

Preparing for the School Year - COVID-19 Tips for Families of Students with an IEP

At A Glance

COVID-19 has presented states, districts, students and families with many questions and concerns regarding learning and progress. In an effort to assist states, schools, and families around a number of issues resulting from the pandemic, guidance from the US Department of Education (USDOE) and Delaware Department of Education (DDOE) addressing a number of topics including, distance learning strategies and tips for supporting learning at home, were developed to support students with disabilities. Recently, DDOE, in line with the guidance from USDOE, and states nationwide, issued guidance to schools as it relates to ongoing support of students with disabilities during the re-opening process. This document provides an overview of the guidance, and includes tips and strategies for families. Similar guidance is being developed specific to youth and young adults ages 14-21, as well as resources to support Social & Emotional Learning (SEL) when transitioning back to school.

WHAT DOES THE GUIDANCE SAY?

Several guidance documents have been issued discussing supports for students with disabilities under COVID-19. In short, the guidance emphasizes that ***students with disabilities must continue to receive education services and individualized determinations must be made when services have not been provided and/or to determine what recovery services are needed.***

Guidance from both the USDOE and Delaware DOE state that schools providing educational services to students without disabilities must ensure that students with disabilities also have equal access to the same opportunities. This includes providing FAPE (free, appropriate public education), and ensuring that to the greatest extent possible, each student with a disability is provided the special education and related services identified in their IEP or 504 Plan. If a student has not received services during closure, the IEP team (or appropriate personnel under Section 504) must make an individualized determination whether (and to what extent) recovery/compensatory services may be needed, while being consistent with applicable requirements to make up for any skills that may have been lost.

WHAT IS UNFINISHED LEARNING?

Unfinished learning refers to portions of education missed by students due to school closures. Ongoing disruption means students will struggle with content and skills they've been introduced to, but not yet mastered. Unfinished learning does not automatically mean a denial of FAPE, however, a denial of FAPE could result from prolonged unfinished learning. Decisions about unfinished learning and determining appropriate steps are to be conducted on an individual basis by the IEP team.



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RECOVERY/COMPENSATORY SERVICES

Recovery and/or Compensatory services are services offered as a result of missed or disrupted services during COVID-19 pandemic closures. These services are different from ***Traditional Compensatory Education Services***, which typically result from a denial of FAPE. Recovery/Compensatory service determinations are based on the unique needs of the student and decided by the IEP team. The following are some examples where Recovery/Compensatory Education would be used:

1. A student with a disability returns to school with new needs resulting from the pandemic
2. A student with a disability who was receiving FAPE during the pandemic shows regression of a particular skill
3. A student with a disability did not receive FAPE. For example, a student's IEP required hands-on, in-person services such as Physical Therapy (PT), which the student did not receive as a result of state mandated closures.

In each of these circumstances, a review of data, including previous and, if applicable, new assessment data, and review of present levels of performance to assess student needs, progress, and/or loss of skills and ultimately determine if a student's IEP should be revised to reflect appropriate changes to supports and services.

EXTENDED SCHOOL YEAR SERVICES (ESY)

Extended School Year Services (ESY) are services beyond the normal school year and in accordance with the student's IEP. The purpose of ESY is to prevent or slow severe skill regression caused by an interruption of special education or related services during extended periods when school is not in session. ESY:

- Is available at no cost to parents
- Can be provided at any time of the year - not just during the summer
- Individualized teams must consider the following when determining if a student is eligible for ESY and should ask *"Will the learning that occurred during the regular school year be significantly jeopardized if ESY services are not provided?"*

1. Regression/Recoupment
2. Breakthrough Opportunities
3. Vocational Factors
4. Other rare and unusual extenuating circumstances



Considerations for determining ESY:
"Will the learning that occurred during the regular school year be significantly jeopardized if ESY services are not provided?"

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DETERMINING UNFINISHED LEARNING, AND WHEN RECOVERY/COMPENSATORY OR ESY SERVICES ARE NEEDED

All guidance from both the US Department of Education - Office of Special Education Programs (OSEP) and Delaware Department of Education emphasize the provision of FAPE and requirements under the Individuals with Disabilities Education Act (IDEA) have **NOT** changed. Decisions to identify the services and supports needed to ensure FAPE, should be **individualized**, and **data based**. The following should occur:

- Ongoing monitoring of student progress
- Ongoing communication with families
- Ongoing documentation of students' progress and services delivered



TIPS FOR FAMILIES

Your role and feedback in this process are critical. The following list outlines steps you can take and questions to consider to work with the IEP team in identifying the best course of action to ensure your child's needs are met.

- Review your child's existing IEP and goals. Have they made progress? If so, write down the areas of progress, and also note areas where you feel they've regressed or are not making progress. This information is critical for the IEP team in determining the best action plan for your child.
- Consider asking the team about the process of monitoring your child's progress. What will progress monitoring look like and how often can you expect to receive updates on your child's progress towards his/her goals?
- What worked/didn't work with the existing distance learning during mandated closures? Did you identify new strategies and/or methods that improved your child's learning? Were there areas where your child may have struggled, and you were unsure as to how to support your child? This information will be helpful when developing your child's goals and services in their IEP.
- Consider requesting copies of any new assessments (formal and informal), and other data prior to your child's IEP meeting.
- Communicate with your school team and be ready to support your child's learning. If you are anxious, nervous or unsure how to support your child, ask your child's team for ideas.
- Be pro-active and educate yourself about COVID-19 and its impact on your child's education. Stay connected with PIC for all the latest information.