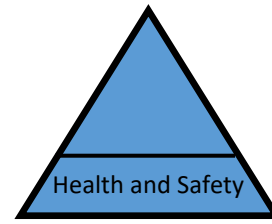


## Special Education and Remote Learning: Four Factors to Consider



### 1. Health and Safety

- Students/Families and Staff
  - Health
  - Wellbeing
  - Food insecurities for families

### 2. Access to the General Education Curriculum: Free and Appropriate Public Education (FAPE)

- To the Maximum Extent Possible
  - If you do nothing for all students then no requirement for a FAPE
  - If you provide educational services to students you provide a FAPE to students with an IEP
    - Current FAPE definition: The best you can provide (consistent with the Individualized Education Program (IEP)) given the current situation and available resources
- Prior Written Notice (PWN) v. Amendment IEP: Because things are different now
  - PWN: Notice of unique circumstances and the district's response
    - The Marin County SELPA is recommending PWNs
  - Amendment IEP: Formal memorialization of a district's new offer of a FAPE
- Nonpublic School (NPS) Placements
  - Have moved to a remote learning model
  - Request documentation for service(s) delivered remotely
  - Reference the Master Contract
- Related Services/NPAs
  - Rethink how service(s) will be delivered
  - Teleconference, videoconferencing, consultation, providing professional development, etc.

### 3. Documentation of Special Education Service(s) Delivered

- Record Everything
  - Everything should be recorded/logged consistent with past practices
    - Record services delivered
    - Record services attempted to be delivered
    - Monitor and record student progress
  - Continue to plan for anticipated special education activities (Extended School Year, transition (elementary to high school) IEP meetings)
- Compensatory Education Requirements
  - Unknown at this time...

### 4. Compliance: California Department of Education (CDE) and Individuals with Disabilities Education Act (IDEA)

- CDE
  - Assessment timelines have been suspended. It is as if school is closed for winter break or summer break for the purpose of special education
  - CDE monitoring activities/compliance activities have been suspended. State testing has been suspended – California Alternate Assessment (CAA)
  - The CDE will not explore waiving the CA requirement regarding the provision of signed informed consent prior to the implementation of any change related to the IEP
- IDEA
  - Still stands as written – no waivers are in place
    - Timelines associated with annual and triennial reviews remain in place
    - Stimulus package included language that the Secretary of Education will provide recommendations to Congress regarding any necessary waivers related to the IDEA within 30 days

## Resources

### Upcoming Trainings

- State Superintendent of Public Instruction Distance Learning Innovations for Special Education Webinar  
[Thursday, April 2, 2020 at 3:00 pm](#)
- Marin County Speech and Language Therapist Training and Q&A: Remote Service Delivery  
[Friday, April 3rd from 2:00 pm - 3:00 pm](#)

### Standing Workgroups

- CDE Special Education Workgroups
  - Related Services
  - Behavioral and Mental Health
  - Low Incidence
  - Students with Mild Educational Needs
  - Students with Severe Educational Needs
  - Early Childhood/Preschool
  - Secondary Transition
  - Administrators
  - Parents/Families
  - NPS/NPA
  - Special Education and Remote Learning – Marin County SELPA representation
- Weekly Advisory Steering Committee (Directors) meetings

### Guidance Materials

- [IEP Checklist for Meetings Held Remotely](#)
- [PWN Templates](#)

### Next Steps

- Exploring additional online professional development activities for classified staff for our member LEAs.
- Exploring how to provide continued access to remote mental health resources for staff and students/families in an effective manner.