subsequent need for remediation via recovery service(s). A student's level of participation during remote learning does not exclude them from eligibility for a Recovery Services Meeting.

18. What are some examples of recovery services that schools can consider?

The menu of Recovery Services will be determined at the school level, and may vary from school to school. Schools may consider the addition of small group or individualized support during the school day, Saturday school, tutoring before or after school instruction, during regularly scheduled breaks in the school calendar, extending the minutes for related services within the student's IEP, etc.

19. Can an IEP team offer ESY as a recovery service?

If a student is not otherwise eligible for ESY, the IEP team may consider whether ESY is an appropriate recovery service. ESY may be offered for either 4 weeks or 6 weeks. If a student is eligible via their IEP for 4 weeks of ESY, the IEP team may offer up to 2 weeks of ESY as a recovery service. If a student already has 6 weeks of ESY services as part of their IEP, ESY cannot be a recovery service offered for this student.

20. After recovery services have been determined, what is the next step?

The team should work with the parent/guardian to schedule services at a mutually agreeable time. It is important for teams to discuss the schedule of services so it is clear to the parent/guardian when services will begin.

21. What should schools do if a parent/guardian requests a Recovery Service Meeting for a student that is not yet eligible for special education services?

If a student is not eligible for special education services, then an IEP team does not need to hold a Recovery Services Meeting. However, the IEP team should consider whether a Full Individual Evaluation (FIE) is warranted and complete a referral document as outlined in the [ODLSS Procedural Manual](#).

22. What should schools do if a parent/guardian requests reimbursement for a service they have already provided the student?

The IEP team will not reimburse the parent/guardian for services already provided. The IEP team will compare data from March 2020 and current data to determine whether there has been a skill regression and subsequent need for recoupment via recovery service(s).

23. What if the Student moves to another school within the District?

Schools can collaborate and utilize IEP report cards and any other available data within SSM to determine the Student's levels of functioning.

24. Can the IEP team determine that the student's skill regression requires an LRE change to a 100% removal?

No. If the IEP team suspects that the Student may require an LRE change, such determination should not be made via a Recovery Services Meeting. Instead, an IEP meeting should be convened to discuss the student's needs and current level of functioning and whether the LRE should be revised to reflect the placement setting. If the team is considering 100% removal, they must contact the District Representative to discuss the data and review the student's needs.

25. If a student is receiving tutoring or supplemental related service as a recovery service to address skill regression, will their current teacher or related service provider be delivering the tutoring or additional services?

Not necessarily. Schedules for tutoring or related services will be determined at the school level.

26. If a student is receiving tutoring as a recovery service and misses a tutoring session, will it be made up?

If the student does not attend a tutoring session or cancels without a documented medical excuse, the tutoring session will not be made up. If the student does not attend but provides a documented medical excuse, the session will be made up. If the teacher cancels the session, it will be made up.

27. When the Recovery Services are completed, will parents/guardians be notified?

No, the Recovery Services meeting documentation will identify how long services will be provided to the student.

28. What will happen if a student recoups the skill before the time frame outlined in the Recovery Services document?

If the student recoups the skill before the time frame outlined by the Recovery Services document, the parent/guardian will be notified with a "Services Completion" letter, which is available in SSM. This letter will indicate the last date of the recovery service.