

CORONAVIRUS (COVID-19)

SPECIAL EDUCATION DEPARTMENT SUPPORT AND GUIDANCE UPDATES

<https://tea.texas.gov/texas-schools/health-safety-discipline/coronavirus-covid-19-support-and-guidance>



THINGS TO REMEMBER

- There is no defined or correct method to adequately and equitably meet the needs of all students in an unprecedented event such as the current COVID 19 pandemic response. Campuses need to be flexible and consider employing a variety of delivery options as they make reasonable efforts to provide services to students with disabilities. (TEA COVID-19 Update April 2, 2020)
- Campuses should comply with all statewide or local orders. This includes but is not limited to school closures and shelter-in-place orders. As with all decisions made during the COVID 19 pandemic response, school staff will want to prioritize actions based on health and safety first, communication with staff and families, and then consider requirements of IDEA and state law regarding special education. (TEA COVID-19 Update April 2, 2020)
- Campuses should identify and acknowledge service delivery limitations and must make reasonable efforts to fully implement a student's IEP, once school resumes. This requirement to "make every effort..." does not allow a campus to decline all services to students with an IEP, during the closure of schools (TEA COVID-19 Update April 2, 2020)
- Teacher documentation must be detailed enough to ensure that services were provided to each student. It is critical that detailed documentation reflect all educational services provided during the COVID – 19 Pandemic closure. This documentation will be later referenced by the district to determine which services were provided to students in our Special Education program. (TEA COVID-19 Update April 2, 2020)



ARD MEETINGS

- Campuses must make reasonable efforts to hold meetings, stay in compliance, and document communication with parents/guardians and any agreements for flexibility during COVID-19 response.
- All required members of the ARD committee must be present virtually (during times of social distancing), unless a parent has given written permission for an excusal in accordance with IDEA's excusal requirements 34 CFR 300.321(e).
- Ensure parents are able to participate meaningfully in meetings held remotely, campuses should share with parents, in advance for review, any relevant district documentation
- Signatures of agreement or disagreement on an IEP may not be possible for all attendees because of the virtual nature of the meeting.
- The Guide to the ARD Process and The Notice of Procedural Safeguards must be provided to the parent, as required by federal and state law. Offer to send these documents by email or mail and/or offer a website where the parents/guardians may be able to find them. Document your efforts.

ONLINE LEARNING
&
FEDERAL
EDUCATIONAL
RIGHTS AND
PRIVACY ACT
(FERPA)

- Protections provided by the Federal Educational Rights and Privacy Act (FERPA) apply equally to instruction taking place in a virtual environment as in a brick and mortar facility. Compliance with FERPA does not preclude convening groups made up exclusively of students served by special education in virtual classroom settings.
- FERPA is the federal law that protects the privacy of personally identifiable information (PII) in students' education records.
- FERPA does not prohibit a teacher from making a recording of the lesson available to students enrolled in the class, provided the video recording does not disclose PII from student education records during a virtual classroom lesson or appropriate written consent is obtained if PII from the education record is included.

EVALUATIONS

- As of the publication of TEA COVID – 19 Q & A Document dated April 9th, 2020, a waiver on federal timelines related to Special Education compliance has **not** been issued by the federal government. Therefore, evaluation timelines will continue to apply for compliance reporting purposes. When timelines are not able to be met due to the Current COVID issue, please be sure to document the reason.
- If the campus cannot complete all components of an FIE during a closure due to the pandemic as it would have in typical circumstances, disability determination will likely be delayed. Special education determination for students should not be made without consideration of relevant date that would be provided in an FIE. Eligibility decisions and any subsequent IEP development decisions are made in the best interest of the student [34 CFR 300.306].
- LEAs should also consider ways to use distance technology to the extent possible to provide child find, hold initial and annual ARD committee meetings, and/or evaluation/eligibility meetings, if the LEA members and parents are available but not able to attend in person. Continuing to complete ARD committee and evaluation/eligibility meetings will help decrease the workload when school resumes. If required members of the committee and/or parents are not available or they believe their participation is impacted by the lack of an in-person meeting, LEAs should document the reason and complete the activity in a timely manner following the ending of school closures

TEACHER ROLES AND RESPONSIBILITIES:

Neither state nor federal law provide flexibility to campuses in times of emergency regarding their obligation to provide FAPE to students receiving special education services. If schools are closed but the campus continues to provide educational opportunities to the general student population during the closure, the school must ensure that students with disabilities also have equal access to the same opportunities, including the provision of FAPE. The campus must ensure that, to the greatest extent possible, each student with a disability can be provided the special education and related services identified in the student's IEP.

Campuses must ensure that students served by special education have access to the same or equitable learning platform/s as their peers. To the greatest extent possible, the campus must provide the student with the services required by the student's IEP.

Changes in services and accommodations may be made through the IEP amendment process. In many cases, instructional accommodations may be met in an online environment by providing additional supports, such as individualized telephone or video conferencing. Campuses should consider how current accommodations and modifications are provided in a physical classroom setting (i.e. extra time, redirection, small group, among others) and what this would look like in a virtual environment.

RELATED & SPEECH SERVICES

If a student's IEP requires the provision of ancillary instructional, and/or related services, the campus is responsible for providing these services. In many cases, services such as speech and language therapy or special education counseling may be able to be effectively provided in a virtual environment.

Campuses should plan carefully to ensure that the services can be provided effectively and that the students in question are able to effectively access them.



RECOMMENDATIONS

Virtual Implementation of Accommodations



Whole New World... with Endless Possibilities

Recommendations for Virtual Implementation of Accommodations

Accommodation	Recommendations for Virtual Implementation							
Print Disability	Text-to-Speech		Accessibility Features in device student is using				Accessible online Library	
	Google/Chrome	Microsoft/Edge	PC/Laptop	Chromebook	Android	iPhone	Learning Ally	Book Share
Oral Presentation	Speech-to-Text		Screen Recording			Closed Captioning		
	Google/Chrome	Microsoft	Screencastify	Microsoft PowerPoint	Flipgrid	Google Slides	PowerPoint	Youtube
Visual Supports	Graphic Organizers		Checklists		Timelines		Visual Cues	
	Google/Chrome	Microsoft	Google Keeps	Lists	Google Charts	Microsoft Templates	Google Docs	Microsoft
Visual Tracking	Immersive Reader		Google Extensions				Liner	
	Line Focus		Super Simple Highlighter				Video on How to use Liner	
Magnification	Accessibility Features in device student is using			Google Extensions				
	PC/Laptop	Chromebook	Mobile Device	Zoom for Google Chrome		Magnifying Glass		Hover Zoom
Clarifying Directions	Develop Videos with Quality Examples							
	Screencastify		Microsoft PowerPoint				Flipgrid	

SPECIAL EDUCATION PERSONNEL EXPECTATIONS

- ✓ Make phone calls to each of your students and give the families your contact information, so they can contact you.
- ✓ Provide help with assignments which are available on either the Special Services website or the BISD website.
- ✓ Reassure parents/students that you are available to help address students' accommodations/modifications.
- ✓ Document any and all efforts made to address FAPE on contact log.
- ✓ Be available to prepare and attend ARD meetings.
- ✓ These recommendations must be implemented in addition to campus/directives/instructions/procedures.
- ✓ Please visit our Special Services webpage for additional guidance and information regarding Instructional and Related support services.
- ✓ All related services personnel will continue to provide support/services to our special needs' students during COVID-19 school closure.

