

Weekly Check In Questions and Updates April 2, 2020



45-Day Screenings

▼ Child Find

Q: Do we still need to complete/conduct 45-day screenings for any new students?

Timelines cannot be changed. If school is occurring, virtually or otherwise, these will need to be completed in accordance with the required timeline, including any necessary follow up.

Q: If a parent contacts the school/PEA with a concern regarding a possible developmental delay or other concern(s) they have regarding their child do I have to conduct a 45-day screening during the school closure? (including preschool aged and home school children)

The PEA is obligated to complete a 45-day screening to address the parent's concern(s) in accordance with Arizona Administrative Code included below. Alternative means of completing screenings may be used where appropriate.

45-Day Screenings (cont.)

A.A.C. R7-2-401.D.5 and 6

5. *Identification (screening for possible disabilities) shall be completed within 45 calendar days after:*
 - a) *Entry of each preschool or kindergarten student and any student enrolling without appropriate records of screening, evaluation, and progress in school; or*
 - b) *Notification to the public education agency by parents of concerns regarding developmental or educational progress by their child aged 3 years through 21 years.*
6. *Screening procedures shall include vision and hearing status and consideration of the following areas: cognitive or academic, communication, motor, social or behavioral, and adaptive development. Screening does not include detailed individualized comprehensive evaluation procedures.*

Services (1 of 4)

▼ Individualized Education Programs (IEPs)

Q: What are service minutes going to look like for specialized instruction?

SDI (specially designed instruction) should be provided in accordance with IEPs, as is possible and feasible, utilizing alternative means. The method by which services are delivered may look different and the use of alternative delivery instruction or methodology is encouraged. If it is not safe or feasible to deliver instruction to a student and provide a FAPE, then the team should consider compensatory education on an individual basis once school resumes.

Q: Will a student's special education and related services change due to closure?

To the extent possible students should be provided with the special education services outlined in the IEP. If it is not safe or feasible to deliver instruction to a student and provide a FAPE, then the team should consider compensatory education on an individual basis once school resumes.

Services (2 of 4)

▼ Individualized Education Programs (IEPs)

Q: A school has a family that has refused service. What does the school need to do?

The school can document their attempts to provide services and continue to be ready willing and able to provide services.

Q: A PEA is providing services through virtual instruction. The student continually refuses to participate in the virtual instruction. What obligation does the PEA have to the student to provide additional support?

To the extent possible, students should be provided with the special education services outlined in the IEP. If it is not safe or feasible to deliver instruction to a student and provide a FAPE, then the team should consider compensatory education on an individual basis once school resumes. The PEA should remain ready willing and able to provide services.

Services (3 of 4)

▼ Individualized Education Programs (IEPs)

Q: If we decide to provide distance learning opportunities does the IEP need to be addended?

Addenda to the IEP are not required until/unless there is a change in placement after school resumes. To the extent possible, students should be provided with the special education services outlined in the IEP. If it is not safe or feasible to deliver instruction to a student and provide a FAPE, then the team should consider compensatory education on an individual basis once school resumes.

Q: Are compensatory services necessary for all students?

A general compensatory service plan for all students with disabilities is inappropriate. Compensatory education is dependent upon the individual needs of the student and cannot be one size fits all. If comp education is needed, it must be determined on an individual basis once school resumes.

Services (4 of 4)

▼ Individualized Education Programs (IEPs)

Q: Can a general education teacher or other certificated personnel provide SDI during the school closure?

The student's IEP that was in effect at the time of the closure remains in effect. If the IEP states that certificated staff, other than the special education teacher can provide the SDI then the same applies during any period of alternative instruction due to closure. If the IEP specifies that services must be provided by a special education teacher, then a special education teacher must provide the SDI.

Evaluation Timeline

▼ Child Find

Q: For an initial evaluation, if assessments are needed, how do we conduct these?

ADE/ESS cannot indicate what is medically safe for a family or for specific students. If a school decides to provide assessments, they should be provided in accordance with the most up-to-date CDC guidance. Additionally, assessment administration guides should be consulted for participation types allowing for valid results.

▼ Evaluations

Q: If we have had the parents' permission to evaluate and the 60-day timeline was started before the mandatory school closure, what is our obligation? What are we to do?

Timelines are still in place. Arizona allows for a 30 -day extension, so this is an available option. Meetings can be held via alternative methods. See OSEP guidance.

Q: What about students in the middle of timelines?

Timelines cannot be extended, per OSEP. Meetings can be held via alternative means in order to ensure timelines can be met as best as possible. See OSEP guidance.

Evaluation Timeline (cont.)

Q: If school does not resume, what happens to evaluations in progress?

Timelines cannot be extended, per OSEP. Meetings can be held via alternative means in order to ensure timelines can be met as best as possible. [See OSEP guidance](#).

Q: If assessments are needed, how do we conduct these?

ADE is not in any position to indicate what is medically safe for a family or for specific students. If a school decides to provide assessments, they should be provided in accordance with the most [up-to-date CDC guidance](#). Additionally, assessment administration guides should be consulted for participation types allowing for valid results.

Signatures

▼ Evaluations

Q: How do I obtain parent signatures, when needed, during closure if we are not holding in-person meetings?

Parent signatures are only required in very specific cases under IDEA. Outside of these specific cases, if the PEA uses signatures to evidence parent participation, the PEA will need to determine how they plan to document parent participation during the closure.

WHAT'S
NEW?

PWN

▼ Prior Written Notice (PWN)

Q: Are PWNs required during the closure?

Per IDEA 300.503, a PWN must be provided in the following circumstances: (1) proposals to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child; or (2) refusals to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child. The provision of online or other distance learning opportunities is not considered a change in placement, and neither an IEP nor a PWN would be required. Students are still entitled to FAPE as defined by the IEP in effect when the school closure occurred. If it is not safe or feasible to deliver instruction to a student and provide a FAPE, then the team should consider compensatory education, on an individual basis, once school resumes.

HB 2910

▼ House Bill 2910 (HB2910)

Q: Provision 7 of this bill includes the following language: ...public schools may deviate from statutory requirements related to special education programs. What does this mean?

Per IDEA and OSEP guidance, students with disabilities are still entitled to a free and appropriate public education. Any deviation from state statutory provisions related to special education must align with federal law set forth in IDEA at this time. Congress has not suspended IDEA and the federal mandates contained therein.

Additional Q and A Added

- Teletherapy
- Proportionate share
- Fiscal

Updated Timeline Guidance

Updated due to the Governor's mandated closure of schools through the end of this school year.

▼ Communication from ADE/Exceptional Student Services

- SA and DR PEAs have several options to choose from and need to notify their PSM specialist by April 8, 2020 of the option chosen.
- On-site PEAs that did not have their monitoring due to closure should reach out to their PSM specialist to designate dates during the 2020-2021 SY to conduct the monitoring. ADE/ESS will do their best to give these priority.