



Special Education During Covid-19

TEN TIPS FOR ADVOCATING FOR YOUR CHILD



Disclaimer: I am NOT a lawyer and I am NOT providing legal advice during this presentation. I am sharing information that I have gathered from OSPI and other sources in the Special Education community, and nothing I share should replace the advice of an actual attorney.

1) Your child is still entitled to receive special education services.



Your student is still entitled to:

- a Free and Appropriate Public Education (FAPE)
- the 504 accommodations needed to access their learning
- an individualized education

The IEP team is still required to:

- continue working on IEP goals, collecting data and measuring progress
- provide a quality education that results in measurable and substantial learning/progress

2) Consider what your child needs to access their education during the Covid-19 closures.



In-person learning



Hybrid learning



*At-home learning
with occasional
check-ins*



*Dual enrollment with
related services provided
by the school district*



*Homeschooling with
related services
provided virtually*



*At-home learning with
1:1 support, either
virtually or in-person*

1. Focus on student's ability to meet IEP goals
2. Communicate your request concisely in writing and expect an answer back in writing.
3. You may not get what you want but all of these options are allowed based on OSPI's guidance, so you are within your rights to ask. If they say no, they need to provide a reason in writing why they are saying no.

3) Request an IEP team meeting ASAP.

- Make all requests in writing and expect a timely response in writing
- You have a right to request an IEP meeting any time, even if you're not due for an annual review
- The IEP team are the only ones who can update, change, or amend your child's IEP
- No changes to the IEP can be made without your involvement as the parent
- Remember you are an equal voice on the IEP team.



4) Talk to your IEP team about Compensatory Education and Recovery Services.

Compensatory Education

Should be provided to your student when the district fails to provide services as documented within the IEP. This includes the “service minutes” of all identified areas of Specially Designed Instruction (SDI) the student is eligible for including academics and things like speech, PT, OT.

Recovery Services

Required when a student did not make progress as expected, in this case because of the COVID-19 closures. In order to assess if a student is entitled to recovery services, they must be evaluated by their IEP team to determine present levels of performance as compared to last winter before COVID started.



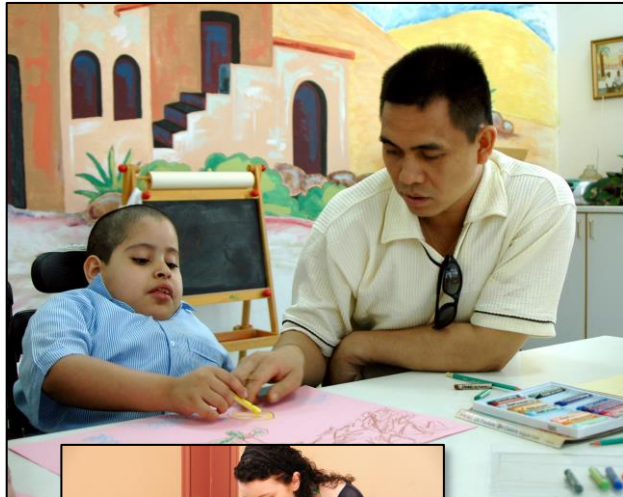
Your student might be entitled to both

5) Make sure everything is documented in writing.



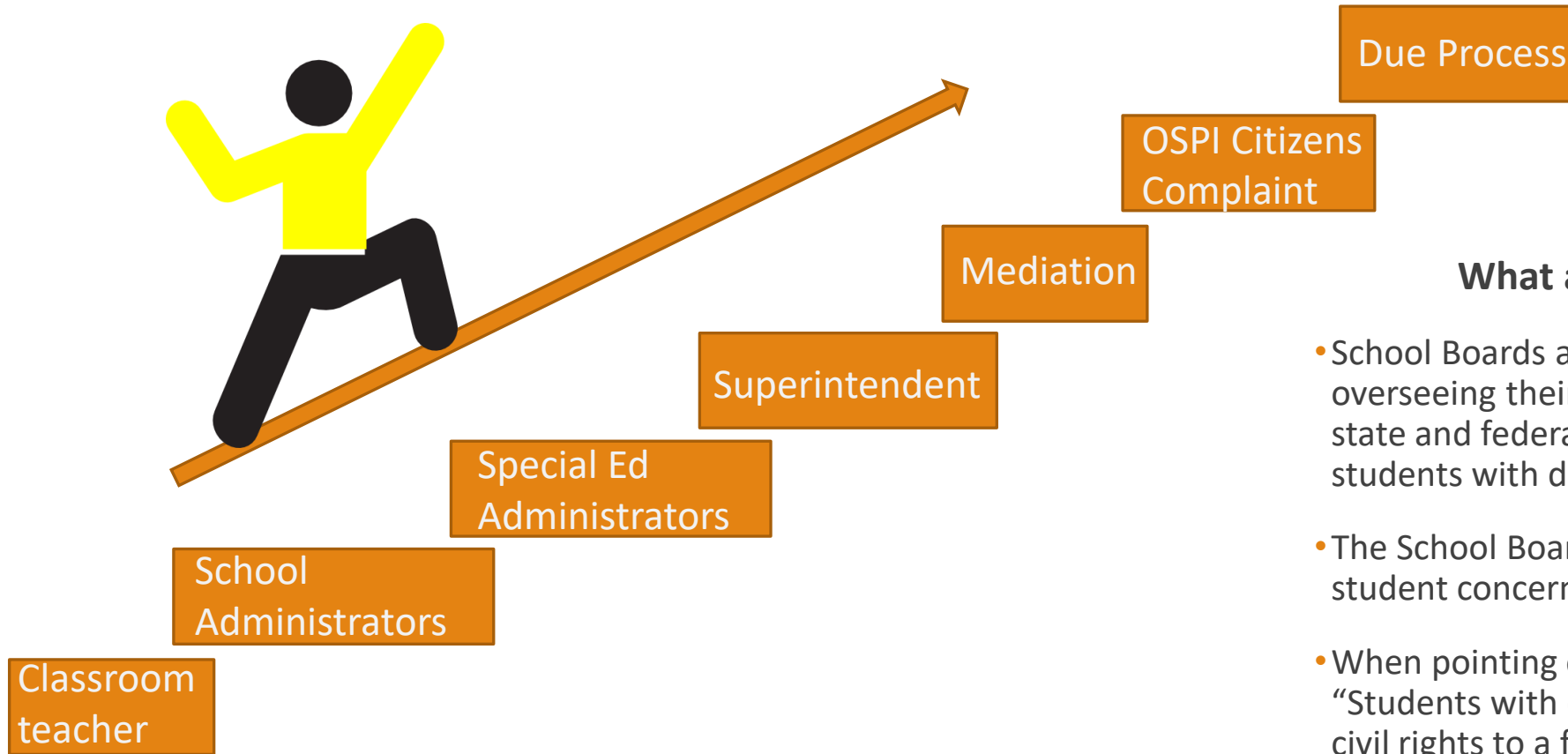
- Requests for meetings or additional services
- Concerns of any kind
- Observations of improvement or regression
- Summary of in-person meetings or conversations
- Expect responses *in writing* as well

6) Go easy on the teachers and school-level staff.



They are working hard and fighting for our children alongside us. It is unlikely that directing anger or frustration at them will result in the changes you're hoping for in your child's service plan.

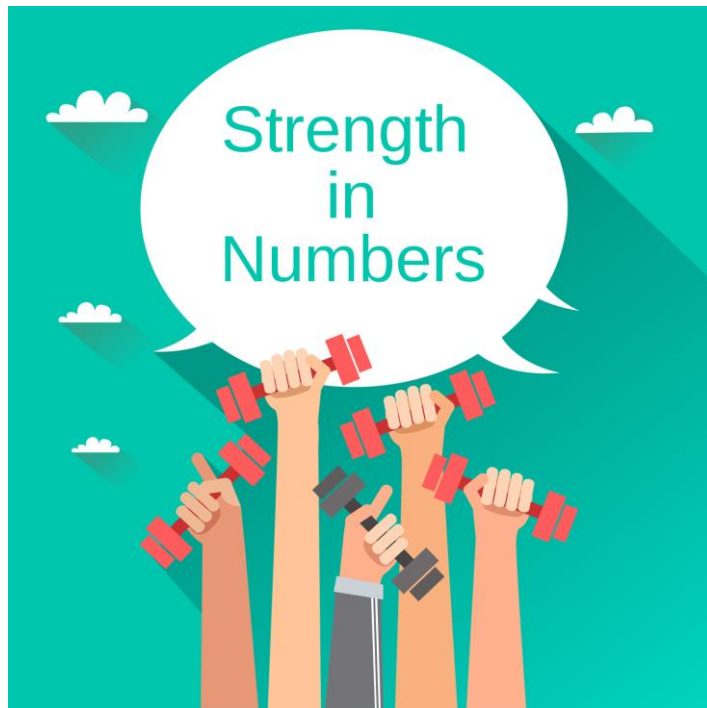
7) If your child's needs aren't being met, move up the chain of command.



What about the School Board?

- School Boards are ultimately responsible for overseeing their school district's compliance with state and federal laws, including laws protecting students with disabilities.
- The School Board will NOT address individual student concerns but must address systemic issues.
- When pointing out systemic issues say things like, "Students with disabilities are being denied their civil rights to a free appropriate public education"

8) Engage with your local Special Education PTSA.

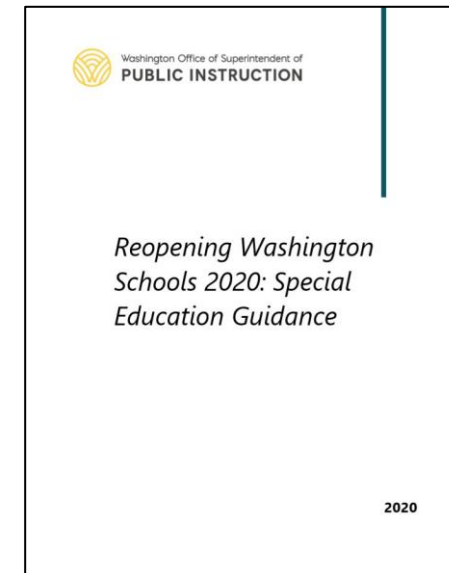


The current response to COVID-19 by school districts is a systemic issue rather than an individual student issue. To address systemic issues, being a part of a collective group makes your advocacy more effective.

9) Check out OSPI's Special Education Guidance for Covid-19.

Led by Superintendent Chris Reykdal, The **Office of the Superintendent of Public Instruction** (OSPI) is the primary agency charged with overseeing public K–12 education in Washington state.

OSPI allocates funding and provides tools, resources, and technical assistance so every student in Washington is provided a high-quality public education.



<https://www.k12.wa.us/about-ospi/press-releases/novel-coronavirus-COVID-19-guidance-resources/special-education-guidance-COVID-19>

10) For additional support, contact the Arc of King County.



To ask questions related to Special Education, or to find out if an IEP Parent Partner is right for you, contact Rachel Nemhauser, Community and Family Support Program Manager, at 206-829-7046 or RNemhauser@arcokingcounty.org

The Arc's IEP Parent Partner Program can help.

- Ask general questions related to Special Education, the IEP process, conflict resolution, resource referral and more
- Consult with an IEP Parent Partner for more in-depth explanation and discussion related to the IEP and Special Education process
- Work closely with an IEP Parent Partner in preparing, executing and debriefing after an IEP or other school meeting
- Receive emotional and informational support from an IEP Parent Partner as you work through a particular conflict or concern with the school district

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