



Carey M. Wright, Ed.D., State Superintendent of Education

Office of Communications & Government Relations

Patrice Guilfoyle, APR, Director of Communications pguilfoyle@mdek12.org

Jean Cook, APR, Director of Public Relations jcook@mdek12.org

NEWS RELEASE

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MDE Provides Guidance to Parents of Students with Disabilities About Services During School Closures

JACKSON, Miss. – The Mississippi Department of Education (MDE) Office of Special Education has created this Q & A as a resource to parents of children with disabilities to help support their learning during school closures. Please visit the MDE’s Special Education webpage for more information and for an email list of staff contacts: www.mdek12.org/OSE.

- 1. Should my child with disabilities be receiving special education services during the school closures?** Based on guidance provided by the U.S. Department of Education’s Office of Special Education, if the district is **not** providing educational services to students during the closure, then there is not a requirement to provide special education services to students with disabilities during the same time period.
- 2. If the LEA provides formalized educational services through online instruction to the general student population, would the LEA be required to provide services to students with disabilities during that same period?** If a Local Educational Agency (LEA) continues to provide educational opportunities to the general student population during a school closure, the school must ensure that students with disabilities also have equal access to the same opportunities, including the delivery of Free Appropriate Public Education (FAPE).
- 3. How will special education services be provided to my child during school closures?** If the district is **not** providing educational services to students during the closure, then there is not a requirement to provide special education services to students with disabilities during the same time period.
- 4. What will happen if my child is not able to receive certain special education services during school closures?** Any need for compensatory services related to school closure or inability to fully implement a student’s Individualized Education Program (IEP) can be addressed after school resumes and should be addressed on a case-by- case basis. This might include discussions of compensatory education and extended school year (ESY) services, made on a case-by-case basis. When your district resumes standard operations, the district should collect student data to determine any student progression or regression on annual IEP goals. This data can be used to inform IEP Committee decisions and assist in compensatory service decisions.



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5. **What should I do if my child's IEP will expire during school closures?** Districts are currently considering alternate ways to use virtual technology (e.g., Zoom, conference calls, Skype, etc.) to the extent possible to provide annual IEP meetings if staff and parents are available but not able to attend in person. IEP Committee members may contact you to schedule meetings while schools are closed. These meetings can be hosted virtually as long as a student's parent or legal guardian consents. Each student decision will be handled on a case-by-case issue.

6. **What should I do if my child had an evaluation/eligibility meeting that was scheduled during the school closure?** Districts are currently considering alternate ways to use virtual technology (e.g., Zoom, conference calls, Skype, etc.) to the extent possible to conduct meetings pertaining to evaluation if staff and parents are available but not able to attend in person. If an evaluation of a student with a disability requires a face-to-face assessment or observation, the evaluation would need to be delayed until school reopens. Evaluations and re-evaluations that do not require face-to-face assessments or observations may take place while schools are closed, so long as a student's parent or legal guardian consents. IEP Committee members may contact you to schedule virtual meetings while schools are closed.

7. **What will happen to my child's services if school remains open, but my child is sick at home?** Students who are sick and who need to stay home for more than 10 days may need to receive homebound instruction. The IEP committee must meet to determine how to provide services for your child. This may include schoolwork packets, virtual online instruction, or some other type of learning adapted to the student's needs and location.

Find guidance and updates for all students and schools at www.mdek12.org/covid19.

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