



**Students with Disabilities**  
**Planning Supports**  
**Guidebook**



## Overview and Purpose

### Disclaimer

*The situation surrounding COVID-19 is dynamic and rapidly evolving on a daily basis. This document is not and is not intended to: (i) constitute medical or safety advice, nor be a substitute for the same; nor (ii) be seen as a formal endorsement or recommendation of a particular response. As such you are advised to make your own assessment as to the appropriate course of action to take, using this document as guidance. Please carefully consider local laws and guidance in your area, particularly the most recent advice issued by your local (and national) health authorities, before making any decision.*

The Texas Education Agency has developed this document to provide technical assistance to local education agencies. The intention of this document is to provide helpful, general information. It does not constitute legal advice nor is it a substitute for consulting with a licensed attorney. The information should not be relied upon as a comprehensive or definitive response to a specific legal situation. This document may not include a complete rendition of federal law.

### Purpose

This resource will provide support, information, considerations, and resources to help Local Education Agency (LEA) level leadership, campus level leadership, and student level staff plan for special education services in their efforts to ensure a strong start of the 2020-2021 school year and beyond.

### Design

In the [TEA Planning Guidebook](#), LEAs are encouraged to address core operational considerations, including special education.

This document **aims to**:

- Provide information, considerations, and resources to help plan for students with disabilities as schools re-open and into school year (SY) 20-21
- Assist LEAs in developing coherence and continuity in their processes and procedures for ensuring a free appropriate public education (FAPE) for all students with disabilities
- Emphasize specific requirements and considerations for students with disabilities relevant to a strong start to the 2020-2021 school year and beyond.



This document **is not**:

- Legal or medical advice or consultation
- An inclusive list of all actions or considerations an LEA may take in response to the COVID-19 crisis or back-to-school and SY 20-21 planning

## Target Audiences

The target implementation level audiences are described below, along with the most applicable topics that apply to that particular audience. For usability, an arrow icon  that will take you back to this table of contents has been embedded at the end of each section.

## Leadership Level Implementation

The leadership level of program implementation is organized in a variety of hierarchical frameworks across Texas LEAs. For this guidebook, leadership level implementation includes system level leaders such as superintendents, chief academic officers, various LEA leadership position titles in special education, Section 504, curriculum and instruction, assessment, health services etc. Leadership level implementation also includes campus level leaders such as principals, assistant principals, leadership/coordinators for special education, evaluation, Section 504, instructional coaches, counselors, and lead teachers/department chairs, etc.

Each category of this resource includes valuable information pertaining to leadership level.

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## Student Level Implementation

### Instructional Staff

Instructional staff such as special education teachers, interventionists, paraprofessionals, and general education teachers, will find specific information within this guidebook that can assist them as they plan for a strong start to 2020-2021 and beyond. These topics include:

<a href="#"><u>Free Appropriate Public Education (FAPE)</u></a>	<a href="#"><u>Least Restrictive Environment (LRE)</u></a>
<a href="#"><u>Admission, Review, and Dismissal (ARD) Committee Meetings</u></a>	<a href="#"><u>Individualized Education Programs (IEP)</u></a>
<a href="#"><u>Dyslexia</u></a>	

### Ancillary Staff

Ancillary staff such as Speech language pathologists, Diagnosticians, Licensed specialist in school psychology, Occupational therapists, Physical therapists, and Audiologists, will find specific information within this guidebook that can assist them as they plan for a strong start to 2020-2021 and beyond. These topics include:

<a href="#"><u>Evaluations</u></a>	<a href="#"><u>Students who are DeafBlind (DB)</u></a>
<a href="#"><u>Admission, Review, and Dismissal (ARD) Committee Meetings</u></a>	<a href="#"><u>Related Services</u></a>
<a href="#"><u>Individualized Education Programs (IEP)</u></a>	<a href="#"><u>Occupational Therapy and Physical Therapy (OT and PT)</u></a>
<a href="#"><u>Students with Visual Impairments (VI) and Orientation and Mobility (O&amp;M)</u></a>	<a href="#"><u>Speech-language Services</u></a>
<a href="#"><u>Students who are Deaf or Hard of Hearing (DHH)</u></a>	<a href="#"><u>Counseling Services</u></a>

## Leadership and Planning Considerations

In the [TEA Planning Guidebook](#), the initial action in planning for school re-opening is to assemble a **dedicated task force**. This group of leaders will act as the primary unit to:



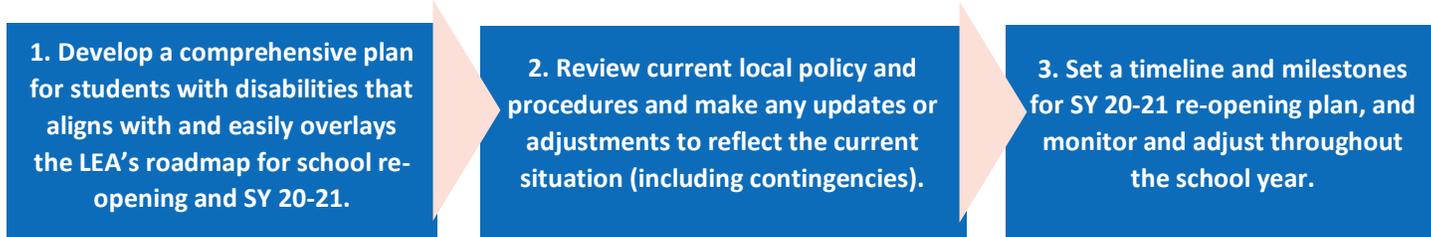
- Engage various stakeholders
- Methodically evaluate their current circumstances and needs of their community
- Set up the structures for the school system in the fall
- Establish key communication channels

In some LEAs, the existing leadership team may comprise this task force; in others, school leaders, educators, family members and community stakeholders may also be involved.

We recommend having an LEA leader on this task force to represent the unique needs of students with disabilities and who deeply understand the LEA's plans for reopening through SY 20-21.

Leaders (e.g. Special Education directors, Section 504 coordinators) dedicated to students with disabilities should plan for reopening and SY 20-21 alongside the LEA task force. The following action items are recommended as a starting point for this planning.

### Action Items



- ✓ **1. Develop a comprehensive plan for students with disabilities that aligns with and easily overlays the LEA's roadmap for school re-opening and SY 20-21.**

The [TEA Planning Guidebook](#) was released to assist LEAs in planning for re-opening and SY 20-21. This guidebook, in addition to other instructional continuity planning documents, public health orders, and additional resources and guidance provided on the TEA Coronavirus (COVID-19) Support and Guidance website, should be used as you move forward with developing a comprehensive plan for students with disabilities for the re-opening of schools and SY 20-21.

As you work to develop a comprehensive plan for students with disabilities, consider the following:

- Develop a plan and timeline for communication with staff and families of students with disabilities
  - Staff, students, and families of students with disabilities will have additional questions about the re-opening and SY 20-21.

- If appropriate for your LEA, consider developing communication plans and templates in this step to assist in consistency of language and processes on all campuses.
  - You may be able to utilize local timelines, communication plans, and templates during this development.
- Determine the learning format that families of students with Individualized Education Programs (IEPs) or Section 504 Plans have chosen for the re-opening and SY 20-21.
    - This information may have been collected during local surveys recommended by TEA in the [Strong Start Resources](#).
    - You may consider administering additional surveys to r families with students with disabilities to gather extra data points to consider as you plan to reopen and for SY 20-21.
  - Determine which special education policies, procedures, and protocols may require adjustments for continued remote learning or long-term closures during SY 20-21 (e.g., operating procedures, any special education procedures that will need to be amended due to updates in LEA processes and procedures)
  - Admission, Review, and Dismissal (ARD) and Section 504 committees need to consider and document the plan in the IEP or Section 504 plan for the provision of FAPE in the least restrictive environment (LRE) for in-person, remote, and hybrid learning environments. This will allow for a seamless transition to be made should a required change to the learning environment occur.
  - TEA is providing a learning management system and standards-aligned PK-12 curriculum through Texas Home Learning 3.0. These freely available resources are specifically created for any of the above-mentioned learning environments and include professional development. Texas Home Learning 3.0 resources will be freely available for two years beginning in August/September 2020.

## ✓ 2. Review current local policy and procedures and make any updates or adjustments to reflect the current situation (including contingencies).

In step one, you determined the policies, procedures, and protocols that need updates and adjustments. In step two, we recommend you use the information in this document, including resources linked in this section, to update policies and procedures to reflect the current situation. Ensure that any changes to policies and procedures comply with federal and state laws and regulations.

- LEA's may wish to review operating procedures templates currently available on the [legal framework website](#) as a resource. Update and adjust as necessary any special education policies for continued remote learning or long-term closures during SY 20-21 (e.g., operating procedures, contingency plans, any special education procedures that will need to be amended due to updates in LEA processes and procedures).
- Update and adjust as necessary protocols for special education staff members, students, and families to transition between in-person, hybrid, and fully remote scenarios depending on current state and local public health circumstances.

- Update and adjust as necessary protocols for IEPs, ARD committee meetings, Section 504 plans, Evaluations, etc. Some examples of protocols that may need to be developed or adjusted include:
  - Safety precautions
  - Personal protective equipment (PPE) for students and staff
  - Special education evaluation procedures for on-campus and during closures
  - Health plans
  - Special Education Teams providing services to students with disabilities (health and safety)
  - Planning checklists or template to assist committees as they build the IEP or Section 504 plan to be appropriate for remote, in-person, or hybrid learning environments

### 3. Set a timeline and milestones for SY 20-21 re-opening plan, and monitor and adjust throughout the school year.

- Regularly solicit feedback and revise plan for reopening school as necessary based on community feedback, local and national health guidance, and other factors such as staffing, budget, etc.
- Develop metrics and progress monitoring protocols specifically for students with disabilities.
- Reflect after 6 weeks on the transition to back-to-school, considering collected data, and adjust based on stakeholder feedback and learnings.
- Suggested milestones for the timeline include:
  - Review of safety guidelines and LEA plan for reopening on-campus instruction specific to students with disabilities; schedule staff professional development to ensure that staff members understand safety guidelines, including proper use of PPE
  - Review of outstanding campus needs, such as evaluations, reevaluations, ARD meetings (e.g. follow up to temporary plans, compensatory services), and Section 504 evaluations and meetings (list not exhaustive), and submit a master calendar to LEA leadership
  - Review of campus special education staffing and physical space/resources requirements for on-campus and remote instruction
  - Survey of staff needs
  - Schedule of ongoing professional development – according to staff areas of need
  - Schedule of ongoing progress monitoring procedures and data analysis meetings with the School Reopening Task Force to make real-time adjustments



## Suggested Action Steps

Once a School Reopening Task Force is assembled and initial planning considerations are addressed, LEAs can move into more detailed design and action planning. The action steps outlined in the [TEA Planning Guidebook](#) suggest an order of operations to support a planning process that:

- Accounts for state requirements, stakeholder preferences, and school system constraints
- Drives the development of school models that are responsive, flexible, and enable rigorous instruction for all students regardless of setting
- Addresses the wide range of operational considerations that differ for SY 20-21
- Accounts for the need to iterate and continuously improve over SY 20-21



All students are general education students first, and the provision of special education and related services, or Section 504 accommodations and supplementary aids and services is provided in addition to general education, not in place of it. This guidance document aligns with the published TEA Planning Guidebook while providing supplementary guidance specific to students with disabilities.

Action Steps from the TEA Planning Guidebook are listed below. Please ensure as your LEA proceeds with its planning, that it considers the implications for students with disabilities within each of these steps. We have provided additional information in the considerations and additional resources sections relevant to students with disabilities.

1. Understand student learning needs, especially special populations, and family preferences.
  - **Understand student learning needs, especially students with special needs**
    - Special education directors and Section 504 coordinators will inform the LEA planning team about LEA requirements for the support of special populations using LEA sources of data.
    - Professional development for LEA staff (teachers, administrators, paraprofessionals) in high leverage, evidence-based practices, such as Universal Design for Learning (UDL), should be scheduled and implemented as soon as possible in order to plan for and provide highly effective instruction to all learners.
  - **Understand family needs**
    - Families will be given the opportunity to choose the most appropriate learning environment for their students.
    - The ARD committee will make LRE determinations based on the student's individualized needs in accordance with Individuals with Disabilities Education Act (IDEA) requirements.
    - The ARD or Section 504 committee will determine how to provide services in the LRE regardless of where instruction takes place: remote, in-person, or both. This will enable staff and students to seamlessly transition no matter what the situation may be.
    - For additional support for surveying families, please see the [Strong Start Resources](#).
2. Consider organizational capacity and operational constraints.
  - Health and safety guidance and constraints
    - [Public Health Orders](#) and other information are available on the TEA website and should be utilized when developing plans for students with disabilities for reopening and SY 20-21.



- LEAs should review state, local, and federal health guidance to develop health and safety protocols and training for staff and families including toileting, feeding, and assistance with medical devices and equipment (e.g., feeding tubes, gait trainers).
- Step 5 of the [TEA Planning Guidebook](#) also includes numerous slides with detailed information to plan for LEA processes for the 8 areas listed above.
  - An LEA will need to ensure it has appropriate plans for students with disabilities embedded in its plan for these areas.
  - We suggest you use the slides within the TEA Planning Guidebook to make specific plans for students with disabilities for each core operational consideration as necessary and appropriate.

6. Develop a plan to review, iterate, and continuously improve during SY20-21.



## Contingency Plans Guidance

There may be a need for students to move between in person, remote, and hybrid instruction. Therefore, the student's ARD committee should consider addressing different types of scenarios when developing or amending a student's IEP. The Special Education Contingency Plan form may be used to document the special education services that are feasible and safe to provide to an individual student while she or he is receiving remote instruction. The information recorded in the Special Education Contingency Plan must come from the student's most recent IEP agreed upon by the student's ARD committee. Note that there is not a requirement to use this form. It is presented as a resource or an example. LEAs could choose to include the same documentation in an individual student's IEP in another format.

TEA recommends that the Special Education Contingency Plan be included as part of the student's IEP to ensure that the student's family and educators are aware of, and agree with, the services the student will receive during remote instruction. By doing so, there would be limited need, if any, to convene an ARD committee meeting or to amend the student's IEP if a student moves back and forth between campus instruction and remote instruction, as there would be one plan of service in place for when the student is receiving instruction in the campus setting and another plan of service for when the student is receiving remote instruction.

In developing or revising the IEP to include the Special Education Contingency Plan, LEAs should encourage parents/guardians to provide information about specific types of activities that work well in engaging the student. Collaboration could include conversations about the need for telephone consultations, teleconference meetings, days, times, and methods for providing instruction, etc.

The student's parent/ guardian and the LEA may agree to amend the IEP as set out at [34 CFR §300.324](#) to include the Special Education Contingency Plan in the IEP so long as the amendment is done after the student's annual ARD committee meeting and does not change the student's educational placement.

If the inclusion of the Special Education Contingency Plan in the IEP through the amendment process cannot take place or if the annual review of the student's IEP is due, the parent/guardian and LEA must convene an ARD committee meeting to make the applicable changes to the student's IEP. In this case, the LEA must follow all federal and state requirements related to ARD committee meetings and as set forth in [19 Texas Administrative Code \(TAC\) §89.1050](#).

In either situation, the LEA must also ensure that requirements set out in [34 Code of Federal Regulations \(CFR\) §300.503](#), regarding prior written notice, are met.

As always, once an IEP is developed or revised, it is important that a student's educators and family continually communicate to adapt and adjust the IEP based on the student's ongoing and changing needs, considering that families may later decide to change where the student is receiving instruction and services (i.e., either remote or on-campus).

A variety for service delivery methods can be implemented to meet the needs of students during remote instruction (e.g. synchronous, asynchronous, direct, and indirect service minutes). Decisions will depend on the student's unique needs, specific goals, and input from ARD committee members.

In addition to documenting services to be provided during remote instruction, the Special Education Contingency Plan may also be used to assist the ARD committee in determining what, if any, compensatory

services the student may need once remote instruction ends.

## 1. Are LEAs required to use the Special Education Contingency Plan form?

No. LEAs may choose to use the form if it is helpful when addressing the remote provision of instruction and special education services.

## 2. What type of information may be included in the document?

### **Student Identifying Information:**

This section should include any information that would assist school personnel in identifying the student.

### **An interpreter assisted in completing this form:**

This section should be used to identify whether an interpreter was part of the team that developed the form.

### **Present Levels of Academic Achievement and Functional Performance (PLAAFP) statements:**

For the school-aged student, the PLAAFP summarize the current strengths and needs of the student in both academic and functional performance areas. They must include how the student's disability affects the student's involvement and progress in the general education curriculum regardless of the setting in which the student currently receives services. In developing the plan, the student's PLAAFP statements must come from the student's current IEP but must also address the extent to which the student's disability impacts his/her participation in the remote learning environment.

For the preschool student, the PLAAFP statements summarize the current levels of present performance related to the student's developmental domains, functional performance, and pre-academic skills. It must include how the student's disability affects the student's participation in appropriate activities and address the extent to which the student's disability impacts his/her participation in the remote learning environment.

### **Academic and Functional Goals:**

This section outlines goals that will be implemented for the student. These must come from the student's current IEP and/or may also include goals that address changes to a student's needs resulting from remote instruction, being separated from his/her school peers, etc. The goals must be based on the student's PLAAFP statements and must address the needs identified therein.

### **Data Collection and Progress Monitoring:**

This section explains how and when data regarding the student's progress toward mastery of his/her IEP goals will be gathered and when the student's progress toward mastery of his/her IEP goals will be reported to the student's parents/guardians. This section should include a description of how progress toward goals will be tracked. Service providers may request work products be turned in by students to support the assessment of IEP goals. Service providers may also assess IEP goals through a remote learning session with the student.

### **Secondary Transition:**

If needed, any considerations related to the student's secondary transition must be entered here.

**Supplemental Aides and Services:**

This section contains the supplementary aides and services that will be implemented for the student. These should be determined based on the student’s PLAAFP statements and should assist the student in successfully accessing learning and services in the remote environment.

**Accommodations:**

This section contains the accommodations that will be provided to the student during remote instruction. Accommodations should be determined based on the student’s PLAAFP statements and should assist the student in successfully accessing learning and services in the remote environment. Accommodations should be provided to ensure the student’s access to instruction and academic materials and will be provided to help him/her maintain progress toward mastery of his/her IEP goals.

**Behavior Intervention Plan or Behavior Improvement Plan:**

This section includes information from the student’s behavior intervention plan or behavior improvement plan that will be applicable during the time the student is receiving remote instruction.

**Instructional Services to be Provided to the Student:**

This section includes information about what instructional services will be provided to the student during remote instruction and the setting of those services (general education setting or special education setting).

**Related Services to be Provided to the Student:**

This section includes information about what related services will be provided to the student during remote instruction as well as the location, duration, and frequency of those services. This section must reflect a clear schedule of when and how a service provider will be in contact with a student. The type, frequency, and manner of the provision of services must be clearly outlined so that families know what to expect.

**Other Considerations:**

Please note that some students may have other components or supplements as part of their IEPs. LEAs must ensure that those components or supplements are included in the Special Education Contingency Plan as needed. The IEP components or supplements required by statute or regulation may be found in the [IEP Model Form](#).

**An Optional Contingency Plan Form can be found here.**

**Click here for for an editable Word version of the Contingency Plan Form.**



## Individualized Education Programs (IEPs) and Special Education Contingency Plans

An LEA's obligation to provide FAPE remains unchanged. Specialized instruction and related services must continue to be provided to students with disabilities if those services are deemed necessary for the student to receive FAPE. Revisions to the IEP may be necessary to ensure that the student's needs are addressed during times of on-campus and remote learning. ARD committees should review how FAPE will be provided in the different learning environments and review a student's IEP carefully to determine whether any changes are needed. Both parents/guardians and school staff should strive for flexibility, frequent communication, and collaboration.

To address a student's needs and reflect any changes to individualized instruction and/or services during times of remote learning, an IEP may benefit from including a special education contingency plan. For an example template, reference the TEA Special Education Contingency Plan form.

When considering developing a special education contingency plan as a part of the student's IEP during times of remote learning, the following guiding questions should be considered:

- What are the child's needs when accessing instruction/related service(s) remotely?
- What is the child's most recent measurement of progress on IEP goals?
- Are there changes to supplemental aids and/or accommodations the child may need for remote instruction?
- What services and supports are necessary for the student to receive FAPE when accessing instruction remotely?
- What is the length of the school day for all children?
- How many minutes is each class and how will content be delivered?
- Based on the child's current needs and in light of current circumstances and adjusted class times, what proportion of class minutes (frequency, duration) are needed to support the student in progressing on IEP goals and accessing the general education curriculum?
- What combination of services delivery methods (e.g. synchronous, asynchronous, direct, and indirect) will meet the student's needs and provide appropriate special education and related services during remote learning?

### 1. Q: Is a shift to remote learning considered a change of placement?

A: – A change from in-class to remote instruction may not necessarily result in a change of placement. In some cases, remote learning may constitute a change in location. Placement refers to the continuum of alternative placements that are available to meet the needs of a student with a disability. If the change to remote learning substantially affects or materially alters the student's educational program, it is likely a change in placement. This is an individualized determination that must be made on a case-by-case basis. When in doubt, the LEA is encouraged to consult its legal counsel.

### 2. Q: When a student receives instruction remotely, what actions may an LEA take to address changes in special education minutes, if needed?

A: If the student needs, or is anticipated to need, a change in special education minutes when shifting between remote and in-class instruction, the student's parent/guardian, or adult student, and the LEA may

agree to amend the IEP as set out at [34 CFR §300.324](#) to include a special education contingency plan in the IEP so long as the amendment is done after the student’s annual ARD committee meeting and does not change the student’s educational placement.

If the inclusion of the special education contingency plan in the IEP through the amendment process cannot take place or if the annual review of the student’s IEP is due, the parent/guardian, or adult student, and the LEA must convene an ARD committee meeting to make the applicable changes to the student’s IEP. In this case, the LEA must follow all federal and state requirements related to ARD committee meetings, and as set forth in [19 TAC §89.1050](#).

**3. Q: If a child receives instructional services in a self-contained placement during on-campus learning, would revision to the services be needed if all learning occurs remotely?**

A: Dependent on the child’s individual learning needs, the same services and placement could be implemented via a remote format. If a student demonstrates a need for a change to the IEP placement, an ARD committee meeting would need to be held.

**4. Q: If a child needs a change in special education services and such changes would equate to a non-commensurate school day for the child, would this need to be included in the IEP?**

A: Yes. Students with disabilities must have available to them an instructional day commensurate with that of children without disabilities. The length of school day must be specified in the IEP. Decisions regarding a non-commensurate school day are ARD committee decisions based on the individual needs of the child and must be documented in the IEP.

ARD committees may need to adjust the IEP schedule page to document the amount of special education service minutes that the ARD committee has determined will allow the student to progress towards mastery of goals and receive access to and progress in the general curriculum. It may be that students need additional special education minutes outside of the school day and receive either compensatory services or extended day services in order to progress on IEP goals. Decisions must be made on an individual basis consistent with federal and state requirements.

**5. Q: How can special education and related services, as documented in the IEP, be provided during remote or hybrid instruction?**

A: Special education and related services are provided through a variety of service delivery methods depending on a student’s unique needs and specific goals. Teachers and administrators should think about the provision of services in the remote instructional environment in a way that mirrors on-campus lesson planning. In the on-campus classroom, teachers plan for the provision of instruction within the timeframe of the class (e.g., 45 minutes, 60 minutes). Students may spend a portion of that time receiving direct, explicit instruction from the teacher (akin to synchronous delivery) and a portion of that time in which they are working independently, turning in assignments, and receiving feedback (akin to asynchronous instruction).

**Synchronous** service delivery techniques in the remote instructional setting may include, but are not limited to, whole group, small group, or individual teaching using telephone calls, video calls, chats, etc. **Asynchronous** delivery could include, but is not limited to, students watching videos, listening to audio recordings, and working on independent assignments coupled with teacher check-ins for understanding and feedback.

In order to explain, if asked, how the daily combination of instruction and activities during remote instruction match the frequency and duration of the provision of services set out in a student's IEP, teachers should document the amount of time that instruction was provided (synchronously or asynchronously as appropriate) and the amount of time that students worked on individual, group, or classroom assignments, received feedback from the teacher, etc.

For example, a student's IEP indicates she or he will receive 45 minutes per day of instruction in English language arts. The English teacher's documentation for the student's 45-minute class might look like this.

Date-September 1

20 minutes-direct instruction on writing thesis statements (synchronous, virtual lecture)

25 minutes-student assignment requiring the reading of three independent passages and writing a thesis statement for each one.

Thesis statements were submitted to the teacher via email for review, grading, and feedback.

For information on the delivery of services and documentation necessary for the provision of FAPE that may be eligible for School Health and Related Services (SHARS) reimbursement, see [TEA's School Health and Related Services webpage](#).

**6. Q: If it is anticipated that a parent will need training and consultation to help support home learning would this be considered indirect service time?**

A: Yes, if the training and consultation is necessary to provide FAPE, an amendment to the IEP would be needed. It is possible that direct vs. indirect services minutes will be different during remote instruction in order to provide FAPE.

**7. Q: If a paraprofessional (i.e., instructional aide) works with a child remotely, does this time count towards IEP service minutes?**

A: When a classroom paraprofessional is providing services required by a student's IEP, he/she must do so under the supervision of a certified special education teacher. LEAs should pay careful attention to the type of certification a paraprofessional holds when determining their assigned responsibilities. Classroom paraprofessionals (Educational Aides 2 and 3 only) may work with small groups for re-teach, implement IEP supports during the direct teach portion of the lesson, and assist individual students. All of the above responsibilities must occur under the direction of the special education teacher. As long as paraprofessionals are working within their allowable responsibilities, they may provide IEP service

minutes, as appropriate. For additional information, please see the publication [Working with Paraprofessionals: A Resource for Educators of Students with Disabilities](#) from the Inclusion in Texas Network website.

**8. Q: If a child fails to make progress when accessing instruction remotely with the current IEP services, would the ARD committee be required to revise the IEP?**

A: Yes. All of the same federal, state, and local requirements apply during times of full remote instruction just as they do when providing on-campus instruction. If a child is not making progress toward his/her annual goals or in the general education curriculum, the ARD committee must meet to review the IEP to determine if the IEP requires revision.

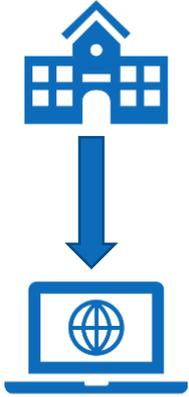


## Student Level Examples

What are the key elements that we need to consider or focus on in developing each scenario?



### Example Student Alex



- Alex started SY20-21 year on-campus.
  - The current IEP is followed.
- During the semester, the school had to close temporarily, and Alex began remote learning.
  - When remote learning begins, the contingency plan is followed.
- Alex's family decided to continue remote learning for the remainder of the semester, though his school reopened.
  - Alex would follow the contingency plan for remote learning.
- The school reconvenes the ARD committee, as necessary if, for example, Alex is not progressing and/or when his annual IEP is due.

### Example Student Diana



- Diana began SY20-21 learning remotely due to family concerns with the local public health situation.
  - A contingency plan is not in place, the ARD committee convenes to amend or the LEA and the parent agree to amend the IEP (as allowable) to document the plan for remote learning.
- As the semester went on, the local public health situation improved, and Diana's family decided to return to on-campus learning.
  - The current IEP is followed and the contingency plan is no longer in effect.
    - Any necessary changes to the IEP are made through an ARD committee meeting or amendment, as allowed.
- During the second semester, the school moves to a remote learning model due to a COVID-19 community outbreak.
  - The contingency plan is followed until return to on campus instruction.
- The school reconvenes the ARD committee, as necessary if, for example, Diana is not progressing and/or when her annual IEP is due.



## Special Education Topics

LEA, campus level leadership and student level implementation teams should intentionally plan for and adjust specific areas of special education during the reopening of the SY 20-21 and beyond. The following pages provide technical assistance on the following priority areas of focus.

<a href="#"><u>Child Find</u></a>	<a href="#"><u>Universal Design for Learning (UDL)</u></a>
<a href="#"><u>Evaluations</u></a>	<a href="#"><u>Related Services</u></a>
<a href="#"><u>Free Appropriate Public Education (FAPE)</u></a>	<a href="#"><u>Occupational Therapy and Physical Therapy (OT and PT)</u></a>
<a href="#"><u>Least Restrictive Environment (LRE)</u></a>	<a href="#"><u>Speech-language Services</u></a>
<a href="#"><u>Admission, Review, and Dismissal (ARD) Committee Meetings</u></a>	<a href="#"><u>Counseling Services</u></a>
<a href="#"><u>Individualized Education Programs (IEP)</u></a>	<a href="#"><u>Students with Visual Impairments (VI) and Orientation and Mobility (O&amp;M)</u></a>
<a href="#"><u>Multi-Tiered Systems of Support (MTSS)</u></a>	<a href="#"><u>Students who are Deaf or Hard of Hearing (DHH)</u></a>
<a href="#"><u>Dyslexia</u></a>	<a href="#"><u>Students who are DeafBlind (DB)</u></a>
<a href="#"><u>Assistive Technology (AT)</u></a>	<a href="#"><u>Homebound Services</u></a>
<a href="#"><u>Complex Needs</u></a>	<a href="#"><u>Compensatory Services</u></a>

For each of these areas you will find the following information.

 <b>Overview</b>	 <b>Considerations</b>
<p>General description of the specific education topic that should be included in the planning for SY 20-21.</p>	<p>Targeted needs to address while planning.</p>
 <b>Resources</b>	
<p>Technical assistance to refer to while planning.</p>	



## Child Find

 Overview	 Considerations
<p>Child Find is a federal mandate under the IDEA. It requires LEAs, which include public school districts and charter schools, to identify, locate, and evaluate all children with or suspected to have disabilities residing within their jurisdictions who need or are suspected to need special education and related services. (34 CFR §300.111—<a href="#">Child find</a>)</p> <p>During the COVID-19 pandemic, LEAs continue to have Child Find responsibilities.</p> <p>An LEA’s responsibility to identify, locate, and evaluate students who have or may be suspected of having a disability and need for special education is ongoing.</p>	<ul style="list-style-type: none"><li>▪ Take necessary steps to ensure that all children who may need special education and related services are identified. It is important that the LEA establish and implement continuing efforts to seek out these children and inform the public of services available to children and families. Public awareness activities must continue.</li><li>▪ Take necessary steps to ensure correct information regarding Child Find processes and contact information is posted on their websites and is easily accessible to any and all stakeholders. There must be contact information available even during times when school is closed or remote only.</li><li>▪ Review procedures to ensure compliance with federal and state special education requirements and reflect the practices your LEA will follow in SY 20-21 with the impacts of remote learning and possible closures. For example, are there changes in procedures for staff to initiate a referral for evaluation when students are remote vs. when learning on campus? Staff should be trained on local Child Find procedures.</li></ul>
 Resources	
<ul style="list-style-type: none"><li>• <a href="#">TEA Child Find Technical Assistance Guide</a></li></ul>	



## Evaluations

 Overview	 Considerations
<p>There has been no waiver of federal timelines related to special education compliance. Therefore, evaluation timelines continue to apply. LEAs must complete evaluations within the required timelines. The evaluation must be sufficiently comprehensive to identify all the child's special education and related service's needs, whether commonly linked to the disability category in which the child has been classified. Special education eligibility determinations for students should not be made without consideration of all relevant data points. When conducting the evaluation, the multi-disciplinary team must use a variety of assessment tools that identify the student's needs sufficiently and comprehensively.</p>	<ul style="list-style-type: none"><li>▪ Review the procedures to ensure staff follow established timeline requirements when the LEA receives a written parent/guardian request for a Full Individual and Initial Evaluation (FIIE), the 15 school-day timeline to respond applies as described in Texas Education Code (TEC) 29.004(c). Ensure that procedures are in place for compliance during times of remote instruction.</li><li>▪ Review procedures that ensure that under no circumstances should an LEA attempt to delay obtaining written parental/guardian consent to evaluate, nor should the LEA decline to evaluate solely because of the current health crisis.</li><li>▪ Review and train staff on procedures the LEA will follow to conduct evaluations (e.g. on campus evaluation safety protocols, use of review of existing evaluation data (REED), process for remote assessment components)).</li><li>▪ When evaluators cannot follow a fully standardized procedure, as specified in the test manual, for administration they must report deviations and carefully consider the impact in the interpretation and validity of the results. Triangulating data from a variety of sources will enhance the validity of evaluation results.</li><li>▪ Take steps necessary to ensure that evaluators are trained to carefully consider all of the different tools available to them for gathering evaluation data. Evaluators will need to use clinical judgement to identify the methods of assessment that are sufficient for completing an evaluation (e.g. record reviews, rating scales, clinical interviews, standardized testing, permanent product reviews.)</li></ul>
 Resources	
<ul style="list-style-type: none"><li>• <a href="#">OSEP Guidance: IDEA Part C Evaluation and Assessment Timelines</a></li><li>• <a href="#">TEA Child Find and Evaluation Technical Assistance Guide</a></li><li>• <a href="#">Considerations for Conducting Summer 2020 Evaluations, Child Find, Evaluation, and ARD Supports Network, June 3, 2020</a></li><li>• <a href="#">The Legal Framework for the Child-Centered Special Education Process</a></li></ul>	



## Free Appropriate Public Education (FAPE)

 Overview	 Considerations
<p>The cornerstone of the IDEA is the entitlement of each eligible child with a disability to a FAPE that emphasizes special education and related services designed to meet the child’s unique needs and that prepare the child for further education, employment, and independent living. (<a href="#">United States Department of Education, 2015</a>)</p> <p>FAPE is a constant and does not fluctuate based on remote, synchronous or asynchronous, or in-person instruction. In instances where an LEA is not able to provide FAPE, the LEA needs to be highly communicative with the family, document all efforts to provide FAPE, and plan for how the impact of FAPE not being provided for a period of time will be mitigated through compensatory services at a later time. In these situations, the ARD committee would be required to make an individualized determination as to whether compensatory services are needed to make up for any skills that may have been lost when FAPE was not provided. (Q1, pg. 2, <a href="#">FAQ</a>)</p>	<ul style="list-style-type: none"><li>▪ Review the procedures that ensure each student with a disability has an IEP that is compliant.</li><li>▪ Take necessary steps to ensure that campus staff are reviewing IEP documents and provision of services to ensure that students are receiving FAPE.</li><li>▪ Take necessary steps to ensure that campus staff are including the consideration of compensatory services in ARD committee discussions.</li><li>▪ Review and adjust as needed, the procedures that campus staff will follow to document delivery of special education and related services.</li><li>▪ Review and adjust as needed, the procedures that campus staff will follow to document communication with families regarding efforts to provide FAPE?</li><li>▪ Review and adjust as needed, the procedures campus staff will follow to ensure that each student’s schedule aligns with the services described in the IEP.</li><li>▪ Ensure that staff access professional development at least annually regarding the ARD/IEP process.</li></ul>
 Resources	
<ul style="list-style-type: none"><li>• <a href="#">Legal Framework Operating Procedures – Templates</a></li><li>• <a href="#">USDE Fact Sheet: Addressing the Risk of COVID-19 in Schools While Protecting the Civil Rights of Students</a></li></ul>	



## Least Restrictive Environment (LRE)

 <b>Overview</b>	 <b>Considerations</b>
<p>A requirement of the IDEA— for schools to provide FAPE in the LRE— has not been modified. Unless an IEP is changed by parental/guardian agreement or in accordance with IDEA, the IEP in place at time of the COVID-19 school closure remains in effect.</p> <p>An education in the LRE means that, to the maximum extent appropriate, students with disabilities are educated with students who are nondisabled. Special classes, separate schools, or removal from the general education class should only happen when the student’s learning or attention issue—based on “disability” under IDEA—is so severe that supplementary aids and services cannot provide him/her with an appropriate education.</p> <p>Remember:</p> <ul style="list-style-type: none"> <li>▪ LRE is not a place; it is a principle that guides the student’s educational program.</li> <li>▪ Special education law says the student should be learning with his or her peers.</li> <li>▪ When LRE comes up, so do the words “mainstreaming” and “inclusion.”</li> <li>▪ The models (remote/virtual, hybrid, in person) of delivering instruction during SY 20-21 may look different.</li> <li>▪ The COVID-19 pandemic has not changed the individual student’s right to LRE.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Take necessary steps to ensure that there is a plan for inclusion and LRE while maintaining physical distancing.</li> <li>▪ Take necessary steps to ensure that LRE requirements are maintained.</li> <li>▪ Take necessary steps to ensure that the ARD committee consider the LRE for each subject and course.</li> <li>▪ Review and adjust as needed the procedures that the ARD committee should follow to consider how to balance safety and achievement of IEP goals in the LRE.</li> <li>▪ Review the procedures that the ARD committees will follow to ensure that LRE considerations for students include the services the student needs.               <ul style="list-style-type: none"> <li>○ The supplementary aides and supports needed by the student</li> <li>○ The environment, as well as what occurs in that environment</li> <li>○ The general education curriculum</li> <li>○ Instruction</li> <li>○ A review of the appropriateness and educational benefit of each service and environment being considered for the student</li> <li>○ Academic opportunities and settings that nondisabled students experience</li> <li>○ Nonacademic and extracurricular activities in which nondisabled students participate</li> </ul> </li> <li>▪ Take steps necessary to preserve the principles of LRE and implement a student’s individual LRE in the non-traditional models (remote/virtual, hybrid, in person) brought about by the COVID-19 pandemic.</li> </ul>
 <b>Resources</b>	
<ul style="list-style-type: none"> <li>• <a href="#">The Legal Framework for the Child-Centered Special Education Process: Least Restrictive Environment (LRE) Requirement</a></li> <li>• <a href="#">Technical Assistance: Individualized Education Program (IEP) Development</a></li> <li>• <a href="#">Technical Assistance: Child Find &amp; Evaluation</a></li> <li>• <a href="#">Recommended Waiver Authority Under Section 3511(d)(4) of Division A of the Coronavirus Aid, Relief, and Economic Security Act (“CARES ACT”) April 27, 2020</a></li> </ul>	



## Admission, Review, and Dismissal (ARD) Committee Meetings

 <b>Overview</b>	 <b>Considerations</b>
<p>LEAs must conduct ARD committee meetings in compliance with required timelines and procedures, communicate ARD committee decisions, and document communication. All required members of ARD committee must be present face-to-face or virtually – unless proper excusal procedures have been followed.</p> <p>Requirements for properly constituted ARD committee meetings apply, regardless of if school is on-campus or remote.</p> <p>Parents/guardians must be given 5-day prior written notice of ARD committee meetings unless they waive the requirement. The Parent’s Guide to the ARD Process must be given to the parent/guardian before the initial ARD meeting or whenever a parent/guardian requests it. The Notice of Procedural Safeguards must be provided to the parent/guardian at least once annually and as otherwise required by IDEA. LEAs can offer to send these documents by email or mail and/or offer a website where the parents/guardians can access them. LEAs should document their efforts.</p> <p>Parents/guardians always have the option to request a face-to-face meeting when school buildings are open. After the annual ARD meeting, changes to the IEP may be made by the entire ARD committee in a meeting or by agreement of the parent/guardian and LEA, as allowed.</p> <p>Eligibility determinations, annual ARD committee meetings, changes of placement, and manifestation determination reviews may not be conducted through the amendment by agreement process.</p>	<ul style="list-style-type: none"> <li>■ Take steps necessary to ensure that LEAs create a calendar of when annual and other known ARD committee meetings are due or will be held for SY 20-21. Consider:               <ul style="list-style-type: none"> <li>○ Annual ARD committee meetings</li> <li>○ Initial ARD committee meetings ARD committee meetings to consider compensatory services for students who may be entitled</li> </ul> </li> <li>■ Review beginning of year assessments and, progress monitoring data carefully to identify students who are not progressing and may need changes to the IEP. This could include:               <ul style="list-style-type: none"> <li>○ PLAAFP with disability impact statement</li> <li>○ Goals and objectives</li> <li>○ Progress monitoring data collection</li> <li>○ Special education and related services</li> <li>○ Supplementary aids and services</li> <li>○ Accommodations and modifications</li> <li>○ LRE</li> <li>○ Secondary transition services</li> <li>○ Statewide and local assessments</li> <li>○ Applicable ARD supplements. Do not forget to address special transportation as a related service.</li> </ul> </li> <li>■ Review procedures for documenting frequency, duration, and location of special education and related services in the ARD meeting:               <ul style="list-style-type: none"> <li>○ <u>Location</u>: Location generally refers to where the student receives services.</li> <li>○ <u>Duration</u>: Each schedule page must indicate the projected date for the beginning of the services and modifications and the anticipated duration of those services. Students with disabilities must have available an instructional day commensurate with that of students without disabilities.</li> </ul> </li> </ul>

*Admission, Review, and Dismissal (ARD) Committee Meetings continued on next page*



### Considerations Continued

- **Frequency:** How much (amount of time) or how often (daily or weekly) will the service be provided? If a service is provided less than daily then the conditions for the provisions of services must be clearly specified within the ARD documents using a weekly reference (e.g., 1 hour a week, 30 minutes every two weeks). Changes to the schedule of services page can be made through an amendment to the IEP unless there is a change of placement. A change in instructional arrangement code is a change of placement. Available instructional arrangements and settings can be found in the Student Attendance Accounting Handbook.
- Review and adjust as necessary procedures to ensure that staff determine in advance how attendance of virtual ARD committee members will be documented and how they will communicate how the LEA representative/administrator, and parent/guardian (or adult student, if applicable) will indicate “agreement” or “disagreement” on the signature page.
- Review procedures for when the ARD committee finds disagreement on a required element of an IEP related to how supports and services should take place. Proceed as you typically would by offering a 10-day recess and schedule a reconvene meeting. While parents/guardians may understand the situation that schools are in during this unprecedented time, they may still have disagreements.
  - Provide the parent/guardian with the Notice of Procedural Safeguards and the supplemental guidance document about the dispute resolution process: Special Education Dispute Resolution Process.
  - Most importantly, listen to what students and their parents/guardians need during this time and show flexibility in your expectations and support in an effort to come to consensus.



### Resources

- [TEA Child Find and Evaluation Technical Assistance Guide Updated June 2020](#)
- [TEA Individualized Education Program \(IEP\) Technical Assistance Guide July 2020](#)
- [ARD 101 Virtual Workshop, Child Find, Evaluation, and ARD Supports Network, February 26, 2020](#)
- [Parent’s Guide to the Admission, Review, and Dismissal \(ARD\) Process](#)
- [Notice of Procedural Safeguards, English](#)



## Individualized Education Programs (IEP)

 <b>Overview</b>	 <b>Considerations</b>
<p>The U.S. Department of Education has not waived IDEA requirements during the pandemic. Requirements for IEP development and review, evaluations and eligibility, the provision of special education and related services, data and reporting, monitoring and funding are still in place. However, methods to meet these requirements may look different during this time. Engaging families will be essential to successful implementation of distance learning for all students, but especially students with IEPs. Partnerships with families will be critical as LEAs work with families to make sure learning continues for the remainder of the school year and beyond.</p> <ul style="list-style-type: none"> <li>▪ The ARD committee must make its decision about eligibility and, if the student is eligible, develop an initial IEP and determine placement <a href="#">within 30 days</a> from the date of the completion of the written full individual and initial evaluation report (in most cases).</li> <li>▪ IEPs also must be <a href="#">reviewed annually</a>. However, parents/guardians and the ARD committee may agree to conduct IEP meetings through <a href="#">alternate means</a>, including videoconferencing or conference telephone calls. Again, ARD committees are encouraged to work collaboratively and creatively to meet IEP timeline requirements.</li> <li>▪ In <a href="#">making changes to a child’s IEP</a> because of the COVID-19 pandemic <a href="#">after the annual ARD committee meeting</a>, the parent/guardian of a child with a disability and the LEA may agree to not convene an ARD meeting for the purposes of making those changes, and instead develop a written document to amend or modify the child’s current IEP.</li> </ul> <p>LEAs should identify and acknowledge service delivery limitations, as well as the need to make every effort to fully implement a student’s IEP. This requirement to “make every effort...” does not allow an LEA to decline all services to students with an IEP and only offer compensatory services at a later date.</p>	<ul style="list-style-type: none"> <li>▪ Review procedures to ensure that every student with a disability who is eligible for special education services is provided with FAPE based on the services described in their IEP.</li> <li>▪ Take the steps necessary to ensure that staff consider that students receiving special education services may be more negatively affected by remote learning and may be disproportionately impacted by interruptions in regular education.</li> <li>▪ Take the steps necessary to ensure that staff consider and plan for instances when it may not be feasible, depending on the needs of the individual student, to adhere both to distancing guidelines and the criteria outlined in a specific IEP.</li> <li>▪ Take the steps necessary to ensure that staff consider that attempts to meet physical distancing guidelines should meet the needs of the individual child and may require creative solutions, often on a case-by-case basis.</li> <li>▪ IEP Reminders:             <ul style="list-style-type: none"> <li>○ Providing FAPE</li> <li>○ Goals and Progress Monitoring</li> <li>○ Amendments</li> <li>○ ARD committee meetings</li> <li>○ Placement</li> <li>○ Service Types</li> <li>○ Evaluations</li> <li>○ Reevaluations</li> <li>○ Home Instruction</li> <li>○ Homebound Services</li> <li>○ Transition Assessments and Services</li> <li>○ Graduation</li> <li>○ Continuation of Special Education Services for Seniors (18-21 services)</li> <li>○ Ending Special Services Due to Graduation</li> <li>○ Special Transportation</li> <li>○ Therapy</li> <li>○ Extended School Year Services (ESY)</li> <li>○ Future Services/Compensatory Services</li> <li>○ Contingency Plan</li> <li>○ Implementing IEP and providing FAPE within the operational model (remote/virtual, hybrid, in person).</li> </ul> </li> </ul>

*Individualized Education Programs (IEP) continued on next page*

## Individualized Education Programs (IEP) Continued



### Resources

- [TEA Special Education Guidance: ARD Committee Considerations During COVID-19](#)
- [TEA Instruction and Accessibility Support For Students with Disabilities: Assistive Technology \(AT\) April 23, 2020](#)
- [TEA COVID-19 FAQ: Early Childhood Interventions for Students who are Deaf or Hard of Hearing or Blind or Visually Impaired April 23, 2020](#)
- [TEA COVID-19 Special Education Guidance and FAQ: Continuity of Learning for Secondary Transition June 4, 2020](#)
- [Technical Assistance: Individualized Education Program \(IEP\) Development](#)
- [Technical Assistance: Child Find & Evaluation](#)
- [US Dept of ED: Questions and Answers on Providing Services to Children with Disabilities During the Coronavirus Disease 2019 Outbreak March 2020](#)
- [Supplemental Fact Sheet Addressing the Risk of COVID-19 in Preschool, Elementary and Secondary Schools While Serving Students with Disabilities](#)



## Multi-Tiered Systems of Support (MTSS)

 <b>Overview</b>	 <b>Considerations</b>
<p>MTSS is a framework that focuses on intervention best practices within the areas of academics (Response to Intervention—RTI), behavior (Positive Behavioral Interventions and Supports—PBIS), and mental health for students who may need supports to succeed in a general education environment. MTSS is a schoolwide approach that addresses the needs of all students, including struggling learners and students with disabilities. The most common model of MTSS has three levels of intervention or tiers: universal (core instruction), targeted, and intensive. Essential components of MTSS include:</p> <ul style="list-style-type: none"> <li>▪ screening of all students,</li> <li>▪ evidence-based intervention practices,</li> <li>▪ progress monitoring, and</li> <li>▪ data-based decision-making.</li> </ul> <p>MTSS is not a pre-referral process for special education. It also cannot be used to delay or deny a student’s evaluation for special education.</p> <p><b>No matter where a student is in the MTSS process, if a student is suspected of having a disability and the need for special education, campus administration should move immediately to obtain consent for a special education evaluation.</b></p>	<ul style="list-style-type: none"> <li>▪ Review and adjust, as necessary, the LEA’s MTSS framework. Consider how MTSS components can be implemented in a remote environment when necessary.</li> <li>▪ Academic Intervention and progress monitoring</li> <li>▪ Behavioral intervention and progress monitoring</li> <li>▪ Take steps necessary to ensure MTSS problem-solving teams are in place and can meet remotely.</li> <li>▪ Review and adjust as necessary, current core/content area instructional programs and interventions within the LEA.</li> <li>▪ Take the steps necessary to ensure that interventions are evidence-based</li> <li>▪ Identify staffing needs for the provision of interventions and ensure that interventionists are trained in the intervention(s) they provide.</li> <li>▪ Review and adjust as necessary, current policies/procedures for implementation and analysis of universal screeners used within the LEA (both academic and behavioral).               <ul style="list-style-type: none"> <li>○ Determine how required screeners can be administered remotely</li> </ul> </li> <li>▪ Identify appropriate/required professional development based on staff needs in the following areas:               <ul style="list-style-type: none"> <li>○ Identifying evidence-based interventions</li> <li>○ Progress monitoring</li> <li>○ Data-based decision making</li> <li>○ Referral processes</li> </ul> </li> </ul>
<div style="display: flex; align-items: center; justify-content: center;">  <h3>Resources</h3> </div>	
<p>Coming soon on the <a href="#">TIER website</a> – Webinar series on interventions (academic and behavioral) in the remote environment</p>	



 <b>Overview</b>	 <b>Considerations</b>
<p>Students enrolled in LEAs shall be screened or tested, as appropriate, for dyslexia and related disorders at appropriate times in accordance with a program approved by the State Board of Education (SBOE). The program must include screening at the end of the year for kindergarten and for grade 1 by January 31<sup>st</sup>. In accordance with the program approved by the SBOE, the board of trustees of each LEA shall provide for the treatment of any student determined to have dyslexia or a related disorder.</p> <p>The identification and intervention process for dyslexia can be multifaceted. These processes involve both state and federal requirements that must be followed. The evaluation, identification, and provision of services for students with dyslexia and related disorders are guided by both the IDEA and Section 504. The law that applies to an individual student is determined by the data and the student’s individual needs. If a student is identified with dyslexia or a related disorder, then the committee uses the data to determine instructional needs specific to the individual student. Each LEA must provide each identified student access at his/her campus to instructional programs and to services of a teacher trained in dyslexia and related disorders as required by TAC §74.28.</p>	<ul style="list-style-type: none"> <li>■ Take necessary steps to ensure that the LEA provides early identification, intervention, and support for students at risk for dyslexia and related disorders.</li> <li>■ Take necessary steps to ensure that campuses administer kindergarten and grade 1 dyslexia screening. (Please see Emergency Commissioner’s Rules in resources below regarding incoming grade 1 students for the 2020-2021 school year.)</li> <li>■ Take necessary steps to ensure that educators receive adequate training to administer each screening and instrument.             <ul style="list-style-type: none"> <li>○ Establish procedures for remote administration, as necessary</li> </ul> </li> <li>■ Review procedures to ensure that LEAs notify the family of each student determined, on the basis of screening or other basis, to have or be at risk for dyslexia and/or a related disorder and provide information about the <a href="#">Texas Talking Book Program</a>.</li> <li>■ Take steps necessary to ensure and implement SBOE approved procedures for screening, individualized evaluation, and instruction for students with dyslexia and related disorders.</li> <li>■ Take steps necessary to provide training about dyslexia to ALL educators and ensure that campus planning and decision-making committee addresses dyslexia instructional strategies in professional development activities.</li> <li>■ Review procedures to ensure that campus teams meet the requirements of IDEA or Section 504, as applicable, when evaluation for dyslexia and/or related disorders is recommended.</li> <li>■ Take necessary steps to ensure that parents/guardians are informed of all services and options available to students eligible under IDEA or Section 504.</li> <li>■ Take steps necessary to ensure that parents/guardians of children suspected to have dyslexia and/or a related disorder are provided a copy or link to the Dyslexia Handbook.</li> <li>■ Provide a parent/guardian education program.</li> <li>■ Report through Public Education Information Management System (PEIMS) information regarding the dyslexia indicator code (E1530), dyslexia service code (E1650), and dyslexia risk code (E1644).</li> </ul>

*Dyslexia continued on next page*



### Resources

- [Technical Assistance: Child Find & Evaluation](#)
- [Dyslexia and Related Disorders TEA Website](#)
- [Dyslexia, Dysgraphia, Dyscalculia in the Individualized Education Program](#)
- [Dyslexia Handbook 2018 Update](#)
- [Technical Assistance: Section 504](#)



## Assistive Technology (AT)

 Overview Continued	 Considerations Continued
<p>AT is any item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of a child with a disability. <a href="#">AT services</a> directly assist in the selection, acquisition, or use of an AT device. AT devices that are necessary to ensure FAPE, must be provided at no cost to families.</p> <p>The ARD committee must consider whether AT devices and/or services are necessary to meet the unique needs of students with disabilities. Should AT needs shift during the COVID-19 pandemic, any change must be determined by the ARD committee and reflected in the IEP.</p> <p>LEAs must to provide AT devices and/or services to the child in accordance with the child's IEP.</p>	<ul style="list-style-type: none"><li>▪ Consideration student's AT needs when transitioning from in-person to remote learning or hybrid models.</li><li>▪ Review current LEA procedures that ensure special education and related service providers review each student's AT and equipment needs, and students are provided the frequency and duration of services stated in the IEP, regardless of if the student is on campus or receiving remote instruction.</li><li>▪ Take steps necessary to ensure that students have home access to school-purchased AT devices that are necessary to provide FAPE during remote learning.</li><li>▪ Take steps necessary to develop procedures and ensure that distance learning tools are compatible with any AT that students require and that online offerings are tested regularly for accessibility.</li><li>▪ Take steps necessary to develop LEA staff and student health precautions and processes specifically for in-person services involving augmentative and alternative communication (AAC) devices and/or other AT devices.</li><li>▪ Take steps necessary to identify and disseminate the procedures that special education and related service providers must follow to document access to AT devices and delivery of AT services.</li></ul>
 Resources	
<ul style="list-style-type: none"><li>• <a href="#">AT for Texas Inclusive Practices</a></li><li>• <a href="#">TEA Assistive Technology Instructional Supports</a></li><li>• <a href="#">IRIS Center Assistive Technology Perspectives and Resources</a></li><li>• <a href="#">ED's Questions and Answers on Providing Services to Children with Disabilities During the Coronavirus Outbreak</a></li><li>• <a href="#">Center on Technology and Disability</a></li><li>• <a href="#">SETDA Accessible Materials for All Students</a></li></ul>	



## Complex Needs

 Overview	 Considerations
<p>Students with significant cognitive disabilities often have complex needs regarding accessing the curriculum. The LRE for students in this group might be a self-contained special education classroom with varying opportunities to receive instruction or interact socially with their peers who do not have disabilities.</p> <p>The individual needs of students in this group are wide-ranging and present an increased challenge for educators and families providing instruction and services in remote learning environments. Due to the nature and design of programs that address the needs of students in this group, LEAs' staffing ratios are typically such that teachers and paraprofessional staff could be deployed to have significantly more frequent interaction with individual students' families than perhaps other staff. LEAs should consider the unique staffing requirements that may be necessary to support students with complex needs in changing learning environments.</p>	<ul style="list-style-type: none"><li>▪ Review and adjust as necessary, current LEA policies and procedures that may impact students with complex needs.</li><li>▪ Review and adjust as necessary, health and safety guidelines for all campus staff, including any staff who serve as crisis response team members.</li><li>▪ Take steps necessary to ensure that established protocols are followed by staff when working in person with students with complex needs.</li><li>▪ Take steps necessary to ensure that campus leadership teams are assessing the learning environment for their students with complex needs to identify staffing needs, including paraprofessionals.</li><li>▪ Take steps necessary to ensure that campus staff, including administrators, are knowledgeable about evidence-based practices for remote instruction with and without technology.</li><li>▪ Take steps necessary to ensure that campus administrators are providing planning time for staff to collaborate on how to implement IEPs and contingency plans across all possible provided education settings.</li><li>▪ Take steps necessary to provide targeted professional development for campus staff, including paraprofessionals as needed.</li></ul>
 Resources	
<ul style="list-style-type: none"><li>• <a href="#">TXCAN Network Remote Resources</a></li><li>• <a href="#">Center on Online Learning and Students with Disabilities</a></li><li>• <a href="#">CEC Resources for Teachers Tip Sheets</a></li><li>• <a href="#">CEC Resources for Teaching Remotely</a></li><li>• <a href="#">CEC Teaching Special Education Online During COVID-19 Webinar</a></li><li>• <a href="#">State Educational Technology Directors Association Webinar (SETDA)</a></li></ul>	



# Universal Design for Learning (UDL)

 Overview	 Considerations
<p>UDL provides a framework that educators can use to design learning experiences that will be effective and meaningful in either in-person or remote learning environments. UDL is defined in federal law as: a scientifically valid framework for guiding educational practice that—</p> <p>(A) provides flexibility in the ways information is presented, in the ways students respond or demonstrate knowledge and skills, and in the ways, students are engaged; and</p> <p>(B) reduces barriers in instruction, provides appropriate accommodations, supports, and challenges, and maintains high achievement expectations for all students, including students with disabilities and students who are English learners.</p> <p>(Pub. L. 89–329, title I, §103, as added Pub. L. 105–244, title I, §101(a), Oct. 7, 1998, 112 Stat. 1589; amended Pub. L. 107–110, title X, §1076(g), Jan. 8, 2002, 115 Stat. 2091; Pub. L. 110–315, title I, §103(a), Aug. 14, 2008, 122 Stat. 3086.)</p>	<ul style="list-style-type: none"><li>▪ Review and adjust as necessary, current LEA policy and procedures for utilizing UDL in lesson planning and assessments.</li><li>▪ Take steps necessary to ensure that campuses are incorporating UDL into teacher professional development for virtual and in-person instruction.</li><li>▪ Take steps necessary to ensure that administrative staff are trained in the UDL framework and can support staff through instructional coaching and scheduling for planning time.</li><li>▪ Consider facilitating Professional Learning Communities or Communities of Practice to enhance ongoing implementation of UDL practices throughout the LEA.</li></ul>
 Resources	
Coming soon on the <a href="#">Inclusion in Texas website</a> - UDL Modules	



## Related Services

Many related service providers are assigned to multiple campuses. The LEA should ensure these service providers have access to the proper PPE (Personal Protective Equipment) to provide services. The LEA should also work to limit exposure by decreasing the number of campuses to which providers travel. The LEA should have systems in place to document the time and locations the service provider is throughout the day in the event close contact must be determined. See the Close Contact section of the [SY 20-21 Public Health Planning Guidance](#) for the most up to date information.

You can find FAQs and guidance as well as tools, templates, and resources, including PPE information on [TEA's COVID-19 Support: Public Health Orders webpage](#).

If a student's IEP requires the provision of related services, the LEA is responsible for providing these services. In many cases, services such as speech and language therapy or special education counseling may be effectively provided in a remote environment. LEAs should plan carefully to ensure that the services can be provided and accessed effectively. LEAs should also carefully consider and plan for the health and safety of students and staff as they provide services on campuses. If services will be provided remotely, any requirements related to privacy and the Family Educational Rights and Privacy Act (FERPA) must be followed. In some cases, it may be possible to provide face-to-face services in non-campus environments, such as a student's home. LEAs must carefully consider health and safety guidelines whenever related services providers will be physically present with students.

Related service providers should carefully document if services are not able to be provided. This documentation must be detailed enough to enable the ARD committee to later make determinations if compensatory services may be needed.



## Occupational Therapy and Physical Therapy (OT and PT)

 <b>Overview</b>	 <b>Considerations</b>
<p>OT and PT are related services that typically require therapists providing direct services to be in close physical proximity to their students. This creates significant barriers during remote instruction.</p> <p>LEAs need to be flexible and consider employing a variety of delivery options as they make every effort to provide the services required by the IEP to students with disabilities. Above all, LEAs should prioritize the health and safety of students, staff, and communities. LEAs should communicate with families regarding service provision. Parents, as members of the ARD committee, must be directly involved in planning for changes to services provided to students.</p> <p>LEAs should identify and acknowledge service delivery limitations while they make and document all efforts taken to provide students eligible for special education with FAPE. Documentation will be needed in order to determine any compensatory services that may need to be provided at a later time to address the impact of missed services.</p>	<ul style="list-style-type: none"> <li>■ Take steps necessary to ensure that families have adequate resources at home that can be used to support services.               <ul style="list-style-type: none"> <li>○ Technology access</li> <li>○ Objects and materials to use in therapy</li> <li>○ Therapy equipment (e.g., walkers, standers, etc.)</li> </ul> </li> <li>■ Take steps necessary to identify barriers to delivering services that need to be planned for, such as family or student health, language, cultural, family resources, etc.</li> <li>■ Take steps necessary to ensure that the impact of confidentiality or privacy on services is taken into consideration.</li> <li>■ Take steps necessary to identify the PPE that will be required for staff and students during in-person service delivery.</li> <li>■ Take steps necessary to ensure that all stakeholders keep the best interest of the student in mind, considering their current situation.</li> <li>■ Take steps necessary to ensure that staff prioritize decisions based on health and safety first.</li> <li>■ Review and adjust as necessary procedures that instruct staff to work with the family and keep them informed of what and how services will be provided.</li> <li>■ Review and adjust as necessary procedures for regular progress monitoring.</li> <li>■ All aspects of the IEP must be complied with, but schools should take steps necessary to ensure that campuses keep detailed documentation of what services are and are not able to be provided in order to make informed decisions.</li> <li>■ Take steps necessary to ensure that the service providers who specialize in remote delivery of OT and PT that could be contracted to provide services.</li> </ul>

*OT and PT continued on next page*



### Resources

- [ESC 13 COVID OT-PT Resources Google Page](#): Set of resources, including a checklist of items that can be found in the home to be used for OT/PT, sample schedules, and ideas of activities that can be done at home
- [ESC 10 Therapy News Newsletter](#): Lists websites for fine and gross motor activities, along with other useful information
- [ESC 1 At-Home Related Services Supports](#): Section of ESC 1's Resources to Support a Free and Appropriate Public Education Instructional Continuity Plan for Students with Disabilities webpage that gives resources for OT, PT, and Speech Therapy supports
- [TxSpot Resources Page](#): Provided by the Harris County Department of Education with links to resources for telehealth, OTs, PTs, teachers, administrators, and families all related to occupational and physical therapy
- [School-Based Perspectives for Physical Therapists During COVID-19](#): Resources and activities for preschool, elementary, and secondary age students
- [American Occupational Therapy Association \(AOTA\) Telehealth Resources](#): Specific webpage about providing telehealth on the AOTA website
- [American Physical Therapy Association \(APTA\) Coronavirus \(COVID-19\) Resources for the Physical Therapy Profession](#): Resources for support during the COVID-19 pandemic
- [Occupational Therapy \(OT\) and Physical Therapy \(PT\) Guidance](#) (PDF)



## Speech-language Services

 Overview	 Considerations
<p>LEAs should ensure that speech-language services can be provided effectively and that students can access the services. LEAs should also consider and plan for the health and safety of students and staff when services are provided on campuses.</p> <p>LEAs must provide speech-language service to each child in accordance with the child's IEP. In addition, the ARD committee must make an individualized determination as to whether compensatory services are needed to make up for any skills that may have been lost because these services were not provided.</p>	<ul style="list-style-type: none"><li>▪ Review and adjust as necessary, current LEA policy and procedures regarding the provision of special education and related services via on-campus, remote, and hybrid models, including the use of tele practice in the provision of speech-language services.</li><li>▪ Take steps necessary to develop LEA staff and student health precautions and processes specifically for in-person speech-language services.</li><li>▪ Take steps necessary to establish LEA protocols for cleaning between in-person sessions and ensure speech-language pathologists (SLPs) have appropriate PPE.</li><li>▪ For tele-practice services, identify LEA policy and procedures related to FERPA and Health Information Portability and Accountability Act (HIPAA) compliance and obtaining parental informed consent.</li><li>▪ Take steps necessary to establish procedures to ensure that SLPs collaborate with families regarding equipment or materials needed for tele-practice and that communication with families is ongoing.</li><li>▪ Identify and disseminate the procedures SLPs must follow to document delivery of speech-language services.</li></ul>
 Resources	
<ul style="list-style-type: none"><li>• <a href="#">Amplio Speech Teletherapy Informational Webinar</a></li><li>• <a href="#">Department of Education Supplemental Fact Sheet, 2020</a></li><li>• <a href="#">TEA COVID-19 Speech-Language Services</a></li><li>• <a href="#">American Speech-Language Hearing Association Telepractice Resources</a></li></ul>	



## Counseling Services

 Overview	 Considerations
<p>Some students with disabilities receive counseling as a related service from a licensed specialist in school psychology (LSSP) or other service provider (e.g., school counselor, social worker) as part of their IEP. Students receiving counseling as a related service are often working on goals related to social skills, behavior, coping skills, or other areas connected to overall student growth and development. The duration of counseling services agreed to in the student’s IEP could include direct (real time with student) and indirect (consultation to teachers or parents/guardians) services. As schools reopen for SY 20-21, students must receive services in accordance with their IEPs. A variety for service delivery options can be considered to meet the needs of students during remote instruction (e.g. synchronous, asynchronous, direct, and indirect service minutes). Decisions will depend on the specific counseling needs, goals, and input from the ARD committee members.</p>	<ul style="list-style-type: none"><li>▪ Take steps necessary to develop a plan to meet IEP minutes for all students with related services counseling, regardless of whether the student is attending school in person or remotely.</li><li>▪ Take steps necessary to ensure that staff determine how counseling services will be provided using available synchronous and asynchronous options for students in a remote learning setting.</li><li>▪ Take steps necessary to ensure that campus teams consider any additional technologies, equipment, or materials that remote students may need to effectively participate (e.g. headphones, journals, workbooks, devices) in sessions.</li><li>▪ Take steps necessary to ensure that providers, alongside families, consider if changes to the IEP are necessary based on what is most appropriate for the current learning environment and student needs.</li><li>▪ Take steps necessary to ensure that any changes to goals or services are documented by the ARD committee in the IEP or through an agreement to amend the IEP, when allowable.</li></ul>
 Resources	
<ul style="list-style-type: none"><li>• <a href="#">TEA Remote Counseling and Student Support Services FAQ</a></li><li>• <a href="#">TEA Providing Counseling as a Related Service (April 2020)</a></li></ul>	



## Students with Visual Impairments (VI) and Orientation and Mobility (O&M)

 <b>Overview</b>	 <b>Considerations</b>
<p>“Visual impairment including blindness means an impairment in vision that, even with correction, adversely affects a child’s educational performance. The term includes both partial sight and blindness.” <a href="#">34 CFR §300.8 (c)(13)</a></p> <p>The LEA must provide “instruction in an expanded core curriculum, which is required for students with visual impairments to succeed in classroom settings and to derive lasting, practical benefits from the education provided by LEAs, including instruction in: compensatory skills, such as braille and concept development, and other skills needed to access the rest of the curriculum; orientation and mobility; social interaction skills; career planning; AT, including optical devices; independent living skills; recreation and leisure enjoyment; self-determination; and sensory efficiency.” <a href="#">TEC §30.002 (c)(4)(B)</a></p> <p>A FIIE of a student with a visual impairment must include an O&amp;M evaluation conducted by a Certified Orientation and Mobility Specialist (COMS) “in a variety of lighting conditions and in a variety of settings, including in the student’s home, school, and community and in settings unfamiliar to the student.” <a href="#">TEC §30.002 (c-1)</a></p>	<ul style="list-style-type: none"> <li>■ Take steps necessary to ensure that current IEPs are reviewed and amended as necessary to comply with the student’s learning environment (i.e., remote learning or on-campus instruction). <ul style="list-style-type: none"> <li>○ The provision of FAPE must be maintained during remote instruction, and changes to an IEP must follow proper procedures.</li> <li>○ Amendments to IEP goals (e.g., those involving public transportation) may be necessary to reduce risks to students’ health. COMS should consult with administrators, parents/guardians, and local health authorities to determine safe instructional environments.</li> </ul> </li> <li>■ During remote learning, instruction can focus on the development of concepts to support future in-person instruction. COMS can provide students with instruction on O&amp;M related tools available on personal devices.</li> <li>■ Take steps necessary to ensure that locations for in-person instruction are chosen carefully to minimize contact with others.</li> <li>■ Review and adjust as necessary, procedures to ensure that explicit instruction in maintaining social distancing is provided early in the process of returning to campus to allow students to stay as safe as possible.</li> <li>■ Take steps necessary to ensure that accommodations to ensure accessibility are provided for all learning environments. <ul style="list-style-type: none"> <li>○ Documents provided to students should meet <a href="#">Web Content Accessibility Guidelines (WCAG)</a> to ensure compatibility with a variety of AT devices (e.g., screen readers, refreshable braille displays).</li> </ul> </li> <li>■ Students who rely more heavily on touch to access information in their environment have a greater need for frequent hand washing or sanitizing, which can lead to skin dryness. Students should be encouraged to moisturize their hands to avoid complications related to dry skin.</li> </ul>

*Students with Visual Impairments (VI) and Orientation and Mobility (O&M) continued on next page*

## Students with Visual Impairments (VI) and Orientation and Mobility (O&M) Continued



### Resources

- [Virtual O&M Instruction](#)
- [Flattening Inaccessibility – Part 1 and Part 2](#)
- [SY 20-21 Public Health Planning Guidance](#)
- [Instruction & Accessible Support for Students with Disabilities: Assistive Technology \(AT\) April 23, 2020](#)
- [Virtual Expanded Core Education Learning \(ExCEL\) Academy for Students with Visual Impairments](#)
- [Remote and Virtual O&M Services Ways for Families to Support O&M Growth](#)



## Students who are Deaf or Hard of Hearing (DHH)

 <b>Overview</b>	 <b>Considerations</b>
<p><i>Deafness</i> means a hearing impairment that is so severe that the child is impaired with processing linguistic information through hearing, with or without amplification, that adversely affects the child's educational performance. <a href="#">34 CFR § 300.8(c)(3)</a></p> <p><i>Hearing impairment</i> means an impairment in hearing, whether permanent or fluctuating, that adversely affects the child's educational performance but that is not included under the definition of deafness. <a href="#">34 CFR § 300.8(c)(5)</a></p> <p>LEAs must to provide special education and related services to the child in accordance with the child's IEP. In addition, the ARD committee must make an individualized determination of specific accommodations the child will need to be academically and functionally successful in their learning environment</p>	<ul style="list-style-type: none"> <li>■ Take steps necessary to ensure that staff consider all possible accommodations to ensure accessibility is achieved in all learning environments.                             <ul style="list-style-type: none"> <li>○ Provide multiple accommodations to ensure accessibility, such as sign language interpreter and Frequency Modulation (FM) system, or speech-to-text and sign language interpreter</li> </ul> </li> <li>■ Review and adjust as necessary current IEPs to address remote learning and on-campus instruction (adjustments may need to be made in accommodations, goals, and instructional minutes).</li> <li>■ Take steps necessary to ensure that educators and support staff wear clear masks or face shields to provide clear communication and ease of understanding.</li> <li>■ Take steps necessary to ensure that all reading materials and online platforms are accessible (materials read/signed to the student, speech-to-text availability).</li> <li>■ Take steps necessary to ensure that staff provide options of additional time for tests while learning remotely (remote learning is heavily text based, and English is not the first language of a student who is DHH).</li> <li>■ Take steps necessary to ensure that staff provide additional support for students who are DHH; they are twice as likely to suffer from trauma and mental health concerns. LEAs can utilize teletherapy and counseling services in the student's preferred communication mode.</li> </ul>
 <b>Resources</b>	
<ul style="list-style-type: none"> <li>• <a href="#">TEA Remote Counseling and Student Support Services FAQ</a></li> <li>• <a href="#">TEA Providing Counseling as a Related Service (April 2018)</a></li> </ul>	



## Students who are DeafBlind (DB)

 <b>Overview</b>	 <b>Considerations</b>
<p>The IDEA defines deafblindness as "concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in programs solely for children with deafness or children with blindness" <a href="#">34 CFR §300.8(c)(2)</a>.</p> <p>The community of students who are deafblind or have combined vision and hearing loss is very diverse and there are no "one-size fits all" options for communication and supports. In order to provide continuity of services, a contingency plan needs to be in place to ensure FAPE.</p> <p>Interveners provide access to information and communication and facilitate the development of social and emotional well-being for students who are deafblind. In an educational setting, intervener services are provided by an individual who has received specialized training in deafblindness and the process of intervention. (<a href="#">National Center on Deaf-Blindness</a>)</p>	<p><b>On Campus:</b></p> <ul style="list-style-type: none"> <li>■ Take steps necessary to ensure that campus teams consider using technology, such as a closed-circuit television (CCTV) or other video magnifiers, to allow for social distancing for those students who require close distancing for live interpreting.           <ul style="list-style-type: none"> <li>■ Support staff in the use of visual supports when presenting remotely:               <ul style="list-style-type: none"> <li>○ Solid background</li> <li>○ Solid contrasting color to their skin tone</li> <li>○ Illuminate the interpreter/teacher from the front to prevent glare</li> </ul> </li> </ul> </li> <li>■ Take steps necessary to ensure that communication is comprehensible while wearing approved protective gear.</li> <li>■ Review and adjust LEA procedures as necessary to ensure that while using tactile American Sign Language (ASL), both parties should wear gloves, if the student is able, to access communication while the gloves are worn.</li> </ul> <p><b>Remote:</b></p> <ul style="list-style-type: none"> <li>■ Review and adjust procedures as needed to ensure that staff provide live captioning if the student is able to access captioning. If the student needs more time than captioning allows, a written or brailled transcription may be more appropriate.</li> <li>■ Family Support:           <ul style="list-style-type: none"> <li>○ Provide explicit instructions on communication modalities (e.g. copies of signs used with the student).</li> <li>○ Include families as much as possible in the planning of lessons to ensure the content meets the needs of the student and family in their home environment.</li> <li>○ If direct remote instruction is not available to the student, apply the coaching model with the family so they can provide the hands-on instruction while the educator coaches the family</li> </ul> </li> <li>■ Intervener support:           <ul style="list-style-type: none"> <li>○ Intervener and teacher prepare lessons ahead of time (create adaptive materials).</li> <li>○ Schedule intervener on the remote lessons with a fixed screen on the intervener.</li> <li>○ 1:1 intervener support to ensure concepts learned (with student and teacher)</li> <li>○ Intervener support for students who do not have direct remote instruction capabilities will need to apply the coaching model with family members.</li> </ul> </li> </ul>

*Students who are DeafBlind continued on next page*

## Students who are DeafBlind (DB) Continued



### Resources

- [Teacher of the Deafblind modeling instruction](#)
- [COVID-19 Communication Guidelines](#)
- [New York Deaf-Blind Collaborative Tipsheet](#)
- [Distance Learning for Proficient Communicators](#)
- [Maryland State Department of Education: Providing Continuity of Learning to Deaf, Hard-of-Hearing, Blind, Low-Vision, and DeafBlind Students during COVID-19](#)
- [Intervener Services in Educational Setting](#)



# Homebound Services

 Overview	 Considerations
<p>For students receiving special education services, the ARD committee is responsible for determining the appropriate educational placement, including the appropriate instructional setting, for implementing the IEP.</p> <p>In making eligibility and placement decisions, the ARD committee must consider information from the licensed physician. However, the documentation from the licensed physician should not be the sole consideration in the committee’s decision-making process. The ARD committee considers all information and may determine that this instructional setting is needed to implement the student’s IEP.</p> <p>To be placed in the special education homebound instructional setting, a student aged six years or older must meet the following four criteria:</p> <ul style="list-style-type: none"><li>• The student is eligible for special education and related services as determined by an ARD committee.</li><li>• The student is expected to be confined at home or hospital bedside for a minimum of four weeks. The weeks need not be consecutive if the student is chronically ill and the LEA policy allows for such.</li><li>• The student is confined at home or hospital bedside for medical reasons only.</li><li>• The student’s medical condition is documented by a physician licensed to practice in the United States.</li></ul> <p>Infants and toddlers from birth through age two may be placed in the homebound instructional setting if their Individualized Family Service Plan (IFSP) committees determine that placement is appropriate. Students aged three through five years may be placed in the homebound instructional setting if their ARD committees determine that placement is appropriate.</p>	<ul style="list-style-type: none"><li>▪ Review and adjust as needed procedures that ensure that the teacher serving a student at home or hospital bedside (“homebound teacher”) while the student is in the special education homebound setting must be a certified special education teacher.</li><li>▪ Take steps necessary to ensure that a student’s IFSP or ARD committee determines the amount of services to be provided to the student in this instructional setting.</li><li>▪ Take steps necessary to ensure that a student aged six or older who meets the four criteria does not need to meet the criteria in the federal definition for other health impairment (OHI) to be eligible for homebound services. Neither does a student under the age of six for whom an ARD or IFSP committee has determined that the homebound instructional setting is appropriate.</li><li>▪ Take steps necessary to ensure that staff review the waiver requirements for remote homebound instruction as described in the <a href="#">Student Attendance Accounting Handbook (SAAH)</a>.</li></ul> <p><b>Note:</b> If a student’s ARD committee determines that instruction through remote conferencing is appropriate for a student, that determination does not necessarily mean that the student’s instructional setting code will change with the provision of the instruction through remote conferencing. The student’s instructional setting code may stay the same if the actual instruction and services the student is receiving will remain the same and all that will change is the means of delivery of that instruction. In determining what instructional setting code to use for the student, the ARD committee should consider the type of instruction and services being provided instead of the physical location of the student. For more information on virtual classroom participation, see <a href="#">12.3.4 Remote Homebound Instruction—Special Education Students</a>.</p>
 Resources	
<ul style="list-style-type: none"><li>• <a href="#">2019-2020 Student Attendance and Accounting Handbook Version 2</a></li></ul>	



## Compensatory Services

 <b>Overview</b>	 <b>Considerations</b>
<p>As schools reopen with updated health and safety requirements, LEAs face new and unexpected challenges in delivering instruction and services via classroom, virtual, or hybrid methods to students receiving special education services. Despite these challenges, LEAs must provide high quality and effective special education and related services to students in accordance with their IEPs. In some instances, however, it will not be possible to provide all services that the ARD committee has deemed necessary for the provision of FAPE.</p> <p>Compensatory services are intended to make up for the loss of skills and learning resulting from services listed in the IEP that were not provided by the LEA. Discussions with families regarding compensatory services should be regular and ongoing during 20-21 school year when there are fluctuations between on-campus and remote learning.</p> <p>Discussions and decisions about the need for compensatory services are made on an individual basis by the student’s ARD committee, of which the parents are members.</p>	<ul style="list-style-type: none"> <li>■ Take steps necessary to ensure that the LEA maintained effective communication with families regarding services provided and not provided.</li> <li>■ Take steps necessary to ensure that the LEA has a method to project and plan for the most common types of services that will be needed as compensatory services.</li> <li>■ Take steps necessary to ensure that the LEA has a system to identify and track each student with a disability whose IEP was amended or supplemented due to school closures.</li> <li>■ Take steps necessary to ensure that the LEA has a system to identify and track each student with a disability whose IEP services were temporarily reduced or suspended regardless of a formal IEP amendment.</li> <li>■ Take steps necessary to ensure that the LEA has conferred with its legal counsel and LEA leadership team for latest guidance and support.</li> <li>■ Review and adjust as necessary the procedures that the LEA will take to ensure that contingency plans for providing compensatory services align with the plan for instructional continuity for general education?</li> <li>■ Take step necessary to ensure that the LEA has sufficient staffing to provide compensatory services.</li> <li>■ Take steps necessary to ensure that the LEA is documenting consultation services to families to help the students continue to progress with their IEP goals.</li> <li>■ Take steps necessary to ensure that the LEA shares the documentation of services with parents so they can be informed participants in the decision-making process pertaining to compensatory services.</li> <li>■ Take steps necessary to ensure that the LEA monitors service times and notify families of completion. This might include distinguishing the impact of missed services in the 19-20 school year from services that are being missed in the 20-21 school year.</li> </ul>

*Compensatory Services continued on next page*

## Compensatory Services Continued



### Resources

- [TEA COVID-19 Guidance: Compensatory and Extended School Year Services](#)
- [United States Department of Education COVID-19 Guidance](#)



Effective date for this plan: \_\_\_\_\_

\_\_\_\_\_  
**Name of LEA**  
**SPECIAL EDUCATION DEPARTMENT**  
**SPECIAL EDUCATION CONTINGENCY PLAN**

STUDENT'S NAME \_\_\_\_\_ BIRTHDATE \_\_\_\_\_ AGE \_\_\_\_\_

STUDENT'S ID # \_\_\_\_\_

STUDENT'S HOME CAMPUS \_\_\_\_\_

STUDENT'S ELIGIBILITY CATEGORY/CATEGORIES \_\_\_\_\_

PARENT/GUARDIAN'S NAME \_\_\_\_\_

HOME ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ ZIP \_\_\_\_\_

PARENT/GUARDIAN'S HOME/CELL PHONE NUMBER(S) \_\_\_\_\_

YES  NO An interpreter assisted in completing this form.

**PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE (PLAAFP)**

Enter the student's PLAAFP statements here. The PLAAFP statements in this section may come from the student's current IEP, but should also address the extent to which the student's disability impacts his/her participation in instruction in the remote setting.

**ACADEMIC AND FUNCTIONAL GOALS**

Enter the goals that will be implemented for the student here. Be sure to address any changes resulting from the move to remote instruction.

**DATA COLLECTION AND PROGRESS REPORTING**

Explain here how and when data regarding the student's progress toward mastery of his/her IEP goals will be gathered and when the student's progress toward mastery of his/her IEP goals will be reported to the student's parents.

Effective date for this plan: \_\_\_\_\_

**SECONDARY TRANSITION**

If needed, enter any considerations related to the student's secondary transition here.

**SUPPLEMENTARY AIDES AND SERVICES**

Enter the student's supplementary aides and services that will be implemented here. These should be determined based on the student's PLAAFP statements and should assist the student in successfully accessing learning and services during remote instruction.

**ACCOMODATIONS**

Enter the student's accommodations that will be implemented here. These should be determined based on the student's PLAAFP statements and should assist the student in successfully accessing learning and services during remote instruction.

**BEHAVIOR INTERVENTION PLAN OR BEHAVIOR IMPROVEMENT PLAN**

Enter information from the student's behavior intervention plan or behavior improvement plan that will be applicable during the time the student is receiving remote instruction. There may be a need for special considerations to be made for remote learning.

Effective date for this plan: \_\_\_\_\_

**INSTRUCTIONAL SERVICES TO BE PROVIDED TO THE STUDENT**

INSTRUCTION  Course/Curriculum Area	Gen. Curr. Modified		Gen. Ed. Time	Spec. Ed. Time	Location	Progress/Grade Determined By:		
	Yes	No				General Education	Special Education	Joint
					Provided remotely			

**RELATED SERVICES TO BE PROVIDED TO THE STUDENT**

Related Service	Frequency	Location	Duration	Direct or Indirect
		Provided remotely		

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Please note that some students may have other components or supplements as part of their IEPs. LEAs must ensure that those components or supplements are included in this form as needed. The IEP components or supplements required by statute or regulation may be found in the IEP Model Form at <https://tea.texas.gov/academics/special-student-populations/special-education/programs-and-services/iep-model-form>.

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Any decisions regarding the services the student will receive that are not already captured should be entered below

Effective date for this plan: \_\_\_\_\_

**In the event that the student's IEP was amended by agreement to include the Special Education Contingency Plan in the student's IEP, complete the section below.**

Do the student's parent/guardian and the LEA agree that this document serves as an amendment to the student's IEP under 34 CFR §300.324?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, how/when did the student's parent/guardian agree that this document will serve as an amendment to the student's IEP under 34 CFR §300.324?

**For questions related to this document and/or the services your child will be provided during this time, please contact**

\_\_\_\_\_ at \_\_\_\_\_.



## Texas Special Education Statewide Leadership Networks:

(Scan the QR Code or click on the boxes below to go directly to the website)

Child Find,  
Evaluation, and  
ARD Supports



School, Family,  
and Community  
Engagement



Inclusion in  
Texas



Texas Statewide  
Leadership for  
Autism Training  
(TSLAT)



Tiered Interventions  
using Evidence-  
Based Research  
(TIER)



Texas Complex  
Access Network  
(TX CAN)



Texas Sensory  
Support Network  
(TxSSN)



Small and Rural  
Schools  
Network (SRSN)



Student-Centered  
Transitions  
Network (SCTN)



Multiple  
Exceptionalities  
and Multiple Needs  
(MEMN)



## Additional Special Education Resources:

(Scan the QR Code or click on the boxes below to go directly to the website)

 [framework.esc18.net](http://framework.esc18.net)

 432-561-IDEA



 [tea.texas.gov/TexasSped](http://tea.texas.gov/TexasSped)

 512.463.9414



## Special Education Resources for Parents and Families:

(Scan the QR Code or click on the boxes below to go directly to the website)

 [spedtex.org](http://spedtex.org)

 1.855.773.3839



 [prntexas.org](http://prntexas.org)

 1.800.866.4726





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