



BACK TO SCHOOL:

AN UPDATE ON SPECIAL EDUCATION DURING THE PANDEMIC



SUMMER 2020: PART 2 OF 3

AGINS & GILMAN, LLC



General Information:

- What is the State of Ohio telling schools?
- How are schools forming their plans for fall?
- Are all plans aligned to Ohio's alert level system?
- What about private schools? Autism/Jon Peterson Scholarship providers? Homeschooling options?
- Are schools required to offer in-person options?
- Are schools required to offer virtual options?
- If a virtual option is available to all students, can a district exclude Students with Disabilities?
- Are there exceptions to the requirement for schools to provide FAPE? Timelines?
- Who is responsible if kids/teachers get sick?



LINKS TO RESOURCES:

OH DEPT. of EDUC: <http://education.ohio.gov/Topics/Reset-and-Restart>

OH DEPT. of HEALTH: <https://coronavirus.ohio.gov/static/responsible/schools/K-12-Schools-Guidance.pdf>

SAFETY AND IN-PERSON INSTRUCTION

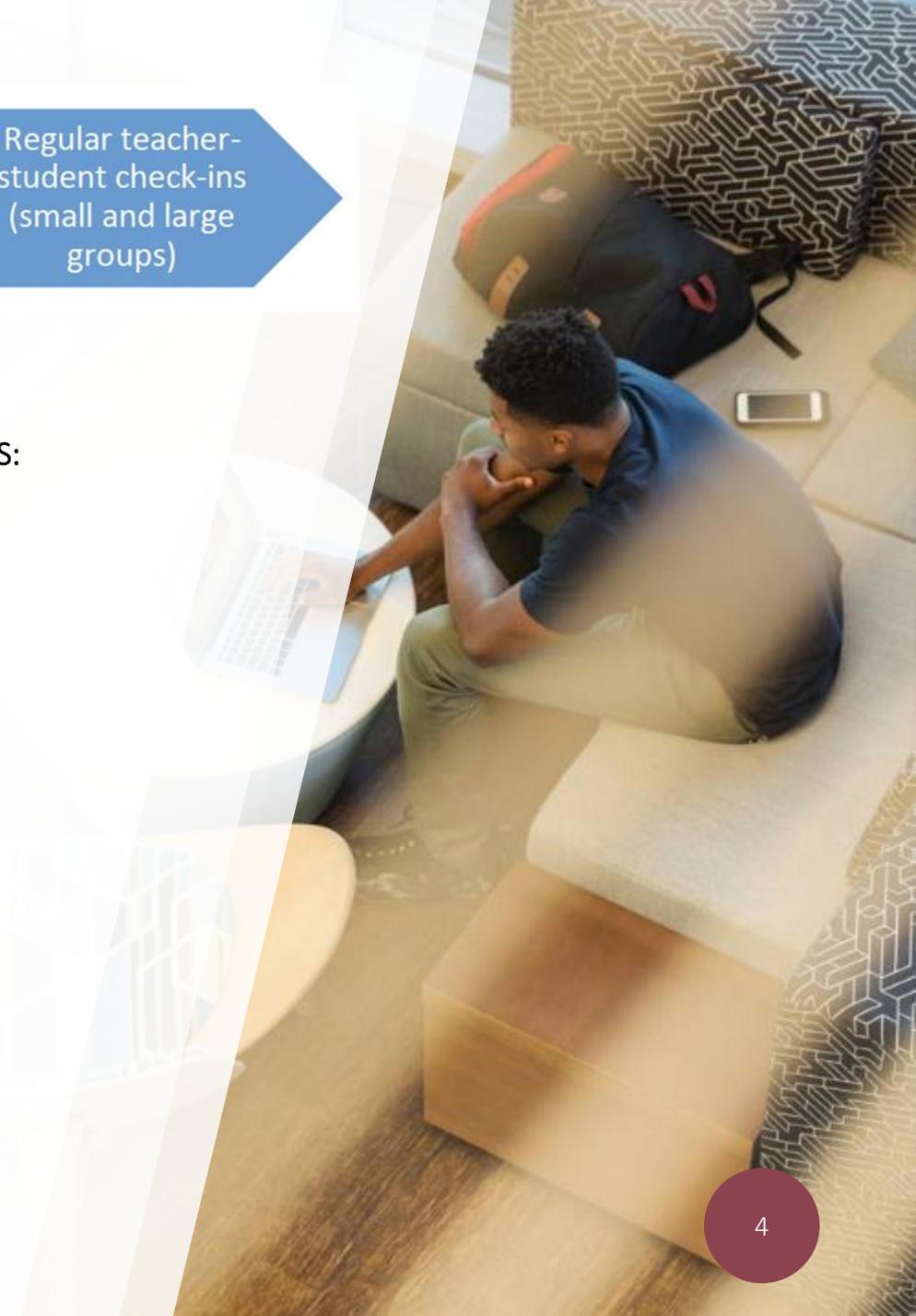
- STATE REQUIREMENTS TO REOPEN?
- THE ROLE OF COUNTY LEVELS SYSTEM
- TYPICAL SAFETY PROTOCOLS
 - WELLNESS CHECKS
 - SANITIZING
- SOCIAL DISTANCING (3-6' or dividers)
 - WHAT ABOUT YOUNG KIDS (<http://education.ohio.gov/Topics/Reset-and-Restart/Early-Learning-and-School-Readiness>) OR THOSE WITH DEVELOPMENTAL NEEDS?
 - WHAT IF 1:1 OR HAND-OVER-HAND INSTRUCTION IS NEEDED?
- MASKS
 - STATE-WIDE RULE?
 - WHAT IF KID WON'T WEAR IT?
 - WHAT IF MEDICAL EXEMPTION?
 - WHAT ABOUT FACE SHIELD?
 - CAN A CHILD BE FORCED TO GO TO ONLINE or CAN A PARENT BE FORCED TO TRANSPORT if a kid cannot or won't wear it?
- INFECTION AND QUARANTINE
 - DISCLOSE POSITIVE TESTS? FAMILY INFECTION?
 - WHAT ARE QUARANTINE REQUIREMENTS?
 - <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/end-home-isolation.html>
 - IF QUARANTINED, CAN CHILD GO TO ONLINE LEARNING?
- IEP SERVICE DELIVERY CONSIDERATIONS:
 - DELIVERY ' AS WRITTEN'
 - RECOVERY SERVICES
 - ONGOING SERVICES
 - EXTENDED STANDARDS
- RELATED SERVICES PROVIDERS
- TRANSPORTATION
- STUDENTS IN OUTSIDE DISTRICT PLACEMENTS
- WHAT ABOUT "HYBRID" MODELS?





ONLINE or “REMOTE LEARNING” PLANS

- REMOTE LEARNING PLANS – WHAT IS OHIO REQUIRING SCHOOLS TO PROVIDE?
- WILL ‘ONLINE’ LOOK THE SAME IN THE FALL AS IT DID IN THE SPRING?
- HOW ARE DISTRICTS PLANNING TO PROVIDE ONLINE SERVICES?
- HOW DOES THE AGE OF THE CHILD IMPACT THIS DECISION?
 - PREK
 - ELEM
 - MIDDLE
 - HIGH
- WILL DISTRICTS TRACK ATTENDANCE? WILL STUDENTS HAVE TO REPORT ABSENCES?
- IEP SERVICE DELIVERY CONSIDERATIONS:
 - DELIVERY ‘ AS WRITTEN’
 - RECOVERY SERVICES
 - ONGOING SERVICES
 - EXTENDED STANDARDS
- WILL STUDENTS BE ENTITLED TO TECH DEVICES? INTERNET? TECH SUPPORT?
- WHAT SHOULD DATA COLLECTION PRACTICES LOOK LIKE?
- WHAT ABOUT DELIVERY OF RELATED SERVICES?
- WILL STUDENTS STILL HAVE ACCESS TO SPORTS/CLUBS HELD IN THE SCHOOL BUILDING?



WHAT SHOULD PARENTS DO? ARE THERE ANY OTHER OPTIONS?

Recognize that this is an INTENSELY personal and complex decision.

-- THERE IS NO "RIGHT" OR "WRONG" ANSWER --

ONLY WHAT IS BEST FOR YOU, YOUR CHILD & YOUR FAMILY

WHAT ABOUT ENROLLING IN AN ONLINE PUBLIC COMMUNITY SCHOOL?

- As a public school option, the responsibility for FAPE will move to the new online school
- Scholarships are not available to students enrolled in "public school" options

WHAT ABOUT PUTTING TOGETHER A "HOME SCHOOL" PROGRAM?

- All instructional design, implementation and curriculum requirements are the responsibility of the parent. The District no longer has a FAPE obligation.
- Scholarship programs can be used to supplement instruction

WHAT ABOUT USING THE AUTISM OR JON PETERSON SCHOLARSHIP PROGRAM?

- Must either enroll in private school that is a provider or also home school student
- Requires waiver of FAPE
- May have some limitations as school district in terms of online or remote instruction

FINAL QUESTIONS??

- Have schools received any funding from the state or federal government to help offset the costs of these changes?
- Will athletics and extra-curricular activities still be held?
- Is there any guidance for schools yet on how to determine compensatory or “recovery” services for students who experienced COVID-related regression or lack of progress?
 - <http://education.ohio.gov/Topics/Reset-and-Restart>
- Are nonpublic schools and scholarship providers permitted to provide educational services through remote learning plans?



The image is a composite of two photographs. On the left, a student is shown from the chest up, wearing a light blue denim jacket over a white t-shirt, with a grey backpack and several books. On the right, there is a close-up of a gold-colored alarm clock face with black numbers and hands. A dark red banner with white text is overlaid across the top of the student image, and another dark red banner with white text is overlaid across the bottom of the student image.

I HAVE QUESTIONS BEFORE I CAN DECIDE BETWEEN IN-PERSON AND REMOTE LEARNING ... WHAT SHOULD I DO?

- Reach out to your IEP coordinator, special education coordinator or District Pupil Services Director via phone AND email and request to schedule a phone call to review District options and how they plan to deliver special education services.
- Ask about special education services under each option (i.e., How will special education services be provided in person if we are in a “hybrid” model? How will they be delivered through remote learning?)
- Request an IEP meeting



JOIN US AGAIN IN
AUGUST FOR PART 3 OF
OUR SERIES

SESSION 3 OF OUR SUMMER SERIES WILL FOCUS ON THE
FOLLOWING:

- UPDATED OH DEPT OF EDUC GUIDANCE
- CHANGING OH DEPT OF HEALTH REQUIREMENTS
- COMPENSATORY/RECOVERY SERVICES
- “STUDENTS WITH DISABILITIES” RESOURCE

THANK YOU



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