

Special Education Considerations

Federal Guidance

- **Questions and Answers on Providing Services to Children with Disabilities During a COVID-19 Outbreak (OSEP), March 12, 2020**
 - Provides high level responses to relevant questions:
 - Is an LEA required to continue to provide a FAPE to students with disabilities during a school closure caused by the COVID-19 outbreak?
 - May an IEP Team consider a distance learning plan in a child's IEP as a contingency plan in the event of a COVID-19 outbreak that requires a school's closure?
 - What activities other than special education and related services may and may not be provided with IDEA Part B funds both prior and during a COVID-19 outbreak?

Federal Guidance

- **Supplemental Fact Sheet Addressing the Risk of COVID-19 in Preschool, Elementary, and Secondary Schools While Serving Students with Disabilities (OCR & OSERS), March 21, 2020**
 - Clarifies that federal law should not be used to prevent schools from offering distance learning opportunities to all students, including students with disabilities
 - Reiterates the requirement to provide FAPE to students with disabilities but encourages flexibility, including computer, internet, phone, or other alternate methodologies (e.g., instructional packets, projects, or written assignments)
 - Recommends that provision of FAPE be consistent with health, safety, and well-being of all parties
 - Provides an overview of federal flexibility regarding special education timelines (aligns with previous [ADE/ESS guidance](#))

Federal Guidance

- **Both key guidance documents reiterate the following:**
 - *“Where, due to the global pandemic and resulting closure of schools, there has been an inevitable delay in providing services – or even making decisions about how to provide services – IEP teams must make an individualized determination whether and to what extent compensatory services may be needed when schools resume normal operation.”*

NOTE: While it may be necessary to offer compensatory education for students who were not provided a FAPE consistent with their IEPs, offers of compensatory service are not necessarily “minute for minute.”

What Does This Mean?

- **Implement FAPE “to the greatest extent possible” during school closure**
- **Special education administrators should continue to use their strong skills in being creative, constructive, and collaborative**
- **Communication with parents is critical**
- **Keep health and safety of student and teacher in mind when providing FAPE**
- **Consult legal counsel when needed**

- **NOTE: ADE/ESS will provide as much flexibility as allowable when conducting future Monitoring and Dispute Resolution activities**

ADE/ESS Resources

- **New ADE/ESS COVID-19 Webpage**
 - Federal & local guidance
 - Special educator resources
 - FAQs
- **Weekly “check-in” webinars for special education directors**
- **ESS Inbox and PEA specialists for questions**

Exceptional Student Services

Special Education Guidance for COVID-19

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 This page contains guidance and resources related to special education for students with disabilities for Arizona's public education agencies (districts, charters, state institutions, and secure care schools) as they navigate the COVID-19 response. The situation around COVID-19 is rapidly changing, so please continue to check this page for updates and guidance.

For general information and resources regarding COVID-19, please see the [Guidance to Schools on COVID-19 webpage](#).

This page was last updated on Monday, March 24, 2020, at 2:37 PM.

- ▶ School Closures: Clarifications and Guidance
- ▶ Communication from Federal Oversight Bodies at the US Department of Education
- ▶ Communication from ADE/Exceptional Student Services
- ▶ Special Educator Resources

Special Education Questions and Answers

Questions in this section have been submitted to ADE/ESS or were determined as areas of need. Answers to questions are based on current guidance from federal and state agencies. For PEA-specific guidance, please consult the legal counsel of your entity. Q & A have been date stamped and will be continuously updated.

[PDF Document of questions and answers below](#). Last updated on Monday, March 24, 2020, at 5:20 PM

- ▶ Child Find
- ▶ Evaluations
- ▶ Individualized Education Programs (IEPs)
- ▶ ADE-Approved Private Day Schools
- ▶ Arizona Online Instruction (AOI)