

Advocating for Special Education Services During the Pandemic



PRESENTED BY

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Advocates for Children of New York

Protecting every child's right to learn



Today's Training



- Introduction
- Special Education Law Review
- Special Education Process During COVID
- Program Adaptation Document/Related Service Adaptation Document
- Special Education During Blended Learning
- Special Education During All Remote Learning
- Parent Rights: Who to Contact





What is Advocates for Children (AFC)?



AFC is an independent agency that protects the educational rights of all NYC students

Our Services:

- Helpline: **1-866-427-6033** (Mon-Thurs, 10am – 4pm)
- Guides and resources: www.advocatesforchildren.org
- Workshops and trainings
- Free legal services to low-income families



Special Education Laws



- Individuals with Disabilities Education Act (IDEA)
- Section 504
- NYS Education Law and Regulations “Part 200’s”
- NYC Chancellor’s Regulations
- NYC DOE Standard Operating Procedures Manual (“SOPM”)
for Special Education





Individuals with Disabilities Education Act



IDEA: All children (through age 21) with a disability...

Have the right to a

Free

Appropriate

Public

Education

FAPE

In the

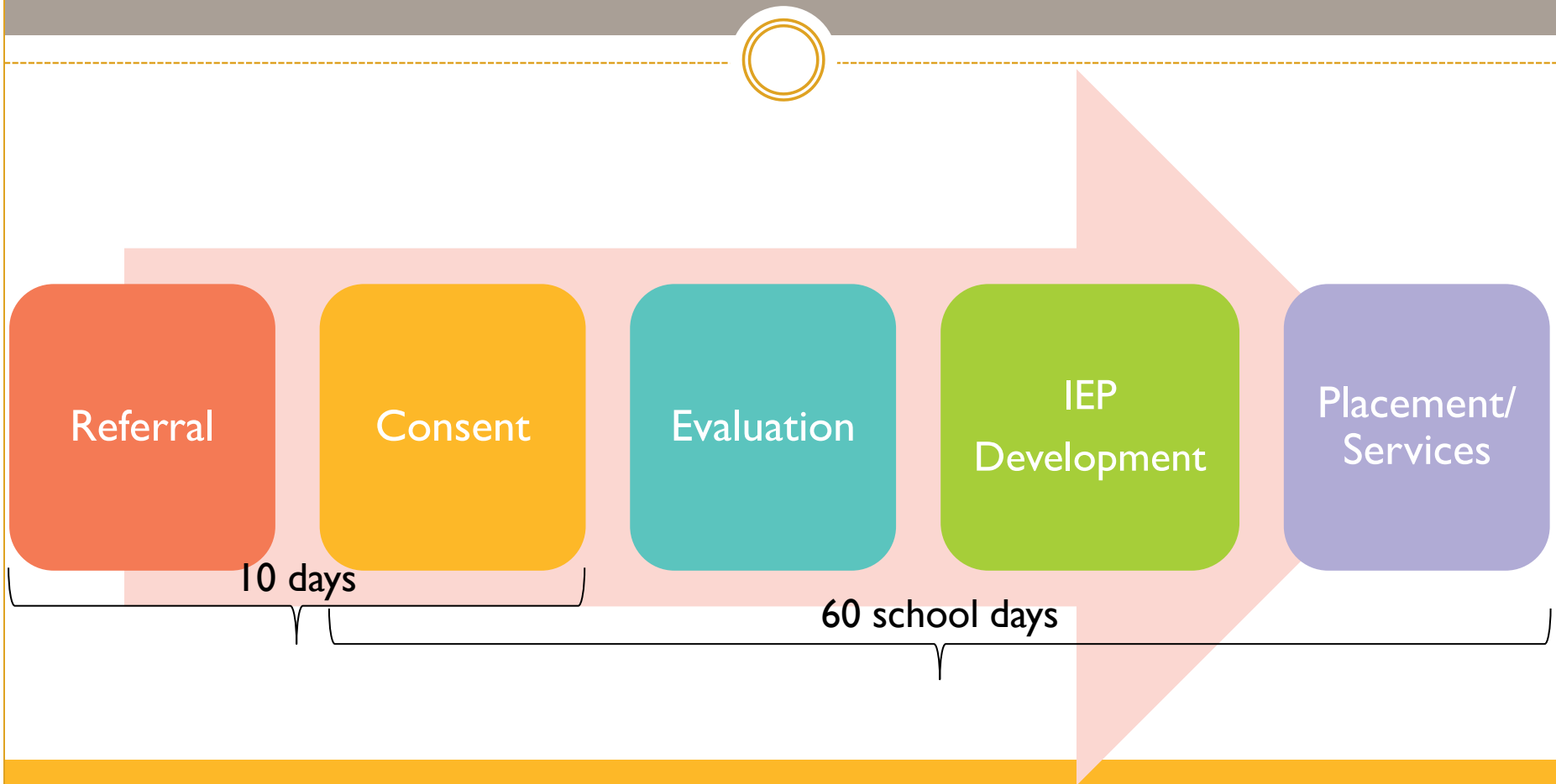
Least

Restrictive

Environment

LRE

The Special Education Process





Referral for Special Education During COVID-19



- How to refer?
 - Send a letter via email to the principal and/or school-based support team
 - ✦ Find Principal's email on school's website:
<https://schoolsearch.schools.nyc/>
 - Send letter via email to school **and** committee on special education (CSE) for charter schools
 - **Tip!** Copy the DOE's Special Education Office at specialeducation@schools.nyc.gov





Consent for Evaluations During COVID-19



- Within **10 school days** of referral, the school must ask the parent for consent to evaluate
 - Watch for delays here!
- Consent must be **written, voluntary, and informed**
- **Tip!** Parent should include statement in referral letter either providing consent or stating how they prefer to sign for consent

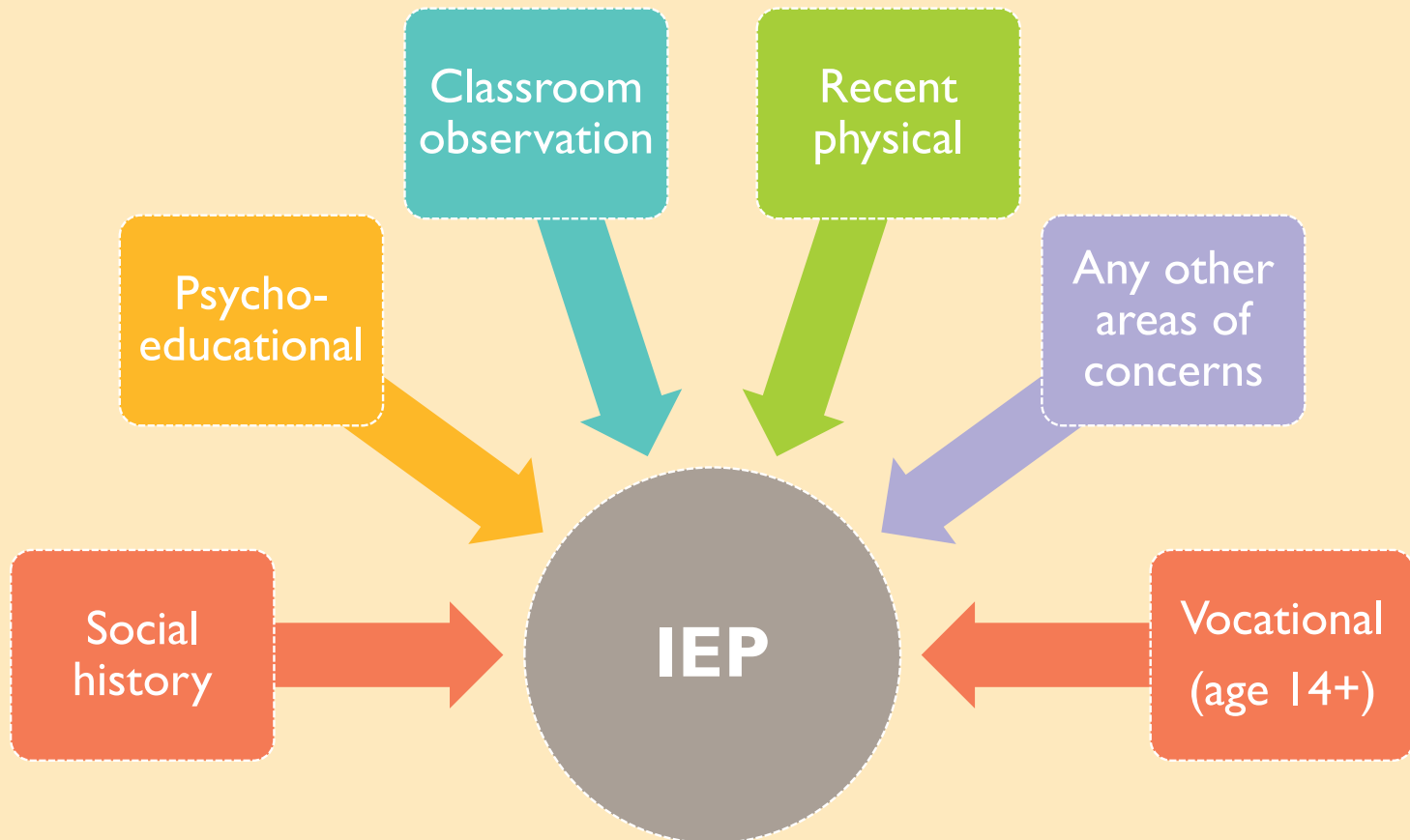




What Should an Evaluation Include?



Students must be tested in all areas of suspected disability





Evaluations During COVID-19



- Evaluations will occur using remote methods and “in-person assessments only when necessary”
 - “Comprehensive Data Driven Assessments” – school psychologist will gather and review:
 - ✦ Developmental history
 - ✦ Web-based rating scales
 - ✦ Response-to-Intervention (RTI) data (for students without IEPs)
 - ✦ IEP goal progress (for students with IEPs)
 - ✦ Information from teachers
 - ✦ Socially-distant classroom observation and interviews, if needed



Evaluations During COVID-19



- Evaluations will occur using remote methods and “in-person assessments only when necessary”
 - School psychologist makes determination regarding in-person assessment(s)
 - If determined necessary, in-person testing will **only** be conducted to the extent necessary to identify a disability
 - ✦ No in-depth testing will be conducted
- Evaluations can be conducted with a combination of in-person/remote
 - Only conducted if the “Comprehensive Data Driven Assessment” is insufficient
- **Tip!** If student requires in-person assessment because of nature of disability or suspected disability, Parent should include these reasons in their referral for evaluation!



IEP Development During COVID-19



- Individualized
 - **Reminder:** IEPs are based on the student's needs at school!
 - IEPs should not be changed solely based on issues related to remote/blended learning
- Legally binding (like a contract)
 - Everything on the IEP must be given to the student!
- Good for one year





IEP Meetings During COVID-19



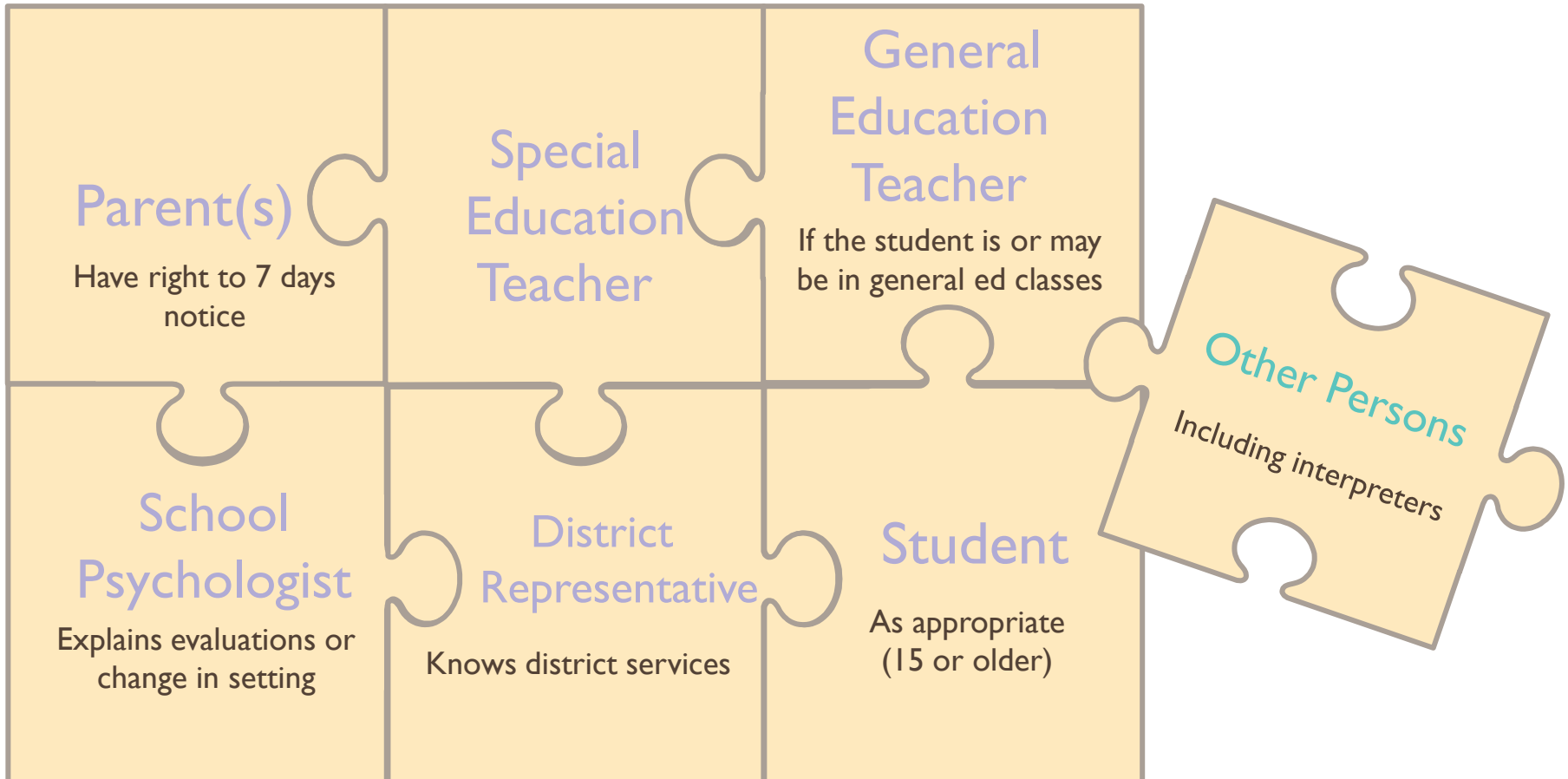
- Prior to IEP Meeting:
 - Schools must invite Parent 7 days prior to IEP meeting
 - ✦ Invites are being sent via email
 - ✦ For families without email, schools will most likely call
 - Schools must provide Parent with documentation to participate in the meeting
 - ✦ For families without email, request documentation be mailed to Parent
 - ✦ Reminder! Documentation must be in Parent's preferred language!



IEP Meetings During COVID-19



All are being conducted via tele/video-conference!





Program Recommendation During COVID-19



- Prior Written Notice
 - Describes program, type of school and services on IEP
- School Location Letter
 - Says which school the student should attend
 - Parents have the right to visit
 - Contains school phone number
 - **Tips!** Parent should contact via email for school visit.
 - ★ Email DOE staff who sent the letter and the offered school's principal and parent coordinator (<https://schoolsearch.schools.nyc/>)





Program Adaptation Document (PAD)

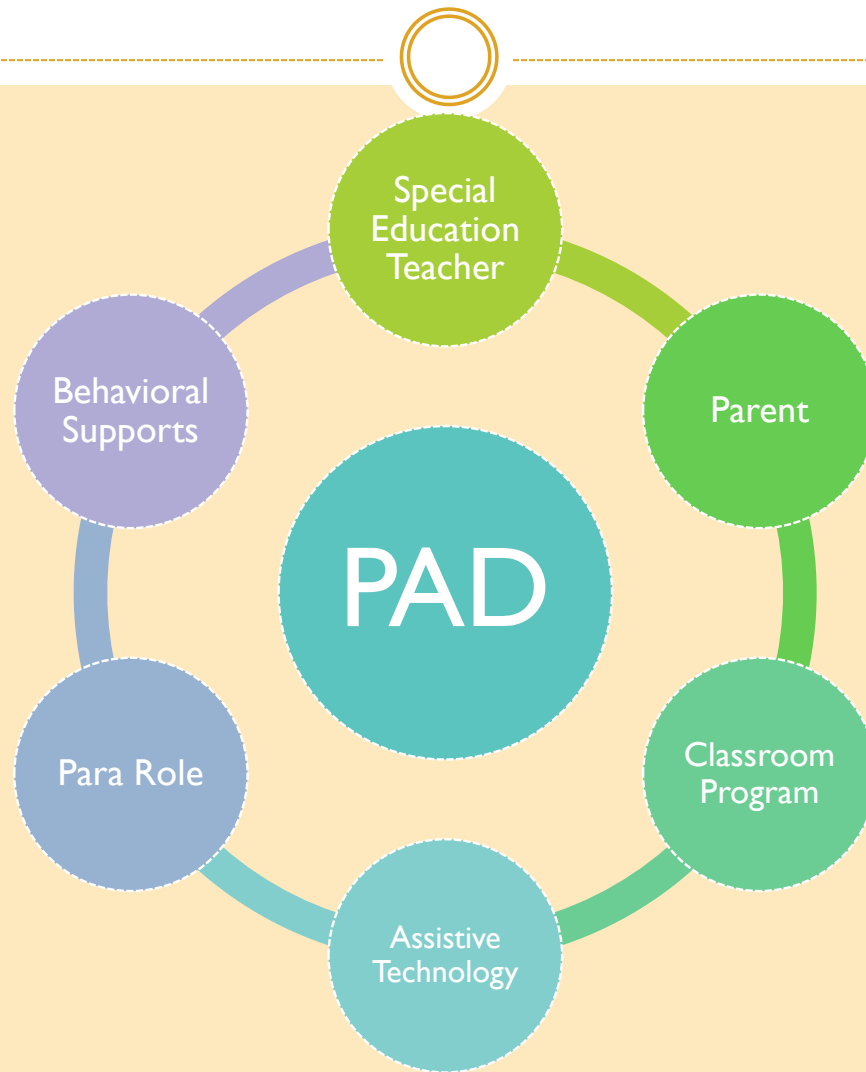


- Explains how student's IEP will be delivered during remote instruction and blended models
- Does ***not*** replace the student's IEP
- Developed with special education teacher and Parent
 - ***Tip!*** Parent should express any concerns or supports needed for their child to participate during remote learning days
- PAD can be revised! Parent can reach out to teacher to review PAD

Families should already have copies of their child's PAD!



Program Adaptation Document (PAD)





Related Services Adaptation Document (RAD)



- Explains how student's related services will be delivered during remote instruction and blended models
- Does ***not*** replace the student's IEP
 - Students should receive **full mandate** of IEP unless student's ability to participate requires change
 - ***Tip!*** Parent can request combination of in-person and remote related services to meet mandate or all in-person
- Developed with related service providers and Parent
 - ***Tip!*** Parent should express any concerns or supports needed for their child to participate during remote learning days

Families should already have copies of their child's RAD!



Special Education During Blended Learning



- **Integrated Co-Teaching (ICT)**
 - In-person: live instruction with two teachers (special education, general education)
 - Remote: “blended remote teacher” co-plans with the in-person teachers to provide a combination of synchronous and asynchronous instruction
 - ✦ **Tip!** Parent should ask for the qualifications of the blended teacher and Parent should keep track of the amount of live instruction on remote days
- **Special Education Teacher Support Services (SETSS)**
 - Schedule will combine both remote and in-person SETSS
 - SETSS provider arranges the schedule



Special Education During Blended Learning



- **Special Education Classroom (12:1+1, 12:1, 15:1)**
 - Instruction delivered by Special Education Teacher on both in-person and remote school days
 - Classroom size should align with IEP on both in-person and remote days
 - ✦ **Tip!** Parent should pay attention to how many students are participating in the “classroom” during remote instruction. If more than 12/15, this is a violation of their child’s IEP!
 - Remote:
 - ✦ Combination of synchronous and asynchronous activities
 - ✦ Classroom paraprofessional can support remotely as “directed by teacher”
 - **Tip!** Parent should note if the classroom paraprofessional is the only person “teaching” on remote days



Special Education During Blended Learning



- **Paraprofessionals (1:1 student aides)**
 - Remote Days: Paraprofessionals role should be discussed when creating PAD
 - ✦ Assisting parent and child with accessing remote learning
 - ✦ Consulting with parent on how to support student at home
 - ✦ Assisting parent in reinforcing behavior plan
 - ✦ Support child during delivery of instruction/related services



Special Education During All Remote Learning



- **ICT**
 - Instruction delivered by “co-teaching pair”
 - Combination of synchronous/asynchronous learning activities
 - **Tip!** Parent should make sure at least one of the teachers is a special education teacher
- **Special Education Classroom**
 - Combination of synchronous/asynchronous learning
 - Classroom paraprofessional may teach individual/small group as directed by teacher
 - **Tip!** Parent should track live instruction by special education teacher



Special Education During All Remote Learning



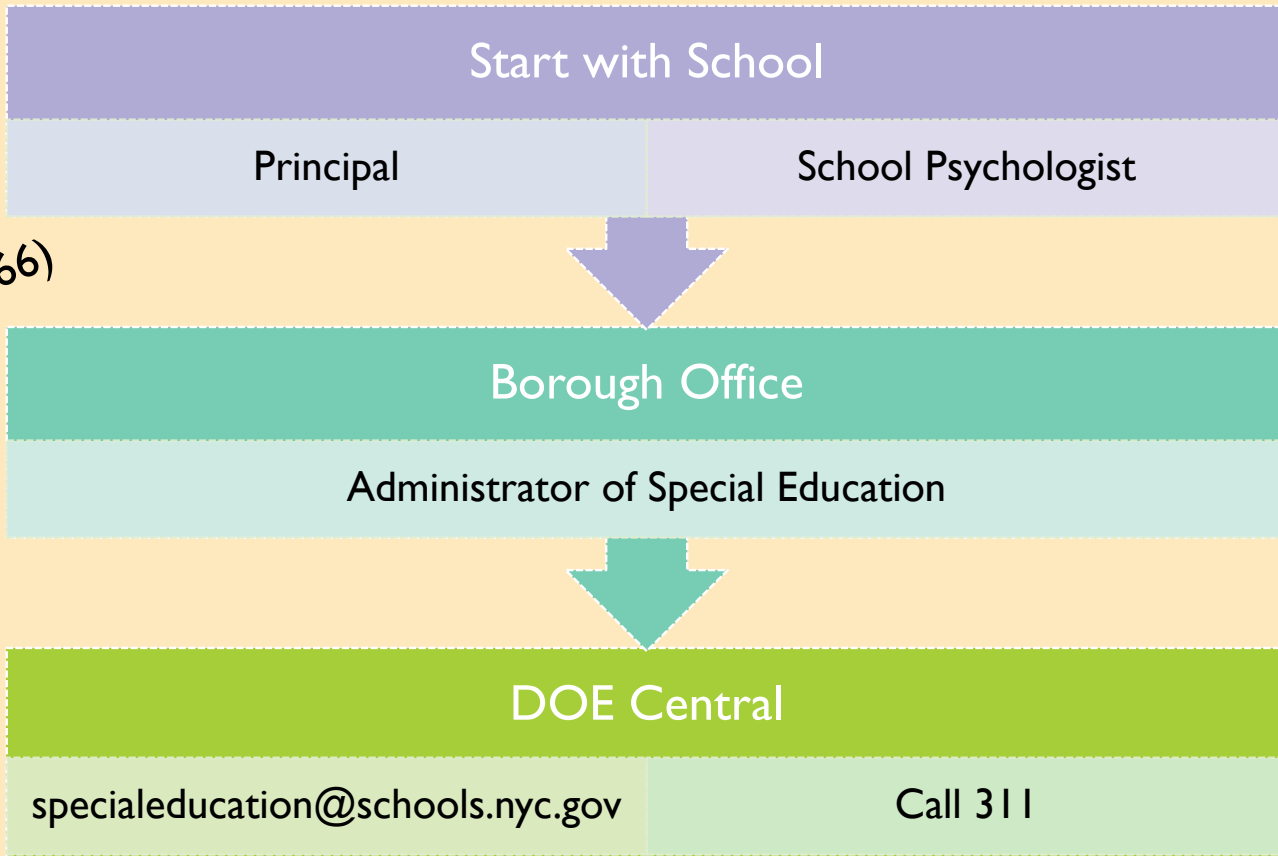
- **Paraprofessional**
 - Similar to remote days for blended learning
 - Role described in PAD
- **Related Services/SETSS**
 - Provider contacts family to determine delivery of service (ie. live, videos, activity packets etc.)
 - **Tip!** Parent should tell provider if live service delivery is necessary. Parent should track live services by related service provider.



Parental Rights: Who to Contact



Concerns with special education during remote learning and blended learning



Call AFC's
Helpline! (866)
427-6033

Find Principal and ASE emails: <https://sites.google.com/a/strongschools.nyc/contacts/>



Parental Rights: Who to Contact



Contact DOE's Special Education Office via
specialeducation@schools.nyc.gov

- No response to referral
- Evaluations not conducted
- Evaluations not appropriate for student
- IEP meeting not scheduled
- Parent did not receive documents to participate in IEP meeting
- IEP and/or PAD not implemented
- Have not received copy of PAD and/or IEP

*Call AFC's
Helpline! (866)
427-6033*



Parental Rights: Who to Contact



Issues with related services

- Email: relatedservices@schools.nyc.gov

Issues with transition to kindergarten

- Email: turning5@schools.nyc.gov

Issues with special education services at charter schools

- Email CSE Chairperson: <https://www.schools.nyc.gov/learning/special-education/help/committees-on-special-education>

Call AFC's
Helpline! (866)
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Language Access Rights: Translation & Interpretation

Arabic, Bengali, Chinese, French, Haitian-Creole, Korean, Russian, Spanish, Urdu

Translation:

- letters
- forms
- meeting notices
- report cards
- special education documents

Interpretation:

- parent-teacher conferences
- parent association meetings
- suspension hearings
- meetings with school staff
- special education meetings

DOE language access complaints: (718) 935-2013 or [Hello@schools.nyc.gov](mailto>Hello@schools.nyc.gov)

Resources During COVID-10



Meals for Students on Remote Learning Days

- Take-Out Location available: <https://www.opt-osfns.org/schoolfoodny/meals/default.aspx>
- Pick-up from 9am-12pm; no ID or registration required

Free Meals for Community

- Locations:
<https://dsny.maps.arcgis.com/apps/webappviewer/index.html?id=35901167a9d84fb0a2e0672d344f176f>
- Pick-up from 3pm-5pm on school days; no ID or registration required

Devices/Technology

- Request DOE iPad: <https://coronavirus.schools.nyc/RemoteLearningDevices>
- Need Tech Support: <https://www.nycenet.edu/technicalsupportforfamily>

Child Care – Learning Bridges

- 3K-8th remote learning days
- Apply here: https://prek4all.az1.qualtrics.com/jfe/form/SV_ac4kZNaIMaixbc9

Translated Supports for Remote Learning

- <https://www.schools.nyc.gov/learning/multilingual-learners/translated-support-for-remote-learning>



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Question?
Contact AFC!



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Monday-Thursday, 10am-4pm

info@advocatesforchildren.org