



## Sample Letter to Request a Meeting re: Compensatory Services - Transition to Adult Life

Case Manager  
School/School District  
Town, New Jersey

Date

Dear [Name of Case Manager]:

As an adult student (and /or) the parent of a transition age student, I'm/we are writing to request an IEP meeting to discuss the provision of compensatory education services, to make up for the missed special education and related services I/she/he experienced when schools were closed due to the Coronavirus.

I /My child was out of school and not receiving my/her/his complete special education and related services from \_\_\_\_\_ [start date] through \_\_\_\_\_ [end date- which is the last day of school student would have attended if school had been open.] I/My child received no special education services from \_\_\_\_\_ [start date] through \_\_\_\_\_ [end date], and only partial special education services from \_\_\_\_\_ [start date] through \_\_\_\_\_ [end date.] I/My child received no related services from \_\_\_\_\_ [start date] through \_\_\_\_\_ [end date] and only partial related services from \_\_\_\_\_ [start date] through \_\_\_\_\_ [end date.]

Service in IEP	Dates without any service	Partial service delivered	Dates of partial service	Missed services

As you know, the US Department of Education has issued guidance indicating that the IEP team must meet to determine whether the lack of special education and related services requires the provision of compensatory education. "Schools must consider the impact of a provider's absence or a child's absence on the child's program and performance and determine how to ensure the continued provision of FAPE [a free, appropriate public education] in order for the child to continue to progress and meet the annual goals in his or her IEP. Whether an interruption in services constitutes a denial of FAPE is an individual determination that must be made on a case-by-case basis." See: <http://www2.ed.gov/policy/speced/guid/idea/letters/2007-1/clarke030807disability1q2007.pdf>.

This guidance was reinforced in the "Questions and Answers on Providing Services to Children with disabilities during the Coronavirus Disease 2019 Outbreak" from the US Department of Education issued in March, 2020, at <https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/qa-covid-19-03-12-2020.pdf>. Further, the US Court of Appeals for the Third Circuit (which covers NJ) has indicated that the relief for a denial of FAPE is an hour-for-hour provision of compensatory services.

[Include, if applicable.] In addition, this past year was to have been my/my child's last year of special education eligibility, as it was the school year in which I/he/she turned 21 years old. However, I/my child was not able to receive the transition to adult life services on my/their IEP and thus did not make the progress needed in order to be prepared to make this critical transition.

As you also know, under 300.43 of the IDEA regulations, transition services are "a coordinated set of activities for a child with a disability that (1) is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment, including supported employment, continuing and adult education, adult services, independent living, or community participation; (2) is based on the individual child's needs, taking into account the child's strengths, preferences, and interests, and includes - (i) instruction; (ii) related services; (iii) community experiences; (iv) the development of employment and other post-school adult living objectives; and (v) if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation." Due to the closing of school and the requirement for physical distancing, I/my child was unable to participate in the transition to adult life services in my/my child's IEP, such as [List your specific examples, such as: travel training, job sampling, direct instruction on adult living skills and or/ other IEP services.]

I/we sincerely appreciate your efforts to provide some of my/my child's special education and related services during the difficult period when schools were closed. However, the lack of provision of any special education component, including instruction and related services, has caused my/my child's inability to receive critical transition to adult life instruction and services contained in the IEP, leading to a failure to achieve IEP goals and objectives, which are necessary to be prepared to effectively transition to adult life. In fact, this failure to provide all special education and related services has caused regression in my/my child's knowledge and skills. For these reasons, I am/we are requesting an IEP meeting to discuss the compensatory services my/my child's needs and will receive in the new school year, including extension of their eligibility for special education and related services for an additional [List a timeline you feel may be appropriate to complete compensatory education year/half-year/semester etc..]

Thank you for your prompt attention to this matter.

Sincerely,

Name of Student and/or Parent/Guardian

Contact information (include address, phone and email)

CC: \*List any other persons who were copied on this letter such as other school administrators, etc...