

## **Special Education Frequently Asked Questions Regarding a Return to School 2020-21**

The purpose of this document is to provide you with the most up to date and current information the School District of Janesville has regarding a return to school as it pertains to students with disabilities. As information is added and/or updated during this ever changing and fluid time, it will be shared out.

*Original Release Date: July 15, 2020*

*Update: August 11, 2020*

### **1. Will my student who receives special education be able to return to a school building when school starts in September? (Updated August 10, 2020)**

- a. The Board of Education approved a face-to-face return to school for all students for the 2020-21 school year at the July 14, 2020, Board of Education Meeting. All students receiving special education services ages 3 through 21 are able to return to school. The current IEP for each student will be implemented when a student returns to school face-to-face.

### **2. Can students with disabilities attend ARISE Virtual Academy? (Updated July 22, 2020)**

- a. Decisions concerning a student's participation in virtual learning are made on an individual basis. The decision about the appropriateness of virtual education and the services, supports, or accommodations needed to allow participation by students with disabilities is made on a case by case basis in accordance to state and federal requirements. If it is determined that virtual learning is appropriate for the student, students eligible for special education services are provided with reasonable accommodations to allow them access to virtual learning.
- b. Students with disabilities in grades K-12 are eligible to be considered to be full time students through ARISE Virtual Academy. Please call ARISE at (608) 743-6016 for more information or visit <https://www.ariseva.com/apply-now> to complete an application.
- c. Students with disabilities in grades 6-12 are eligible to be considered for a hybrid learning model in which some courses are taken from home through ARISE and some courses are taken in the student's current school building. Please contact your student's current school building or ARISE at (608) 743-6016 to further discuss whether a hybrid model is appropriate for your student with a disability.
- d. An IEP team meeting will be held to complete a change in placement and to review/revise the IEP of those students with disabilities who will participate in

ARISE Virtual Academy full time or through the hybrid model. This meeting will be held no later than October 1, 2020.

**3. As a parent of a student with a disability, I am not comfortable with my student returning to school face-to-face and the virtual options through ARISE Virtual Academy are not appropriate? What can I do? (Updated August 10, 2020)**

- a. If a parent does not agree with the options the District has for all students regarding the return to school plan (face-to-face, ARISE, or hybrid), or if the IEP team does not believe a placement option a parent has requested is appropriate, an IEP team meeting should be held to determine placement and to review/revise the IEP as needed.
- b. Decisions about the nature and extent of IEP services must be reasonable and made based on the unique disability-related needs of the student by the IEP team. Decisions at the IEP meeting cannot be made solely by an individual team member's request (including the parent) for a particular programming option. An IEP team meeting would need to take place in order to consider and move to any option listed below. If the team is moving to a different programming option and placement other than what the current IEP reflects, the IEP must be reviewed and revised. The IEP must be implemented as written.
- c. The IEP team must discuss if the options considered will ensure the student will make progress in both general education curriculum and toward their IEP goals in light of the student's unique circumstances.
  - i. Options to Consider by an IEP Team
    1. Face-to-Face Instruction at School
    2. Distance Learning Provided by School Based Special Education Team
      - a. Distance Learning considerations include analog (paper/phone/pencil learning), synchronous learning (teaching and learning occurs at the same time or "live"), asynchronous learning (teaching and learning occurs at different times; staff may record a live lesson of themselves and post the lesson to Seesaw or Google Classroom for the student to view at a later time and complete activities associated with the posted recording).
      - b. Distance Learning is not expected to replicate face-to-face instruction.
    3. Shortened Schedules
    4. Blended Learning
      - a. Blended Learning means some face-to-face at school and some distance learning provided by school based special education teams. Teams may consider sometime in school

each day for face-to-face and some time at home each day for distance learning provided by the school based special education team. Or, the team may consider a model of some full days of face-to-face and some full days of distance learning provided by the school based special education team.

- b. If a chosen option, the blended learning model must provide a consistent schedule for the student each day.
  - i. For example, half days at school in the morning and distance learning in the afternoon or attends school on Tuesdays and Thursdays and has distance learning from home Mondays, Thursdays, and Fridays.

5. Related Services Virtually, Face-to-Face, or Consultation

- a. Related services virtually, face-to-face, or as consultation may be considered for students with disabilities who have related services listed in their IEPs regardless if the student is enrolled in ARISE, participating in distance learning, blended learning, or face-to-face instruction.
- b. The IEP team must discuss if the options considered will ensure the student will make progress in both general education curriculum and toward their IEP goals in light of the student's unique circumstances.

**4. Will my P4J student with a disability be able to participate in the home based learning model offered by the District? (Updated August 10, 2020)**

- a. Districts are required to implement IEPs as they are written. Parents should review their P4J student's current IEP to determine if they would like to further discuss whether or not the services written in the IEP can be provided based upon the home based learning model.
- b. An IEP meeting can be requested/scheduled following the same processes as listed in question 3 above for further placement and specialized instruction/related service discussion.

**5. Can I request that the District provide face-to-face special education services for my student with a disability in my home? (Updated August 10, 2020)**

- a. Due to the COVID-19 Pandemic, face-to-face instruction and related services cannot be provided in the home in order to keep students, families, and staff safe. Face-to-Face Instruction and Related Services in the Home would cause staff to potentially travel to multiple homes which would increase potential exposure to staff and families as staff travel from home to home.

**6. My student with a disability is considered medically fragile. Our physician will not allow him or her to return to school face-to-face. What should I do? (Updated August 10, 2020)**

- a. Parents of students with a disability who are also considered medically fragile should request an IEP team meeting discuss options for the student as outlined in question 3 above.
- b. Parents of students with a disability who are also considered medically fragile are required to provide a physician's statement regarding the medical concern for the IEP team to discuss at the IEP team meeting.
- c. Homebound paperwork is no longer required.

**7. My student with a disability lives in a household with family members who have underlying medical conditions that may make them susceptible to COVID-19. I am concerned about a face-to-face return to school. Are there any options? (Updated August 10, 2020)**

- a. The IEP team should convene to discuss the situation and determine the student's placement. A physician's statement regarding the medical concern of the family member is required for the IEP team to discuss at the IEP team meeting.
- b. The IEP team should discuss options for the student as outlined in question 3 above.
- c. Homebound paperwork is no longer required.

**8. What happens if a student with a disability needs to be quarantined due to the student or a family member testing positive for COVID-19?**

- a. If a student with a disability contracts or is exposed to COVID-19, and needs to be in quarantine away from school for up to 14 calendar days, and the student is available for instruction, then the District, in consultation with the parent, must consider what services such as online or virtual instruction, teleservices, instructional telephone calls, and other curriculum based instructional activities, should be provided. The IEP team will work with the parent and complete a School Closure Special Education Student Plan.

**9. What if my student with a disability will not keep a mask, face covering or shield on? Can my student with a disability still return to school face-to-face?**

- a. The District recognizes that there are certain circumstances in which a student or staff member may not be able to wear a mask, face covering, or shield. These students and staff are still allowed to be in school face-to-face with others.

**10. I am worried that my student with a disability will have behaviors or reactions to staff he or she is familiar with if a mask is worn by the staff member. How will this be dealt with?**

- a. The District recognizes that many students, with and without disabilities, may require facial recognition of a trusted adult. The District has purchased face shields for staff to wear when working with students in these situations.

**11. I have been told that school districts are being allowed to put all special education students in their own classroom for the duration of the school day in order to help reduce class sizes for physical/social distancing to occur in the general education classrooms. Will the School District of Janesville be following through with this?**

- a. The IEP team makes the least restrictive environment decisions, including the specific determinations of appropriate educational services, location, and building or facility. This determination must meet the individual student's educational needs. To the maximum extent appropriate, the student must participate with nondisabled peers. The least restrictive environment must also enable a student to make progress in light of a student's disability. If a student is not making progress, the IEP team should discuss if the least restrictive environment needs to be more restrictive, or if there are other strategies, tools, accommodations, and/or modifications that could be implemented to increase the rate of progress.
- b. The School District of Janesville will use a student's current IEP to make placement and scheduling decisions for a student with a disability. The District will not go against the law and place all students with disabilities in segregated classrooms in order to decrease class sizes in the general education setting.

**12. If my student with a disability qualifies for transportation as a related service, will my student still receive transportation? Can I choose to transport my student myself even if my student has transportation in his or her IEP? (Added July 22, 2020)**

- a. Students with disabilities who return to school face to face and who also qualify for transportation to and from school will still receive transportation as written in the IEP.
- b. If the IEP team determines a parent will provide the transportation required as a related service to and from school and it is documented in the IEP, the parent is entitled to reimbursement for the transportation costs. The general practice is a District provided gas card each week based upon student daily attendance at school.

**13. I have been told that my student with a disability will be getting compensatory services when school resumes due to school closure in the spring of 2019 due to COVID-19. Is this accurate and what does this mean?**

- a. Due to school buildings being closed by state order as a result of the COVID-19 public health emergency, the Department of Public Instruction will not mandate Districts to provide compensatory services to students with disabilities. Compensatory services are provided when a school district fails to provide a student with a disability a Free and Appropriate Public Education (FAPE). The Department recognizes the significant efforts Districts have made to allow for continuity of learning during school closure and that Districts have used a variety of approaches. Compensatory services will not be mandated.
- b. As circumstances could change to the unpredictability of COVID-19, the Department of Public Instruction could release further guidance on Districts providing additional services. More information regarding additional services will be provided to parents in September once school resumes.