



IEP Emergency Circumstances Plans

Under California law, students with an IEP must have an Emergency Circumstances Plan in place. The law requires IEP teams to consider how a student's individual needs may be impacted in emergency situations. Under state law, emergency situations include:

- Fires
- Flood
- Impassable roads
- Epidemic
- Transportation strike by a non-school provider
- Earthquake
- Major safety hazard
- Other state of emergency
- War

The IEP team is required to create an Emergency Circumstances Plan for each student with an IEP. The Emergency Circumstances Plan must outline how instruction and services will be delivered to the student with a disability if in-person or school-based services are not possible for more than 10 school days. The Emergency Circumstances Plan must cover the student's:

- Special education
- Related services
- Supplementary aids and services
- Transition services
- Extended School Year services

The school should implement the student's Emergency Circumstances Plan if:

- Student has an Emergency Circumstances Plan that parents/guardians consented to,
- School district and/or the parents/guardians are impacted by one of the emergency situations listed above, and
- Student cannot receive instruction or services in person or at school for more than 10 school days

By law, school districts should strive to provide all students with FAPE, even during an emergency. Distance learning and the COVID-19 pandemic provided a template for how school districts can provide special education and related services, even when in-person school attendance is not possible. In cases where a student does not receive his or her IEP services during a school closure, guidance issued in response to the COVID-19 pandemic also offers direction for how schools should respond to similar closures caused by natural disasters and other emergency circumstances.

Disclaimer:

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