

SPECIAL EDUCATION SERVICES (SES)

COVID-19 Q&A

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LEA Special Education Coordinators- Thank you for your patience. I had hoped to have more guidance from OSEP by now regarding timelines. Since I do not, I want to share this guidance based on the OSEP guidance previously shared. We will continue to update you as we receive guidance. I appreciate all that you do for students with disabilities. As of April 6th school will resume in a nontraditional format. At this time, we want you to focus on safety and instruction for the remaining of the school year, however, we still have timelines that OSEP has not been given permission to waive to this date.

Currently schools are closed until April 6th due to the national pandemic COVID-19. Special Education Services will provide any and all flexibility it can provide when it comes to timelines during the school closure. Please make good faith efforts to meet the needs of students with disabilities in light of the circumstances at this time. We always encourage you to consult the attorney for your board of education.

Individualized Education Program (IEP)

<p>1. Are we required to write a new IEP for an IEP that expired (IEP was written March 20, 2019 to March 19, 2020) or will expire prior to April 3rd?</p>	<p>The LEA should consider any IEP that has expired or will expire prior to April 3rd as a top priority. According to the guidance released by the Office of Special Education Programs (OSEP) in Washington, IEPs must be reviewed annually (see link below - OSERS – IEP Timeline page 4). However, the parent and an IEP Team may agree to conduct the IEP meeting through alternate means, including videoconferencing or conference telephone calls. OSEP and the ALSDE encourage school teams and parents to work collaboratively and creatively to meet IEP timeline requirements.</p>
<p>2. Are we required to amend the current IEP that is in place until the end of the school year?</p>	<p>The focus should be on instruction for the next few weeks of school. However, OSEP has not been given permission to waive timelines. Most IEP annual review dates are coming due therefore, the IEP should be reviewed and the focus until the end of the school year should be on any critical skills the student has not obtained and how the LEA can meet those skills through the system's LEA Academic Continuity Plan in light of the circumstances. The IEP Team can convene through a virtual or telephonic meeting to amend the current IEP; through the approved amendment process (see link below - Mastering the Maze – Process 5); and/or by developing an individualized distance learning plan that can be uploaded in SETS.</p> <p>See link below – SES COVID-19 Q&A, specifically questions 28 and 29.</p>

<p>3. What if we have an IEP that the annual review date is not until October and/or the IEP does not expire until November 2020. Are we required to do anything?</p>	<p>The IEP Team including the parent should discuss the student’s progress and determine what services and supports need to be provided to the student starting April 6th when school resumes in a nontraditional format.</p> <p>The regular education teacher and special education teacher should work creatively and collaboratively as they would if they were still in school for the delivery of instruction and to provide accommodations and services as outlined in the IEP or as needed during the distance learning period.</p>
<p>4. For IEPs that go through the last day of the current school year, must we write a new IEP for the 2020-2021 school year?</p>	<p>IEPs must be reviewed annually (see link below -OSERS – IEP Timeline page 4). If an IEP Team needs to review the IEP by the signature date and wants to wait to write a new IEP for school year 20-21, that is permissible. IDEA requires that an IEP must be in place at the beginning of each school year. <u>The ALSDE will allow flexibility for the LEA to have every IEP completed and closed by August 28th.</u></p>

Links:

OSERS Supplemental Fact Sheet, March 21, 2020

<https://www.alsde.edu/sec/ses/Policy/OSERS.Supple%20Fact%20Sheet%203.21.20%20FINAL.pdf>

Special Education Services (SES) COVID-19 Q&A

https://www.alsde.edu/COVID19%20Updates/SES-COVID-19_QA_March.27.2020.pdf

Mastering the Maze – Process 5

<https://www.alsde.edu/sec/ses/Policy/2019%20Mastering%20the%20Maze%20Process%205.pdf>