



Ask Dr. Silva – Department of Education, Special Education

Dr. Charlie Silva, Special Education Director

Sponsored by the Idaho Council on Developmental Disabilities



Supporting Schools and Students to Achieve

SHERRI YBARRA, ED.S., SUPERINTENDENT OF PUBLIC INSTRUCTION

What are the district's obligations to provide FAPE (free and appropriate education) to students with disabilities during extended school closures related to this health emergency?

- School districts must provide a free and appropriate public education (FAPE) consistent with the need to protect the health and safety of students with disabilities and those individuals providing education, specialized instruction, and related services to these students.
- School districts must remember that the provision of FAPE may include, as appropriate, special education and related services provided through distance instruction provided virtually, online, or telephonically.

See also:

Q & A COVID-19 Guidance (OSEP 3/20), Q/A A-1

[Guidelines for Providing Special Education Services During the COVID-19 Pandemic Q & A \(Updated April 21, 2020\) \(p.6\)](#)

How often should districts communicate with parents and guardians during this period of school closure?

Communication

Flexibility

Team Effort

As Much As Needed

Google Hang Out

Email

Request a Meeting

Zoom

Creativity

Does the district need to provide all services on a student's IEP remotely?

- Case-by-case situation
- Some schools might choose to safely, and in accordance with state law, provide certain IEP services to some students in-person
- It may be unfeasible or unsafe for some LEAs during current emergency school closures, to provide hands-on physical therapy, occupational therapy, or tactile sign language educational services.
- Modifications and services may be effectively provided online. These may include, for instance, extensions of time for assignments, videos with accurate captioning or embedded sign language interpreting, accessible reading materials, and many speech or language services through video conferencing.

See also:

Q & A COVID-19 Guidance (OSEP 3/20), Q/A A-1

[Guidelines for Providing Special Education Services During the COVID-19 Pandemic Q & A \(Updated April 21, 2020\) \(p.6\)](#)

Are all students eligible for compensatory services following these extended closures? If the district provides services to a student with an IEP remotely, whether some IEP services or all, must the district provide additional services (or compensatory services) to that student when school resumes?

- Compensatory education will vary on a case-by-case basis. There is no obligation to provide a day-for-day compensation for time missed. Appropriate relief is relief designed to ensure that the student is appropriately educated within the meaning of the IDEA.
- Once school is back in session, students' IEP teams and 504 teams would be required to make an individualized determination as to whether compensatory services are needed.

See also:

Q & A COVID-19 Guidance (OSEP 3/20), Q/A A-1.

[Guidelines for Providing Special Education Services During the COVID-19 Pandemic Q & A \(Updated April 21, 2020\) \(p.9\)](#)

What types of services can be provided remotely?

- The Department encourages parents, educators, and administrators to collaborate creatively to continue to meet the needs of students with disabilities.
- Consider practices such as distance instruction, teletherapy and tele-intervention, meetings held on digital platforms, online options for data tracking, and documentation. Low-tech strategies that can provide for an exchange of curriculum-based resources, instructional packets, projects, and written assignments.

See also:

Q & A COVID-19 Guidance (OSEP 3/20), Q/A A-1 A-3

[Guidelines for Providing Special Education Services During the COVID-19 Pandemic Q & A \(Updated April 21, 2020\) \(p.7\)](#)

How can I provide students with disabilities with educational resources during the period of school closure?

- [State of Idaho Resources for Schools](#)
- [Idaho Parents unlimited \(IPUL\)](#)
- [Iris Center](#)

After schools reopen, does a student need to submit a doctor's note if they need to be out longer for personal health reasons?



Follow local school district policy



A student's IEP expires during the school closure period. Will it still be in effect?

- If the district is unable to hold an annual IEP meeting, notify parents through written notice that the district is unable to hold their child's annual IEP meeting due to the COVID-19 outbreak and the closure of school.
- Inform parents that their child's IEP will continue to be in place and will be implemented when school resumes until a new IEP is developed through the IEP team process.

How can the district hold an IEP Team meeting if school is closed or Team members can't meet face-to-face?

The IDEA specifically provides that the district and the parent may agree to use alternative means of meeting participation, such as video conferences and conference calls.

Will there be any type of opportunity for feedback from parents to help determine what has worked or what hasn't worked during this time to help develop policies if we were to have this situation happen again?

Communication

Learning Together

Team Effort

Collaboration

If my child isn't able to do online school because of his needs what are we supposed to do?

- Communicate with your child's teacher/case manager
- Schools are required to provide equal access
- Consider other options—instructional telephone calls, packets of materials, etc.

See also:

Q & A COVID-19 Guidance (OSEP 3/20), Q/A A-1. A-3

[Guidelines for Providing Special Education Services During the COVID-19 Pandemic Q & A \(Updated April 21, 2020\) \(p.8\)](#)

Parents are receiving notice that little to no services are going to be provided for the balance of the school year. Should the parents be contacting the SDE dispute resolution when LEA's are not receptive to continuing services and/or providing individual services to their learner?

- Have a conversation with your child's teacher and/or case manager
- Discuss your concerns with your principal and/or SPED director
- Contact Dispute Resolution office

Emily Sommer Dispute Resolution Program Specialist (208) 332-6912 - esommer@sde.idaho.gov

- Consider requesting a facilitated IEP meeting

Questions



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Guidelines for Providing SPED Services During the COVID-19 Pandemic – March 17, 2020 | 14

Thank You and Stay Healthy!



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