





































April 17, 2020

## What Does The Data Suggest?



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### Recent NWEA Research

- When students head back to school next fall, overall they are likely to retain about 70 percent of this year's gains in reading, compared with a typical school year.
- Less than 50 percent in math.
- Losses are likely to be more pronounced in the **early grades** and among those already facing steep inequities.

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## Extended School Year Requirements



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### Think it through for the pandemic

- As written in IDEA regulations, ESY is left to states to define and it is required for students if it is necessary to receive FAPE as defined by the IEP Team.
- States will have more specific guidance about which students should be eligible for ESY.

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## Extended School Year Requirements



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### Think it through for the pandemic

- Regression over the summer was a significant reason ESY was added to IDEA and is present in many state definitions.
- ESY was not designed to resolve issues created by a pandemic.

# Considering ESY in Light of COVID 19

<b>June 2019 - Point the Schools Closed</b>	<b>March 2020 - June 2020 COVID-19 School Closures</b>	<b>June 2020 - August - 2020</b>
<ul style="list-style-type: none"><li>● Analyze the data and determine student progress at the point schools closed.</li><li>● Consider ESY based on prior regression data at this point. (these students have already been identified or decided through a typical IEP meeting)</li></ul>	<ul style="list-style-type: none"><li>● Maintain documentation of what services were offered.</li><li>● Maintain documentation of what services were delivered.</li><li>● Collect solid data on IEP goal progress across the time frame services are delivered under distance learning frameworks.</li></ul>	<ul style="list-style-type: none"><li>● Implement summer services based on regression analysis to avoid further regression</li><li>● Analyze COVID Impact</li><li>● Plan for the Fall with curriculum mapping and remapping</li><li>● Hiring and changes in staffing</li></ul>

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# The Definition of Compensatory Ed: when it does and does not apply



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# Quantifying COVID 19 Impact

## COVID 19 Impact on Students

### What's Appropriate?

- Understanding where students enter and leave COVID 19 closures or distance learning as it relates to the IEP goals will be important.
- IDEA was not built for this. Loss due to a pandemic are not contemplated under IDEA.
- Upon return to school analysis of where students were performing upon school closure compared to where they entered in the fall.
- Develop IEPs for next year to address where students are and attempt to address the loss of skills due to COVID 19 through that IEP.
- Additional CARES funding may be able to support additional services needed in IEPs to do this work.
- Individual districts might choose to address loss during the summer if students are able to be in session in addition to ESY above and beyond IDEA requirements.

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# Legal Consideration in this "Phase" of COVID-19 Service Implementation



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## COVID-19 Service Implementation



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- Whether or not flexibility is provided with respect to procedural compliance during COVID-19, do not be paralyzed by the thought of procedural violations and legal compliance.
- Continue to exercise good "PR" and "customer service" skills. Compassion, Communication and Collaboration will lessen complaints and lawsuits.



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## COVID-19 Service Implementation



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- Now that the end of the school year is getting close, begin thinking about making those individualized determinations regarding each student's need for Extended School Year services.
- Follow state/local guidelines as best you can when making good faith recommendations/offers for ESY services. Offer ESY when needed, even if parents don't want it.

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## COVID-19 Service Implementation



- Don't worry right now about "compensatory services"-- better named COVID-Impact Services ("CIS"). There will be time for that when school buildings reopen.

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## Four Priorities for Special Education:



**1** Focus on the safety, health, and welfare of students and staff members in your community.

**2** Provide FAPE - Deliver services to as many students as you reasonably can in the best way you know how.

**3** Document your efforts; make sure documentation is focused, consistent, detailed and demonstrates a good faith effort to provide good services.

**4** Compliance during the pandemic - IDEA wasn't built for this.



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## Questions for Presenters



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Thank you for participating in the  
webinar today.

Connect with CASE  
next Friday:

**April 24, 2020 - 12:00pm CST**