

Updated DESE Guidance for SEPAC

Shared and Discussed with Ipswich SEPAC and
Parents of Students on 504 Plans
October 1, 2020

Special Education Service Delivery

Federal Office for Special Education Programs (OSEP) Sept. 28, 2020

- *“ As public agencies and officials grapple with challenging decisions, administrators, educators, and parents may need to consider multiple options for delivering instruction.”*
- Those options include remote/distance instruction, in-person attendance, or hybrid instruction.
- If health and safety concerns require schools to limit or not provide in-person instruction, FAPE will nonetheless be provided.

What Services Look Like

- OSEP : “As conditions continue to change throughout the country, some of the special education and related services included in a child’s IEP may need to be provided in a different manner; however, all children with disabilities must continue to receive FAPE and must have ‘the chance to meet challenging objectives.’”
- Dr. Russell Johnston, State Special Education Director and Senior Associate DESE Commissioner: *Services may appear different.*
- OSEP: IEP teams **should consider alternate available instructional methodologies or delivery** such as online instruction, teleconference, direct instruction via phone or videoconferencing, or consultative services to the parent.

Factors That May Impact Service Delivery During COVID

- Special education does not exist in a vacuum. It is embedded in larger school and District decision-making.
- Health and safety guidance & local agreements impact in-person delivery. Ipswich maintains 6 foot distancing of students in classroom space.
- Where possible, alternative and outdoor spaces have been repurposed to allow for safe instruction, all with at least 6 foot distancing.
- Cohorts have been designated in order to allow for safe social distancing, as well as to limit student exposure bubbles.
- Adjustments have been required when there are variations - e.g. students within a cohort whose families have chosen all-remote learning, or staff members either on FMLA or remote only options.
- Although such considerations **cannot constrain IEP service delivery**, they nonetheless, may impact the delivery mode.

Individualizing Based on Student Need

- Unfortunately, conditions do not allow for all students to receive in-person services four days a week.
- DESE has directed that the most vulnerable populations receive priority for in-person services.
- This population includes special education students with high need; young children; students who are English Language Learners; students living in poverty; students who use aided and augmentative communication; and students who are homeless or in congregate foster care.
- Lack of space, *per se*, cannot be allowed to impact services, but it may necessitate Team **problem solving to mitigate** any disadvantages through providing an alternate delivery.

What Are Some Workarounds that Have Proven to be Effective?

- Teacher-prepared videos regarding the instructions required to complete remote work, allowing students to replay the instructions as much as needed
- Scheduled 1:1 remote check-ins with the teacher, counselor, or counseling intern
- Remote social groups
- Creating a visual schedule for the remote days
- Encouraging the student to set an alarm that will give a “10 minute warning” to log in to a Zoom lesson
- If the unexpected occurs (such as a Zoom lesson crashing or being forgotten), it is perfectly ok to email the teacher so that it does not create a cascade of further anxiety. This will also help the student develop productive ways of managing anxiety.

Assessment During Hybrid Times

DESE Guidance Regarding Options :

- If enough information is available, perhaps use file review without additional testing (with parental agreement)
- Parent delay by choice; assess at a later date
- Remote (tele-assessment): Ipswich school psychologists have participated in both DESE training and peer collaboration.
- In-person evaluations are taking place with PPEs and social distancing procedures.

Tele-Assessment

What is Tele-Assessment?

- Tele-assessment should be conducted in cases when reliable and valid results can be collected remotely.

Best Practices

- Use professional judgment about **which tests** and **which students** can produce valid results through tele-assessment
 - Students must have:
 - adequate technology resources (and the ability to use them);
 - adequate private space; and
 - an adult who can serve as a proctor.
 - Remote evaluations should not be used if:
 - they require manipulation of specialty materials to which the student does not have access.

Tele-Assessment (cont.)

- Some students require special consideration in their fitness for remote testing such as:
 - Students with sensory issues (unable to wear a headset, prone to eye strain);
 - Students who are unfamiliar with the technology.
- **Bottom line**
 - Remote assessment is a valid option in many cases.
 - Use professional judgment and contextualize current need.

Hybrid Instruction COVID Special Education Learning Plan

Hybrid Instruction- the COVID Special Education Learning Plan includes the following :

Describe how and when the school or district obtained parental input regarding the proposed differences in provision of special education services in a hybrid model.

Describe how the accommodations, modifications, and services outlined in the student's IEP will be provided differently for modified in-person instruction than as written in the current, signed IEP.

Describe how the accommodations, modifications, and services outlined in the student's IEP will be provided differently in the remote environment than as written in the current, signed IEP.

Describe what the parent should expect in the way of regular, ongoing communication from their child's special education team members.

Types of COVID Compensatory Services

- General Recovery Support
- Covid 19 Compensatory Services
- IEP Amendment

General Recovery Support

- Many students may need some type of recovery support to address their educational and social emotional needs and reorient them to learning in the 2020-2021 school year.
- Neither state nor federal law defines the term “recovery support”; however, the term is increasingly being used by states to refer to the general education **support that all students, including students with disabilities, may need to recover from educational gaps** in learning or loss of skill - or even the impact on students’ emotional well-being caused by the unexpected suspension of in-person learning.
- All students may show some signs of regression or return to school in the fall with gaps in their learning when school resumes to a greater extent than is usually experienced over the summer, or demonstrate impacts of trauma experienced during this emergency. To mitigate the impact, **students may need general education recovery support to regain lost skills and knowledge**. Some recovery support may be provided to students through core instruction and other support may be available through the school’s or district’s Tiered System of Support or pursuant to the District Curriculum Accommodation Plan (DCAP). See the Department’s [Multi-Tiered Systems of Support \(MTSS\) Blueprint](#).

General Education Recovery Support

- Recovery support may include both academic and non-academic support, including but not limited to the following:
 - Academic scaffolds, accommodations, and differentiated core instruction informed by assessment data and observations;
 - Tier 2 and Tier 3 interventions targeted at demonstrated academic need;
 - Behavior plans, counseling, and other social emotional support; and
 - Support for following new health and safety protocols (e.g., masking, hallway passing, hand washing, disinfecting, etc.).

COVID Compensatory Services (CCS)

- CCS (and recovery support provided to students with IEPs) may not supplant, i.e., take the place of, the student's current IEP services.
- In other words, needed CCS and recovery support will be provided in addition to a student's current IEP services.

Making a CCS Determination

- Determinations regarding CCS must be **individualized decisions** based on data and information that are made by a student's IEP Team, which includes the student's parents.
- The IEP Team will make determinations about a student's need for CCS following the **review of data regarding a student's skills and progress** toward meeting IEP goals during the closure period.

What Must Be Considered for CCS

The information and data to be collected and considered by the IEP Team may include:

- **Instructional and special education services provided** to the student during the period of suspension of in-person education, including whether particular services were not provided or could not be accessed by the student;
- Any **barriers** to the student's access during the period of unexpected remote instruction;
- **Levels of academic and functional performance**, including levels of performance on all IEP goals prior to the unexpected suspension of in-person education in March 2020, as compared to the student's current level of performance, as well as the expected growth through the end of the 2019-2020 school year;
- Data collection **or progress monitoring** during spring 2020, and also summer 2020 for students receiving extended school year (ESY) services **Student data from previous school years** indicating the student's ability to recoup lost skills or make effective progress after extended breaks in instruction.

Questions to be Asked

IEP Teams should consider the following questions to determine if CCS are warranted. The Team may determine that such services are needed based on answers to one or more of these questions:

1. Are there services in the student's IEP that were **not offered** or that the student **could not access** during the period of suspended in-person education?
2. What is the **impact** of the absence of services on the student's skills and/or behaviors or ability to make effective progress ?. (CCS are **not necessarily** a 1:1 correspondence to missed IEP services)
3. To **what extent** has the student demonstrated regression in skills?
4. Has the student **failed to make effective progress** toward their IEP goals and in the general curriculum?

IEP Teams considering the need for CCS should also discuss available general education recovery supports. An additional question for review is:

- ▶ Does the school or district have available **general education recovery support** that will support all students in recovering from educational gaps in learning or loss?

Questions (cont.)

The Team should then discuss with specificity the student's need for CCS to address their unique needs:

What COVID-19 Compensatory Services are necessary to address the student's special education needs arising from the suspension of in-person education?

- If the IEP Team determines that the student needs CCS, the Team should then discuss **which services** are required to **address** the documented **regression** of skills or failure to make effective progress so the student can make appropriate progress given their unique circumstances, and
- **how** those services will be **provided**, including the amount, type, duration, and progress monitoring of CCS.

Need for New IEP Services (IEP Amendment or new IEP)

- As part of the discussion about CCS, an IEP Team may also identify if a student now has **additional disability-related needs** not previously identified, including but not limited to mental health needs.
- Consistent with the requirements in IDEA and state special education law, the IEP Team must use an appropriate process to **identify the new services required** and amend the student's IEP, including identifying and obtaining parental consent for assessments in areas not previously assessed.
- These IEP services are not considered CCS, but rather **new services** to be added to the student's IEP service delivery grid.

MCAS Information

Updated September 29, 2020

- Current plans are that MCAS will take place in **Spring 2021**.
- Grades 3- 8 will participate in testing in April and May 2021.
- If conditions change because of COVID-19, DESE will update plans and schedules as needed.
- Because districts may not be able to test as many students as usual, there will be **longer testing windows** so that there is time to test students who may only be in school on certain days.
- The requirement for concurrent testing on prescribed dates at the high school level is suspended.