



Parent Advocacy Network

*Empowering families, professionals,
and others interested in the
well-being and education of children
and youth*

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{and more}

SPAN Parent Advocacy Network

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SPAN FACT SHEET

Federal law requires that local school districts provide special education and related services to all eligible students with disabilities. Related services may be necessary to help a student meet the goals in the IEP.

Related Services

Are related services required during remote learning?

At its April 1, 2020 meeting, the State Board of Education adopted temporary rule modifications to Chapter 14 of New Jersey Administrative Code, which governs the delivery of special education and related services to students with disabilities. The State Board, acting pursuant to Executive Order No. 103 (Murphy, 2020), adopted temporary regulations that allow school districts and educational agencies to deliver special education and related services to students with disabilities through the use of telehealth, telemedicine, electronic communications, remote, virtual, or other online platforms. See the NJDOE memo here: [nj.gov/Providing Special Ed and Related Services During School Closure](https://www.nj.gov/education/operational-services/related-services-during-school-closure).

During this time of Remote Learning it is important for families to document their child’s IEP services. SPAN has created a Tracking Special Education Services log which will help families record their child’s services. Access the log here: [Tracking Special Education Services During Distance Learning](https://spanadvocacy.org/tracking-special-education-services-during-distance-learning). This log will facilitate a conversation about possible compensatory services (make-up services) with the CST, if IEP requirements were not met. <https://spanadvocacy.org/how-to-request-a-meeting-general/>.

For information on mediation/due process updates see www.state.nj.us/oal/. The U.S. Department of Education also has a wealth of information at www.ed.gov/coronavirus, including a fact sheet and Q & A on the civil rights of students with disabilities.

What are “related services”?

“Related services” refers to a wide range of supportive educational services that may be provided to a student with a disability through the IEP as part of a special education program. These may include, but are not limited to, counseling, transportation, occupational therapy, physical therapy, school nurse services, interpreting services, speech-language pathology and audiology services, psychological services, recreation and therapeutic recreation, social work services, orientation and mobility services, rehabilitation counseling, medical services for the purposes of diagnosis and education of the child, and early identification and assessment of disabling conditions in young children.

Federal and state rules require that the services in the IEP — including related services — be based on peer-reviewed research to the extent practicable.

How is eligibility for related services determined?

The types of related services a student may receive are determined by their needs and are often based on an evaluation. IDEA requires that a student be assessed in all areas related to his/her suspected disability, and that the evaluation is comprehensive enough to include all of the student’s special education and related services needs.

IDEA states that related services are to be provided if they “are required to assist a child with a disability to benefit from special education.”

The IEP team, which includes the parent, is responsible for reviewing the evaluation information, identifying the related services a student needs, and including them in the IEP.

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The IEP must specify:

1. **When the service will begin.**
2. **Frequency of services – number of times per week.**
3. **Location of services – where they will be provided.**
4. **Duration of services – how long the services will last.**

How are related services provided?

Related services may be provided in small group or individual settings, depending upon on a student's needs. They may be provided in all educational settings, including the general education classroom, or in a separate setting.

Services may be direct or consultative, or both. In direct services, a related service provider works directly with a student on particular IEP objectives. This can happen in the community, in a classroom, lunchroom, or therapy room. Consulting is the means by which a related service provider can help other professionals meet a student's IEP goals and objectives. The recipient of consulting is not the student, but another professional, who then works directly with the student.

Related services may be provided as "push in" service, in which the related services professional comes into the classroom to provide services, or, they may be provided as a "pull out" service, in which the student leaves the classroom to receive the services.

IEP goals should be written for a related service just as they are for other special education services.

What if a district or placement does not offer a related service that a student needs?

Each local school district must make available a full range of related services, at no cost to parents. The services must be listed in the IEP, even if they are not directly available from the school district. School districts can contract with outside agencies and clinics to provide related services if the district does not offer the necessary service.

Can a school district suggest services, but not include them in the IEP?

School personnel may give parents advice regarding additional services not required by law. For example, a school district might suggest a community after school program might be helpful. Unless the service is part of the IEP, there is no obligation on the part of the district to provide it.

Can I be asked to use private insurance to cover the cost of related services?

A school district may ask parents for written consent to bill private or public (Medicaid) insurance for health-related services. The parent may decline, or revoke previously provided consent. Whether the parent gives consent or not, the student must receive the related services in the IEP. Schools may not require parents to enroll in a public benefits or insurance program to receive related services.

Is there a limit on the related service a student can receive?

There is no limit on the number of related services a student receives, as long as each one is necessary. The frequency and duration of each related service is determined individually, and there is no minimum or maximum.

Can a school district refuse to provide related services, or change what they provide, or ask parents to pay for related services?

The district may not change a student's related services or the frequency or duration of services without first having an IEP meeting with the parent. A district also cannot refuse to provide a related service described in the IEP because of financial or personnel issues, nor can they ask a parent to pay.

What if a parent disagrees with the district's proposal for related services?

If a parent disagrees with the district's recommendations for related services, they can file for mediation or due process and the district can't make changes until all mediation and/or due process proceedings are complete.

Learn more:

Federal regulations governing related services can be found at 34 CFR 300.34. [USDOE IDEA Regulations Part B 300.34 Related Services](#)

New Jersey State regulations governing related services can be found at [NJ Administrative Code Title 6A Ch 14 Special Education](#). See section 3.9.

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