SPECIAL EDUCATION DURING SCHOOL CLOSURE DUE TO A NOVEL CORONAVIRUS OUTBREAK

AOE CONTINUITY OF EDUCATION PLAN GUIDANCE 2.1

Updated: March 21, 2020

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Purpose

The following resource document provides recommendations for the local-level provision of supports for students with disabilities during the COVID-19 outbreak, with the goal of ensuring continued quality implementation of special education.

In this complex education environment special educators will need to rise to the challenge of providing educational services to students with disabilities. It will require special educators to collaborate, be creative, and stay attuned to the needs of each of their students. Each student is different and will need individualized supports and considerations.

What follows are:

- considerations for special educators to use when supporting students with disabilities in accessing the general education curriculum;
- recommendations for approaches to the continued implementation of individualized education program (IEP) services; and
- actions special educators should be taking to ensure that appropriate data for determining the necessity of compensatory services is collected and available.

Considerations for ensuring accessing to Free Appropriate Public Education (FAPE) (34 CFR §300.101)

If instruction is being provided to the general education student population, whether it be an e-learning platform, or paper materials, a student with disabilities who is on an IEP is entitled to receive the same access to said instruction. Currently, all schools are required to create Continuing Education Plans for students should the closure extend beyond April 6, 2020, and those plans constitute the general education curriculum in this context. If general education is being provided in this context for longer than ten days, an IEP amendment will need to take place to reflect the change in placement for the student on an IEP. This amendment should be viewed as the planning document to ensure that each student has access to the new general education context. Local Education Agencies (LEAs) must ensure that to the greatest extent possible, that each student with a disability can be provided the special education and related services identified in the student's IEP. A student's current IEP accommodations and modifications must be considered when changing the student's educational placement in accordance with the SU/SD's Continuing Education Plan and each individual student's ability to access their educational program.

Resources and approaches for providing Virtual Learning accommodations

Appropriately supporting students in virtual learning environments requires key instructional planning and preparation. When students with disabilities access online learning programs, additional planning may need to occur so students can be supported with additional services determined by the student's IEP. These added programmatic needs often require extra levels of consideration to determine the appropriateness of the online interventions and

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accommodations. A tool like the [UDL Scan Tool](#) from the Center for Online Learning and Students with Disabilities can be one resource a school team can utilize when considering the appropriateness of the virtual learning platform. Other student modifications and accommodations to consider include:

- Scribe: many platforms have built in programs and add-on apps, as well as accessible tools online for providing speech to text support.
- Text to Speech: many platforms have built in programs and add-on apps, as well as accessible tools online.
- Decreased Workload: decrease the number of questions or criteria for completed work.

In addition, special educators should consider providing:

- Supplementary material to go along with virtual learning.
- IEP targets and data collections processes to parents to ensure they are able to monitor progress of IEP goals.

Resources and approaches for providing Paper Packet accommodations

If LEAs send home paper materials, then that LEA must ensure that students with disabilities have the necessary accommodations and modifications to access the information contained in those packets. General accessibility of the materials to the cognitive and learning needs of the student need to be considered. These considerations should include reading level of student, independent work experience etc. Other student modifications and accommodations to consider include:

- Scribe: an adult may need to be present to complete written work on behalf of the student
- Text to Speech: an adult may need to be present to ensure text to speech software is used appropriately
- Decreased Workload: Decrease the number of questions or criteria for completed work.
- Additional prompting: an adult may need to be present to ensure student is provided appropriate guidance in the completion of an assignment
- Additional time: if additional time to complete the assignment is necessary, an adult may need to be present to document the extra amount of time required
- Picture content: an adult may need to be present to describe or interpret the picture necessary to the completion of an assignment, particularly if student has a visual impairment.

Considerations for Parent or Family Involvement

In addition to ensuring the content is presented in an accessible format for the student, a school team will need to focus on considerations for the individuals who will be supporting the student access to their learning platforms. Special educators should consider parent training as a related service that is listed in the IEP. Special educators may need to amend the IEP based upon parent training that would be appropriate to the distance learning environment. This is an important step as parents:

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- May wish (if they choose) to take on the role of a teacher for their child in implementing aspects of the plan, monitoring progress and completion of assignments in a timely manner. This will require increased communication, training, and resources.
- Will need to create an appropriate educational learning environment for the student including managing the time students spend on activities and develop a consistent routine for distance learning by providing guidelines for how long assignments or activities should take. Teachers should provide guidance to families as to the expectations for time and scheduling and amount of work per session as appropriate for the child.
- May need training or suggestions on how to motivate or organize their child to help them stay engaged throughout the instructional day, including agreed upon incentives and rewards. Strategies used by teachers should be shared with parents.
- Will need to be able to provide directions with examples whenever possible

In addition, teams should consider the following when planning how to support the family learning environment:

- Communication strategies with the special education teacher or other professional staff any concerns so that adjustments can be made to the plan
- Verify that the curriculum is accessible for students on IEPs by identifying families that lack internet access and ensuring that mailing address and telephone numbers are accurate for those families.
- Medical needs must be monitored as prescribed by medical personnel
- Functional skill goals in the IEP also need to be addressed if appropriate to the distance learning environment. Teachers should suggest how they use behavior plans and transitions in the classroom and how it can be implemented in the distance learning environment.
- Teachers should include a statement of learning objectives with work supplied to students and families. Students should be able to self-assess how they will know if they have met the learning objective.
- While basic skills practice may be useful, consider reducing the amount of skills work and adding opportunities for applied practice, such as warm-up activities and opportunities for students to engage in tasks in which they have already showed proficiency to ease into the learning environment before moving on to new materials. Ex. Practicing school work the student already knows before moving onto something new.
- Teachers should provide opportunities and contact information for student and family feedback and questions.
- Teachers should emphasize proficiency as opposed to repetitive practice.
- When appropriate, encourage creating project-based learning or portfolios of work that reflect interest of the personalized learning plan of the student.

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Teacher and other Professional Staff needs

Lastly, school teams need to consider how the teachers and other professional staff involved with the student's instruction can support students in this educational environment. Teams should be sure to:

- Create a communication plan with other staff involved in the educational programming for the student. This includes all direct instruction and related service providers.
- Document plan requirements (amount and times per week), including supervision time or contact logs with family and other staff, and student progress.
- Time to create flexible and personalized activities as part of the student's plan.

Considerations for the provision of special education services

As long as instruction is being provided to the general education student population, students who qualify for IEP services are entitled to receive the services outlined in their IEP.

Given the nature of these closures and future plans, IEP amendments will likely be required to ensure accurate representation of student placement. This is an opportunity for each LEA and student team to review what service options are needed in each specific case, in order to meet a student's need. Within each LEA there will be variation in what each student can access, what types of support or transportation they have available to them, their health vulnerability and their needs. Educators will need to base their plans for distance learning on the unique circumstances of each student and of the staff providing those services. The health and safety of the students and staff are paramount and should be the first consideration when determining how to provide services.

Please keep in mind that services can be delivered by a variety of service providers, including related service providers as appropriate, and should be executed in a way that is not in conflict with the Governor's Executive Orders, CDC and Vermont Department of Health directives. Special educators should be creative in helping parents to support their children and are encouraged to add fun or enrichment activities into the structure of their virtual lessons, to support increased student engagement.

Additionally, special education teachers should have individualized communication with all students/families on their caseload frequently. For students who are unable to communicate verbally, this may look like individualized communication with parents. This communication can be email, virtual classroom, or phone.

When an amendment is required to indicate a change of placement or to change service delivery expectations, it can be done with the agreement of the parent without a formal IEP meeting using Form 5B. If an agreement is not reached with the parents, then the team should conduct an IEP team meeting (via phone or virtual means).

As a part of determining what services may need to be changed, LEAs should create a process that incorporates the following considerations:
- Is the current service logistically feasible given the context?

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- Will the nature of the service comply with public health guidance from the Vermont Department of Health?
- How will provision of this service be documented?
- Is this a service that the special educator can consult with the parent to assist in providing?
- Will the equipment necessary to provide the service be available?
- Is the service able to be provided in a way that prevents regression and advances the students IEP goals? If not, would providing compensatory services at a later date be more beneficial to the student?
- Will the online learning program offer a way for students to collaborate virtually on projects? Will students on IEP's have the same access to interactions with peers? (LRE)

Service Modes and Considerations

Each service mode comes with a set of benefits and drawbacks. Below is a brief description of some of those considerations by service model.

Virtual consultation and instruction

This will require the student to have an internet connection, a computer or device with a camera, and all the proper equipment and materials needed to complete activities. If the student requires additional Assistive Technology (AT) to access the material, it must be provided by the school or LEA. If services require physical maneuvering of students, an adult must be present who can accurately maneuver the student as needed to provide the service. If there is a question of whether this can be done safely, it should not be attempted. An adult may need to be present to redirect the student to the instruction, provide prompting, and to keep the student on task, particularly for younger learners. Progress should be monitored closely to ensure the effectiveness of the strategies being used. Services rendered should be recorded or logged as well as services that were unable to be rendered and the reason they were unable to be rendered. This will be valuable information in deciding if compensatory services are needed in the future. If an LEA attempts to deliver a service but feels it was ultimately unsuccessful that should also be documented.

Telephone consultation and instruction:

In this case students must have a working phone line, or a cell phone with service. Services must not require visual aids or face to face communication. Student will require all the proper equipment and materials needed to complete activities; if the student requires Assistive Technology (AT) to access the material it must be provided by the LEA. If services require physical maneuvering of students, an adult must be present who can accurately maneuver the student as needed to provide the service. If this cannot be done safely without visual instruction, it should not be attempted. An adult may need to be present to redirect the student to the instruction, provide prompting, and to keep the student on task, particularly for younger learners. Progress should be monitored closely to ensure the effectiveness of the strategies being used. Services rendered should be recorded or logged as well as services that were unable to be rendered and the reason they were unable to be rendered. This will be valuable information in

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deciding if compensatory services are needed in the future. If an LEA attempts to deliver a service but feels it was ultimately unsuccessful that should also be documented.

Take-Home Packet Instruction

Service providers may wish to supplement virtual or telephone consultation and instruction with packets. For example, a counselor working with a student on self-esteem may send home a series of self-esteem worksheets or an SLP may send home a packet of idioms for the student to practice. The student should receive all supports needed to be able to complete the packet. Students should be clear on what is to be done independently and what is meant to be supported work. Progress should be monitored closely to ensure the effectiveness of the strategies being used. Packet work should be assessed to ensure that the work is appropriate for independent or supported learning (depending on what the situation calls for.) Packet work should be meaningful, and therefore must be monitored and adjusted to meet student need.

Service Types and Considerations

In some cases, specific service delivery types have additional considerations. Below is a brief description of some of those considerations by service type.

OT/PT Services

Implementation of PT and OT services is almost always done in a face-to-face, in-person context. Given that this mode of delivery may not be available at this time, virtual instruction may be a viable option. Students will need access to any instructional materials used such as yoga balls, brushes, resistance bands etc. If the student is using a sensory diet, the therapist may want to send home a visual schedule with the exercises the student will be performing each day. Complicated tasks may be broken down into a visual task analysis for students to reference. Any exercises that can be dangerous if done incorrectly should not be attempted during virtual instruction. An adult will need to be present to help the student position themselves in front of the camera, to help maneuver their body and to keep them focused on the task.

Speech and Language Services

Speech and language services may be delivered by virtual or telephone consultation and instruction. In order to provide speech and language services virtually the student must have access to the materials needed such as alternative and augmentative communication (AAC) boards if they are using one (such as a PECs board), or any electronic AAC systems (such as Proloquo2Go) they may be using. If those electronic systems require a username or password that must be provided. If the adult delivering instruction to the child is unfamiliar with the program, they may need detailed directions on how to add or remove vocabulary from the board. Students may need training on the proper way to video chat and how to appropriately position themselves in front of the camera so that the SLP can see their mouth and facial movements. This may require some pre-made visuals and instructional material.

Behavior Services

Behavior services may be delivered virtually if there is an adult present to track behaviors and to implement behavior interventions as instructed. Tracking the change in behaviors between the home and school environment may provide unique insights into behavioral functions due to the change in presence of peers, sensory input, and available activities. The adult tracking behaviors may need tracking tools such as charts and language about the specific, observable and measurable behavior that they are tracking. If students are being provided with reinforcers, those should be available to be given in the home environment along with instructions about prompting and fading. Any adults administering a new behavioral protocol should be briefed on extinction bursts and should be frequently connecting with behavioral service providers to share progress notes.

Transition services

A shift toward transition services that can be implemented virtually is recommended. Career Exploration activities such as interest and personality inventories, or virtual job shadows can readily be implemented virtually. There are many online career planning and exploration tools. Students can work on resume building, research into potential future employers, practice answering interview questions, or practice budgeting using different potential salaries. In-person work experiences will need to be paused during this time. Transition services like community-based instruction, transportation training via a public bus, and work experiences in the community all put the student and others at risk for spreading the virus and should be avoided. If students are currently working in the community, they may be able to reflect on their struggles and experiences thus far, reflect on feedback from their community employers, or do research/reading on future tasks they may be asked to complete when they return. Some students will find the change in routine challenging and may benefit from maintaining as much as their daily structure and routines as possible during their time away from community work. Please find additional transition planning resources in the secondary transition section of the VT AOE website.

Specialized instruction

Specialized instruction, defined as, 'adapting, as appropriate to the needs of the eligible child…the content methodology, or delivery of instruction…to address the unique needs of the child… and to ensure access of the child to the general education curriculum…" (CFR §300.39(b)(3)) may be delivered by virtual or telephone consultation and instruction. Special educators should consider if the nature of and type of specialized instruction that their student needs can be implemented virtually. If the instruction cannot be implemented virtually, the special educator needs to document this lack of access in order to capture later as a compensatory service. When providing virtual specialized instruction, educators must ensure that students have everything they need including instructions for the virtual platform, username and login information, a number or email address to contact if technical issues arise, and any other materials needed for instruction.

Counseling

Counseling services can be provided by virtual or telephone consultation. Counselors may need to give extra consideration to building trust with students that they are unable to see face to face

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and allow for extra time for the student to become comfortable. Counselors will need to prepare students already receiving counseling about the impending changes and prepare to make adjustment. Students should have a password protected WiFi connection to protect their privacy. Counselors may need an adult in the home to check for signs of self-injury and general welfare when appropriate. Students who are not currently being treated for anxiety and anxiety related issues may be experiencing anxiety related to the panic caused by the virus. Typically healthy families may be in crisis due to lack of income or access to necessities so counselors should be aware of changing family circumstances. Counselors may want to provide packet materials to supplement their typical services such as worksheets on building self-esteem, journal prompts, body checks or anything else related to their goals.

Case management

Special education teachers are expected to have individualized communication with all students/families on their caseload. For students who are unable to communicate verbally, this may look like individualized communication with parents. This communication might be email, google classroom, or phone.

Considerations for determining compensatory services

Compensatory services may be appropriate in the event of missed services. Services and needs will likely vary by student, so each IEP will need to be reviewed with the provision of compensatory services in mind, before, during and after the period of school closure. When planning for the possibility of compensatory services, educators should focus on team processes and data collection.

The following are recommendations for determining the need for compensatory services:

During School Dismissal

During the school dismissal, monitoring of services as prescribed and documenting student progress will be ongoing. The student's case manager (or designee) shall document the activities, services, equipment provided to the students including information on the duration, frequency, mode of delivery of services, and provider(s) of services.

It is especially important for the student's case manager (or their designee) to note attempts to provide alternative services that were planned, but which could not be provided, or were refused. When doing so, include the date services were attempted; reason services were not delivered; and a list of any attempts to provide alternative services, including attempted mode, persons involved, and attempted location(s) of service delivery.

As services are delivered, the student's case manager (or designee) should monitor and document student progress, as well as ongoing communication with team members.

Upon students' return to school

Prior to or upon re-opening of school, the student's IEP team should implement the student's reintegration plan, including any re-entry strategies needed. After school reopens, the IEP team

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must convene to make a determination as to whether and to what extent it may be necessary to provide compensatory services. Prior written notice in this case must describe the purpose of the meeting, review of progress, whether to amend the IEP to reflect a significant regression that cannot be recouped within a reasonable amount of time. Through this meeting, document the following:

- The date(s) of meeting(s)
- People involved in the meeting(s)
- Review of services provided during dismissal, and those that were not
- Review of data regarding student's progress toward IEP goals, making note of any regression that may or may not have occurred
- IEP team's statement regarding significant regression of skills
- IEP team's plan regarding what will restore the student's educational benefit missed during school closure
- It is important to note that when regression occurred, or when compensatory services are needed, that exact minute-to-minute compensatory services are not required.

Compensatory Services

The Agency recommends taking a qualitative approach to determining compensatory services. Just as Individualized Education Programs focus on the individual needs of students, so should the compensation for lost services rely upon individualized measures.

The LEA shall make an individualized, fact-specific determination based upon what is reasonably calculated to provide the educational benefits that likely would have occurred from special education services if not for the school dismissal. The process should follow a five-step decision making process:

1. What are the student's specific educational deficits?
2. Which and how much of these specific deficits resulted from the loss of FAPE due to the school dismissal?
3. What are the specific compensatory measures needed to best correct the deficits identified in question #2?
4. Shall the team consider a deduction based on the student's reasonable recovery of progress once school resumes? Shall a deduction be made for exceptional / unreasonable conduct (ex: parent rejects services and supports offered; student places themselves or others at risk while an attempt is being made to offer the services)?
   - If so, calculate and explain.
5. Confirm the school's proposed offer of services in a Prior Written Notice of Meeting to Amend the IEP

If you have questions about this document, contact Chris Kane at christopher.kane@vermont.gov

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