

G-CASE Collaborative Conversation #3

Lunch and Learn with
Dr. Zelfhine Smith-Dixon
August 7, 2020



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**General
Supervision**

“IDEA has not been waived!”



Alternative Instructional Delivery Models

“Choice for alternative instructional delivery model isn’t selecting a special education placement!”



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**Least
Restrictive
Environment**

**“Special
education is
a service
not a place!”**

Service Providers

Instructional delivery models may impact a service provider's capacity to maintain the same caseload.





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Assistive Technology

Assistive technology consideration may be necessary to ensure that students with disabilities can access the curriculum using remote instruction.

Assistive Technology Webpage Updates

- New videos are available about assistive technology and how these supports could help students with disabilities or any student requiring tiered support. These videos will support services for students with disabilities but have much greater potential for use by regular education and special education teachers, IEP teams, parents, students, and district and school leadership.
 - [Speech to Text](#) (3 minutes and 46 seconds)
 - [Text to Speech](#) (4 minutes and 33 seconds)
 - [Graphic Organizers](#) (2 minutes and 53 seconds)
 - [AT Assessments](#) – A resource to use when considering the need for an AT assessment
 - [AT to consider for transition](#) – A guide for assistive technology and transition planning.

When it comes
to education...



There's no school
like home!

There is a
difference between
distance/remote
instruction and
home schooling!



IEPs must be in place at the beginning of the school year!



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Free Appropriate Public Education (FAPE) is a requirement!





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Extended
School Year
may be
necessary for
the provision
of FAPE.

Young children with disabilities matter!





G-CASE Membership Questions

Do you know how districts will report Full-Time Equivalent (FTE) based on distance/remote instruction?

For those schools that have chosen the distance/remote instructional learning model, FTE reporting should continue to reflect the student's regularly scheduled classes as of the FTE count day the same as if all students were still in a traditional school building. It is important to note that the student's regularly scheduled classes must align with the documented special education services and related services provided to access the general curriculum.

[Guidance Document Link](#)

Do we need to get parents to sign a release when providing virtual small group instruction to address any potential Family Educational Rights and Privacy Act (FERPA) concerns?

First, ensure that small group instruction is included in the students' IEPs. If the IEPs support that students will receive instruction in the general education environment with nondisabled peers, then small group instruction, outside of the general education environment, would not be the least restrictive environment (LRE). You should address this change of placement appropriately using the IEP process.

Do we need to get parents to sign a release when providing virtual small group instruction to address any potential Family Educational Rights and Privacy Act (FERPA) concerns?

If small group has been included in the IEPs and distance/remote instruction will be used, then you must consider if nonstudents will observe the lessons.

If a nonstudent observes the lesson, then FERPA may be a concern if Personally Identifiable Information (PII) from student education records is disclosed. In some instances, districts may opt to obtain the release because it can be difficult to ensure consistency for this practice.

What are most districts providing in Distance Learning Plans? Are districts addressing inclusion using distance/remote instruction?

District Learning Plans may be used as a part of the Individualized Education Program (IEP) process to clearly describe special education services and related services provided using distance/remote instruction.



What are most districts providing in Distance Learning Plans? Are districts addressing inclusion using distance/remote instruction?

Distance Learning plans are not a lesser offering of FAPE as compared to services provided in the traditional school building. Students with disabilities must have an IEP in place at the start of the school year. The IEP must address the appropriate educational services necessary for FAPE.



Georgia Professional Standards Commission (PSC) licensed speech/language pathologists (SLPs) do not require additional certifications to provide teletherapy. Right?

Georgia Professional Standards Commission (GaPSC) and Georgia Board of Speech-Language Pathologists & Audiology (State Licensure) are two different licensing agencies. For that reason, Speech-language pathologists practicing under GaPSC are exempted from certain licensure requirements listed by Georgia Board of Examiners. See link below:

www.asha.org/advocacy/state/info/GA/licensure/ and scroll down to paragraph titled Exemptions: Speech-language pathologists certified by the Department of Education or Professional Standards Commission while an employee of an educational institution, provided that no fees are charged for the services except for Medicaid.

Parent Choice

How should districts document that distance learning is the parent's choice but not the recommendation of the school system?

Parent Choice

- Districts may use the IEP process to include the use of a distance learning plan to document relevant information.
- The district may want to consider the intent of this messaging, which should not be used to convey that parents have revoked consent for special education or refused services.
- Within the context of choice, the IEP Team will need to determine what is necessary to provide FAPE.

Evaluations

How should we conduct compliant evaluations when school re-opens for both face-to-face and virtual assessments?

Compliant Evaluations

- The evaluation timeline would pause if students are not **physically in attendance** for five or more consecutive days due to the COVID-19 pandemic and there is a statewide requirement for school closures.
- If the timeline is not paused, then the district should adhere to health and safety guidelines to proceed with the evaluation.

Evaluation Considerations

Instructional Delivery Model	Evaluation Considerations
Traditional (face-to-face)	Evaluations requiring face-to-face assessments or observations should take place based on health and safety guidance. 60-day initial evaluation timeline applies.
Hybrid (combination of distance/remote and traditional)	Evaluations requiring face-to-face assessments or observations should take place based on health and safety guidance. Districts can schedule evaluations on instructional days that students receive educational services in the traditional school building. 60-day initial evaluation timeline applies.
Full distance/remote (with staff in the school building)	Evaluations requiring face-to-face assessments should take place based on health and safety guidance. Districts can schedule evaluations on instructional days when staff are in the traditional school building. Ensure that families understand when and how the evaluation will take place. Observations may take place through a virtual or digital platform, as appropriate. 60-day initial evaluation timeline applies.
Full distance/remote (with no staff or students in the school building)	Evaluations requiring face-to-face assessments should take place based on health and safety guidance. Districts may contract with outside providers to conduct face-to-face assessments with informed parent consent. Observations may take place through a virtual or digital platform, as appropriate. 60-day initial evaluation timeline applies.
Five or more consecutive days when children are not physically in attendance due to the COVID-19 pandemic and statewide school closures (March 2020 Guidance)	60-day initial evaluation timeline will not apply

Compliant Evaluations

- Using any of the previous scenarios, a district can proceed with completing evaluation assessments and observations that do not require face-to-face evaluations.

How does the timeline for initial evaluations work if an individual school is closed based on COVID-19 exposure?



Individual School Closure based on COVID-19

- The timeline would pause for the individual school since the school is closed for five or more consecutive days based on COVID-19.
- While there may not be a required statewide school closure, the school is not providing educational services to any students, and the teachers are not working.
- This pause would be similar to a timeline pause during spring break or fall break.

Timelines

Our school district is opening in September and using a hybrid instructional delivery model. How are we to handle evaluations that are due? Also, is September 30th still the deadline to have all evaluations complete?

Timeline Deadline of September 30

- The timeline deadline was extended to allow districts extra time to complete evaluations for the FY20 school year.
- While districts should revise their general supervision plans to accommodate the backlog, it is possible that all evaluations will not be completed by the submission date.
- GaDOE will work to support districts with a monitoring plan for this area.

FAPE

What is your
recommendation for
documenting
services/FAPE?

FAPE

- IEP Teams must document the offering of FAPE in the IEP.
- It is possible that IEP Teams may use distance learning plans to document the offering of FAPE using distance/remote instruction.
- If used, the distance learning plan is developed using the IEP process and included as a part of the IEP.

Distance/ Remote Instruction

What will virtual services need to look like?

Virtual Services

- Distance/remote instruction can include virtual instruction, use of electronic learning platforms, instructional learning packets, instructional phone calls, etc.
- If students with disabilities are receiving distance/remote instruction, then the virtual instruction must demonstrate an offering of FAPE, which can look different for each student.

Is this verbiage appropriate?

My district may provide families the option of distance/remote instruction or traditional school model. Would this response be appropriate to share with families who prefer the virtual option?

“The District will **schedule an IEP meeting to develop a Distance Learning Plan** for providing special education services using distance instruction. The documentation will reflect that the **IEP is the District's offer of FAPE** but that the **parent prefers virtual services through a Distance Learning Plan in light of the COVID-19 pandemic. Special education services and supports including related services will be provided during distance/remote learning** for students with IEPs, but the **services/supports may look different** than they would in the traditional model.”

Sample Verbiage

- The development of a distance learning plan must use the IEP process.
- The IEP is the offering of FAPE.
- The parent is not refusing special education services or FAPE but opting to using choice of distance/remote instruction like other families of children without disabilities.
- The IEP Team will need to review the special education services and related services necessary using distance/remote instruction.

Sample Verbiage

- Services provided for distance/remote instruction may differ; however, those services must demonstrate an offering of FAPE.
- While the verbiage discusses the provision of special education services using a remote instructional model, it can be inferred that those services are not a FAPE offering.

IEP Amendment vs. Distance Learning Plan

Should districts plan to use the Distance Learning Plan template provided in the **Reopening Checklist for Special Education** document?
Should districts amend all IEPs for virtual learners?

IEP Amendment or Distance Learning Plan

- The IEP Team may opt to change or amend the IEP, as needed, to document the provision of special education services and related services provided using distance/remote instruction.
- IEP changes or amendments must follow the appropriate process.
- It may be helpful to add additional information regarding distance/remote instruction and continue to include services in the traditional school building.

IEP Amendment or Distance Learning Plan

- Districts may have very fluid plans for instruction based on local community spread.
- An IEP Team may opt to use a distance learning plan to document the offering of FAPE provided using an alternative instructional model.
- If a district opts to use a district learning plan, then the GaDOE template is optional.

IEPS/Distance Learning Plans

Are distance learning plans/contingency plans acceptable, or do we need to hold an IEP meeting and amend the IEPs for distance learning?

IEP Meeting

- Any changes or amendments to the IEP process must follow the amendment procedures.
- The parent and district may agree on any amendment changes without a team meeting.
- It is possible that a case manager may review the IEP and determine that no changes are necessary. This review does not require an IEP Team meeting. It is helpful to advise families that the IEP will be implemented as written.



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Please address serving medically-fragile students. They normally wouldn't qualify for a home-based setting or hospital-homebound, but what about now?

Medically Fragile Students

- The decision should be individualized and based on the criteria outlined in board rule.
- It is important to note that eligibility should be based on the student's current circumstance.

Hospital/ Home Bound

My question has to do with Hospital Homebound for students who are attending face to face/traditional school vs online/virtual if a District offers both. If a student is positive for coronavirus and must quarantine for 14 days, will Hospital/homebound be an option?

Hospital/Homebound

- The IEP Team should review the student's eligibility per the hospital/homebound criteria.

Restart Plans

Can we be flexible with bringing back targeted groups of students?

Restart Plan

- Yes, a district may opt to prioritize small groups of students for the reintegration plan back into the traditional school building. An example of a targeted group might be the reintegration of young children back into the school building before older students.

Social Distancing Guidance

Can you advise if we should mix groups of students and increase exposure to multiple students and adults? How will social distancing guidance impact learning environments that are shared with multiple groups at the same time?

Social Distancing Guidance

- Local leaders should discuss programming needs with local restart planning teams to make the most appropriate decision.

Compensatory Services

If FAPE was offered to the student, will the district be required to provide compensatory services?

Compensatory Services

- No, the guidance is based on USED's memo and addresses instances by which the district delayed the service or did not provide the service.

Parentally Placed Private School Students

If my district delays the first day of school for students, am I required to serve students with disabilities who are parentally placed in private schools prior this start date?

Parentally Placed Private School Students

- Parentally placed private school students do not have an individual right to FAPE.
- It is always helpful to message restart plans with all families and private schools.



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We are better together!

Richard Woods, Georgia's School Superintendent | Georgia Department of Education | Educating Georgia's Future

