



Disability Rights Iowa

LEGAL PROTECTION AND ADVOCACY

Frequently Asked Questions from Parents with Students in Special Education during COVID-19 School Closure

This information may change and will be updated as this situation evolves. Please check back frequently. You may also want to follow the Iowa Department of Education's COVID-19 guidance page:

<https://educateiowa.gov/article/2020/04/17/covid-19-guidance-and-information>

1) What does it mean if my school is:

a. Closed and not providing ANY educational services?

If the school is closed and the school is NOT providing any education to ALL students (no work packets, no online classes, etc.), then a school is also not required to provide special education services to your child. Your school district will be required to work with the Iowa Department of Education to make up education from this period of closure.

b. Closed but providing REQUIRED education services?

If the school building is closed but the school is providing *required* education then attendance is being taken and school work is being graded. These schools may be sending home packets, providing online classes/instruction, other online credits, or providing some type of education in another way. Your school must still implement your child's IEP as best as they can during this time. Many supports and services provided in an IEP may not be able to be provided remotely, or may now need to be provided in a different way. An IEP team meeting needs to be scheduled to decide the supports and services your child will need during this time.

c. Closed but providing VOLUNTARY education services?

If your school is closed and providing voluntary enrichment opportunities the school CANNOT take attendance or grade materials. During voluntary closure, equity for students cannot be guaranteed; however, school districts are still required to attempt to provide equity for students with disabilities, students with limited English proficiency, and other marginalized students. If your student cannot access the packet, videos, online learning, or other materials being sent home, let your school know in writing that they need materials in a different format. It will be helpful to suggest what will work for

your student, but know that, unfortunately, not every accommodation will be provided at this time. You may still want to have an IEP team meeting to talk about how your school can make voluntary learning accessible for your student while they are at home.

NOTE: The school or AEA may still choose to provide some special education services to students even when all other students are not receiving services. For example, AEA's may choose to continue providing special language services. This will depend on your district and AEA.

2) How should our IEP team amend my student's IEP?

The best approach at this time is to say that specific parts of your student's IEP will not be implemented during this time due to the school closure. We recommend this over making revisions and amendments to the IEP itself. For example, "[Name]'s one-to-one paraprofessional/associate will not be provided in their home at this time. However, when typical school resumes, [name]'s IEP from [date of your most recent IEP from before the school closure] will be implemented again in its entirety. Any changes made to [name]'s IEP at this time are due to the COVID-19 school closures and not a change in [name]'s needs."

3) The school is providing some special education services to my student, but they are different from what they were getting when school was open. What should I do?

Keep a written record of all educational services that your child receives during ANY closure of school during this time. This should include the date of the services, the type of services, the time length of the services, and who provided the services. This will help show what was provided during this time and what was missing. Your child may be eligible for compensatory education (additional educational services to make up for the missing services) when things return to normal and this record will help in trying to figure out if your child is eligible for compensatory education and if so, what those services should be and for how long.

4) Can the school force my student to graduate from high school if they have not met all of their goals and requirements?

If your school contacts you during the closure and says your child is graduating from high school this semester and you believe your child has unmet IEP goals, transition goals, or graduation requirements, please contact Disability Rights Iowa as soon as possible.

5) My student turned 21 this school year what does this closure mean for them?

If your student's IEP team has decided that they qualify for special education through age 21, ordinarily this means that the student is eligible to remain in special education through the school year in which they turn 21. If this school closure has caused your student to regress to a point where they are now not able to move forward with their post-high school transition plans, you will want to contact your IEP team in writing and request an IEP team meeting to discuss this regression.

6) My student has behavior goals and services. Can we still work on those at home?

If your child has a behavior goal or a Behavior Improvement Plan (BIP), consider reaching out to your school or AEA's behavioral consultant to have them provide parent training to you over the phone, in email, or over video on how you, as a parent, can continue to work on behaviors at home and be consistent with the behavior plan. We recommend reaching out to the behavioral expert over email so there is a written record of you asking for "parent training" regarding your child's behavior goal and plan. Again, document any services and education minutes the school provides related to behavior as we explain in Question 3 above.

7) My student needs assistive technology in order to attend school from home. Who can help me with that?

If your child uses Assistive Technology (AT) at school or might need to use it now to access electronic education, consider reaching out to your school and/or AEA's AT professionals to ask for assistance and help in setting up AT services at home for electronic instruction.

You may also wish to contact Easterseals of Iowa for assistance with assistive technology. Easterseals of Iowa is not affiliated with Disability Rights Iowa. They are not lawyers and they are not parent advocates. However, they have AT experts on their staff who can help families access AT devices and services that might work for their children. For example, Easterseals has an assistive technology lending library that allows people with disabilities and their families to borrow up to five pieces of assistive technology for thirty days for free. For more information about this program, you can contact:

Phone: 1-866-866-8782

TTY: 515-289-4069

Email: atinfo@eastersealsia.org

8) I have a student who is 14 or older at home. What about transition planning?

If your student is 14 years old or older you can use this time to work on their transition skills at home. If you are able, you can work on these skills, keep a record of them, and have that included in your student's transition plan when school returns. For example, this might be a good opportunity for you to collect some "data" about how much cooking your student is able to do. Can they follow recipes? Can they measure ingredients? If you are doing any home repairs, see if your student can help. Do they know how to use tools? Can they watch a video online about checking oil in a car or how to change a tire? Does your student know how to work with a budget? Do they know how bills work? How is their hygiene? Are they managing their own medications? Are they able to keep up on social skills (friendship) or fun activities while stuck at home? What are the "downtime" activities they like? If you are home with your teenager, this is a perfect time to collect that information. Then when school starts again, tell the IEP team what you did at home, what your student is able to do, what they struggled with, and how you want these skills addressed in their IEP transition plans.

If your school district or AEA is providing any transition support or education minutes, document those services as we explain in Question 3 above.

9) My student's academic skills are regressing at home. How can we address that?

If you are working on academic skills at home (either on your own or with the school's help), you will also want to keep track of any "growth or regression" you see. For example, if you notice that your student seems to be struggling with reading at grade level and it is not part of their IEP, you will want to discuss that at your next IEP team meeting. If you notice that your student seems to be getting "worse" at an academic skill over the next month or two at home, that is something you want to document and bring up when the school starts talking about compensatory education, extended school year, or summer school. So if you are working on academics at home, track your own information. You will want a record of whether your student is advancing or regressing in a specific academic area by the end of the school year.