



Your Child's Education During COVID-19

WHAT YOU SHOULD KNOW:

The laws protecting the rights of special education students, the Individuals with Disabilities in Education Act ("IDEA"), Section 504 of the Rehabilitation Act and the Americans with Disabilities Act ("ADA"), all still apply during this time. School districts are still required to provide students with a free appropriate public education ("FAPE") under these new circumstances. If a school district is providing distance learning to the general education population, they are also required to do so for students receiving special education and related services.

Schools are still required to schedule and conduct any IEP reviews or meetings that are due between now and the end of the school year. These meetings will, for the duration of the physical school closures, need to be held via video or telephonic conference calls.

You have the right to discuss your concerns about your child's educational and related services with your child's teacher(s) and to convene an IEP meeting to develop a distance learning plan outlining how your child's current IEP or Section 504 Plan services and supports will be provided. These meetings may be conducted by phone or by videoconference in light of the current situation. You may also request a copy of the school's proposed distance learning plan by email or other mutually agreed upon delivery method (in compliance with state/local orders) to review before any meeting.

You have the right to request accessible technology and/or an alternative delivery method for academic and related services that meets your child's unique needs. The IEP or 504 team should work together to resolve any barriers to service delivery to students who do not have access to technology/devices or have limited or no internet access. The team should ensure the student's access to printed materials/packets, alternative delivery methods, assistive technology, or other accommodations. You have the right to receive a written notice of all academic and related services the school fails or refuses to provide directly or to provide training and supports for.

Once schools physically reopen, many special education students will be entitled to some form of compensatory education due to varying levels of service delivery interruption or regression. The team must then determine if and how much compensatory services are needed to make up for the loss of services. However, it may be difficult to prove that compensatory services are owed if you are not keeping accurate records during this time. This should also be the same approach with students who are otherwise eligible for graduation this Spring but have now missed out on the appropriate transitional services. Each child's circumstances should be examined individually and you and your child's IEP team should be discussing whether or not your child is actually prepared to graduate this school year. In those instances, in which the team agrees that appropriate transitional services were not provided, extended graduation deadlines should be put into the child's IEP.

During this difficult and truly unprecedented time, ODLC stands ready and able to assist you in advocating for your child. You may contact our office if you have any questions or need additional support to ensure that your child's unique educational needs are met: 800-880-7755

For additional information and resources visit our website: <http://okdlc.org/what-we-do/novel-coronavirus-covid-19/>