



## Got Special Ed Questions? Marin County SELPA Provides Answers! Special Education, IEPs, and Distance Learning During COVID-19

### QUESTION 1:

Have school districts in Marin County implemented distance learning plans for students with disabilities, and what process are districts using to communicate to parents these plans?

### ANSWER 1:

- Within Marin County, each school district has determined that, for health and safety purposes related to COVID-19, all special education services will be provided in an alternative manner. The provision of a Free Appropriate Public Education (FAPE) may include, as appropriate, special education and related services provided through a distance learning model. School districts in Marin County continue to provide supports that reflect, to the extent feasible, the nature of the services that are identified in each student's IEP.
- School districts may provide services through a variety of methods in this time of an unprecedented national emergency. Services may be provided through a virtual video platform, instructional phone calls, instructional packets, and/or other curriculum-based alternative activities aligned to the needs, health and safety of each student.
- The California Department of Education (CDE) has provided guidance to school districts that it is not necessary to obtain the parent's written consent to the provision of services away from school; however, schools are communicating directly with parents about the services that are being offered while school sites are closed. Parents are encouraged to work with their case managers or other District staff to identify any accessibility issues or barriers that they are facing so that those concerns can be addressed and resolved.



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### QUESTION 2:

Does a school district need to amend my student's IEP to reflect a distance learning plan?

### ANSWER 2:

The California Department of Education (CDE) has provided guidance to school districts regarding the need to amend a student's IEP to reflect a change in the provision of services and placement. As a result of these unique circumstances, it is not necessary for a school district to convene an IEP meeting, or propose an IEP amendment meeting, solely for the purpose of discussing the need to provide services away from school closure as a result to the COVID-19 Shelter In Place Order. The IEP that was in effect at the time of physical school closure remains in effect. School districts should to the greatest extent possible continue to provide the services agreed upon in each student's IEP in alternative ways. However, there may be instances when convening an amendment IEP may be deemed necessary to address a unique circumstance. It is suggested to maintain regular communication with the IEP team about the efforts of transition to distance learning and identifying and addressing any immediate supports needed.



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### QUESTION 3:

What steps are districts taking to address assessments that were started prior to, or are due during the period of school site closure?

### ANSWER 3:

- The California Department of Education (CDE) advises school districts to do their best to adhere to federally mandated timelines, to the maximum extent possible. For cases in which students were in the middle of the assessment (or reassessment) process when the Shelter-in-Place (SIP) order was issued, the recommendation is for school districts to complete any assessments that may be completed remotely. The school district may convene an IEP team meeting remotely (via videoconference or teleconference) and present the results of all completed assessments within the federally mandated 60-day timeline.
- It is important to note that not all assessments may be conducted virtually. School Psychologists, Education Specialists, Speech and Language Pathologists, Occupational Therapists, Mental Health Providers, and others, rely on a series of assessments that have been administered in-person and normed accordingly. The National Association of School Psychologists (NASP) recommends that an assessment only be conducted virtually when it is standard practice for that assessment. Families are encouraged to reach out to their school district with questions related to specific assessments.
- When the Marin County Department of Public Health determines that it is safe to resume in-person instruction, school districts are to complete the assessment process, and convene an IEP team meeting to review the findings and make a statement of eligibility. Notably, SB 117 suspended timelines regarding initial assessments, and the CDE has indicated that it will consider the days of school site closure due to the Covid-19 public health crisis as days between the pupil's regular school session. Effectively, the 60-day assessment timeline was paused when in-person instruction was suspended. The assessment timeline will start again once in-person instruction resumes.