Parent Connections Lunch and Learn

SD Department of Education
Starting Well 2020: Considerations for Special Education

Linda Turner,

State Director of Special Education

8/18/2020

Planning for Restart

- **Prepare to meet with Special Ed case manager/IEP Team**

  - Expectation that at the start of the year everyone will be touching base

  - Districts may be prioritizing contacts to address the most pressing needs first

  - Be prepared for discussion

    - Reflect on what went well and what didn't during the spring

    - Was your child able to make progress, were there any area where there was regression, are there any new needs?

    - Any concerns related to new district policies and procedures that should be considered individually for your child

  - Minimally should receive a prior written notice summarizing decisions

Starting Well: A Guide for Special Education

- **Planning for Restart Related to Students with Disabilities**

  - Social Distancing

    - Demonstrate social distancing in multiple settings.

    - As a daily reminder, include the steps to following social distancing.

    - Provide students with opportunities for repeated practice in multiple settings.

    - Break down the steps for following social distancing into key components.

    - Remember to provide feedback and reinforcement to students practicing social distancing.

Starting Well: A Guide for Special Education

- **Cloth Face Coverings**

  - Cloth face coverings can limit or obstruct access to communication for persons who rely on speechreading, facial expressions, and American Sign Language (ASL) grammatical markers.

  - Because of the straps around the ears or around the head, wearing cloth face coverings can be difficult for persons who use behind-the-ear hearing aids, cochlear implant processors, eye protection, glasses, helmets, head gear, head/neck supports on a wheelchair/in standers.

  - Some students may be tactilely selective and may not tolerate wearing a cloth face covering.

  - Others may not understand the need to wear or may become distracted by wearing a cloth face covering.

Starting Well: A Guide for Special Education

- **Instructional Experiences in the Community**

  - Consider remote opportunities as a temporary, alternate method for continuing to provide this type of instruction to students.

  - Consider how to create opportunities for students to have authentic experiences within the home or school environment.

  - Understand safety procedures for engaging in the community experiences.

Implications Moving to Flex Learning

- Change from traditional in person learning to flex learning created a disruption in delivery of education to all students

- Districts responded to a national crisis as best possible and did not intentionally neglect or deny FAPE to students

- In most cases instruction and services and supports were adjusted to meet the change in learning format

  - Change in location where services are provided does not equate to a change in placement

Implications Moving to Flex Learning

- Compensatory vs. Recovery Service

  - Compensatory is a remedy generally ordered as part of a complaint investigation to correct a failure to provide services

  - In the context of COVID, IEP teams can consider if there was a failure to provide a service and proactively make an offer of compensatory services to remedy the issue

    - No requirement under IDEA to make such an offer

    - Parents retain dispute resolution options – IEP facilitation, mediation, complaint, & hearing

    - Compensatory education does not have to be minute per minute service to offer remedy

    - Offered outside the regular instructional day

Implications Moving to Flex Learning

- Compensatory vs. Recovery Service

  - Recovery Services is a term being used to reflect the need for all students to recover from a gap in learning or loss of skill caused by the sudden change in instruction

    - Recovery services are not defined or required under IDEA but may be considered for any student

    - Can be offered during regular instructional hours

Implications Moving to Flex Learning

- Compensatory vs. Recovery Services

  - Decisions made should be made by the IEP team using data and additional information to guide decisions

    - Progress prior to and during flex learning to assess academic and/or behavioral progress in the general education curriculum and on the student's IEP goal(s).

      - Data may take the form of grades, progress reports, classwork, informal/formal evaluation tools, teacher/service provider observation(s), parent feedback, and comparison to the progress of all students.

    - Data on the student's ability to recoup skills and make progress on IEP goals upon the return to school.

    - Documentation of services provided, as well as services the district was unable to provide during flex learning and reopening of school.

    - Information related to the general education curriculum provided to all students.

    - The student's ability to access flex learning and the level of engagement in the learning process.

    - Length of district closure, if any, and time without any instruction.

Continuity of Learning

- Districts should start year with a plan to provide the full range of services and supports outlined in the IEP

- IEP teams can consider developing a continuity of learning plan which would outline what and how services would be provided should a change to the instructional program occur during the year

  - Not defined or required under IDEA

- Proactive step to be prepared to avoid any gap in instruction and be flexible, should still offer FAPE

Least Restrictive Environment

- The transition to flex learning generally has not changed any individual student's LRE; it has changed how the general education system operates.

- When determining the educational environment of individual students with disabilities in flex learning, consider:

  - If other students without disabilities are taking the course.

  - Where the course is held.

  - If the student with disabilities participates in the same manner as all students or participates in a different manner from all students:

    - All students participate 4 days on-site, 1 day remote, including students with disabilities.(This could be considered education with non-disabled peers.)

    - All students are remote except students with disabilities are 4 days remote and 1 day on-site. (The 1 day on-site could be considered a removal from non-disabled peers.)

	Scenario	**IDEA Implications**
Remote Learning	Student is enrolled in a public school system and receives education services (including special education and related services) outside of the traditional brick and mortar school building through a process determined by the public school system.	Student is entitled to all provisions of IDEA. Public school systems shall ensure free appropriate public education (FAPE) is provided in the least restrictive environment (LRE) and procedural safeguards are implemented.
Homebound	Student is enrolled in a public school system and receives special education and related services in the student's home or other designated setting such as a hospital because the IEP team determined homebound is the most appropriate placement based on the student's individual health and/or academic needs.	Student is entitled to all provisions of IDEA. Public school systems shall ensure FAPE is provided in the LRE and procedural safeguards are implemented.
Homeschool	Student is NOT enrolled in a public school system because the parent opted not to enroll in a public or a private school and instead will deliver all instruction at home in accordance with state homeschool guidelines.	FAPE does not apply to homeschool. Limited procedural safeguards of IDEA may apply to child find and evaluation activities.

Remote Learning vs Homebound vs Homeschool

COVID Resources

- Department has two webpages with information related to COVID and restarting the new school year

  - https://doe.sd.gov/coronavirus/ - Primarily contains information from the Spring and fiscal information related to the CARES ACT and other funds available

  - https://doe.sd.gov/coronavirus/startingwell.aspx - Primarily contains information related to starting schools this fall

    - Starting Well: A Guide for Special Education

- State of SD Resources, including Department of Health

  - https://covid.sd.gov/ - General launch site for most resources and support information

  - https://doh.sd.gov/news/coronavirus.aspx#SD – DOH site with case updates and prevention and self care information. In the future they are working on a site to track school district related cases of COVID

- Federal information

  - https://www.cdc.gov/coronavirus/2019-nCoV/index.html - Federal level COVID information

  - https://www.ed.gov/coronavirus - Federal Department of Ed information and resources

Questions?

For Additional Questions Contact:

Region Representative https://doe.sd.gov/sped/

605-773-3678