

“The school must honor the individual’s choice unless the school can prove that an alternative auxiliary aid or service provides communication that is as effective as that provided to students without disabilities and affords an equal opportunity to participate in and benefit from the service, program, or activity” (DOJ-DOE FAQ, p. 9).

2A. Does the student require auxiliary aids and services, such as qualified interpreters, notetakers, transcription services, etc., to achieve communication that is as effective as communication for individuals without disabilities? [ADA Title II 28 C.F.R. 35.104(1)] (DOJ-DOE FAQ, p. 7).

Yes

Please explain how the IEP team is ensuring the student is receiving communication that is as effective as what nondisabled peers are receiving and specify what auxiliary aids and services the student is receiving in an onsite and/or online learning environment.

No

By answering no, you are indicating that the school can demonstrate the particular auxiliary aid or service (please list below) is not needed or would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens, and the school must provide a written statement of the reasons for reaching that conclusion and provide a satisfactory alternative auxiliary aid or service (ADA Title II 28 C.F.R. 35.164, DOJ-DOE FAQ, pp. 12-13).

2B. Are the auxiliary aids and services provided by the school primarily based on the preference of the student with disabilities, or his/her parents/guardian? (DOJ-DOE FAQ, p. 19).

Yes (continue to Question 3) Comments:

No (Stop here and discuss with the student and/or guardians their preference for primary language and primary communication mode.)

Comments:

How was this assessed?

2C. Are the auxiliary aids and services provided in a timely manner in an onsite and/or online learning environment? [ADA Title II 28 C.F.R. 35.160 (b)(2)].

Yes

No

If no, please explain why aids and services have not been provided in a timely manner: