

Frequently Asked Questions for Families and Parents of Students with Disabilities

During this time there are some important things to remember. Any actions taken by a district or school regarding closures are for the safety of all students and school personnel working with students. As districts and schools are determining the most appropriate steps to ensure student and staff safety, we want to take this time to provide guidance relating to students with disabilities and their services. It is extremely important for families and schools to collaborate and communicate regarding services for students with disabilities.

What will happen to my child's services when school is canceled for all students due to COVID-19?

1. If a school closure causes educational services for all students to stop, then the school/district is generally not required to provide services to the affected students eligible for special education services during that same period of time (OSERS March 2020). This general standard is especially true in cases where the school district will still provide the required minimum of school days.
2. After an extended closure, districts are responsible for reviewing how the closure impacted the delivery of special education and related services to students eligible for special education services. Students may need additional services or extended school year services to make up missed services.
3. If annual IEP reviews or eligibility reviews are due during a school closure, please work with your school closely to meet as soon as possible. The team could meet in person or through alternate means, such as video or audio conference calls.

What will happen to my child's services when a school is closed but educational services continue to be provided to all students?

1. If a district has extended school closures but continues to provide educational services to all students, the district will remain responsible for the free appropriate public education (FAPE) of its students eligible for special education services with an individualized education program (IEP).
2. Districts should be communicating with parents and guardians prior to, during, and after a school closure regarding their child's IEP services. Districts and schools will work to ensure that all students receive services to the most appropriate extent possible.
3. Although special education or related services may need to be adjusted, IEP teams should work to ensure that a student on an IEP receives services comparable to all other students. Services might include instructional packets, online learning, or some other learning adapted to the student's needs and location.
4. After an extended closure, districts are responsible for reviewing how the closure impacted the delivery of special education and related services to students eligible for special education services. Students may need additional services or extended school year services to make up missed services.

5. If annual IEP reviews or eligibility reviews are due during a school closure, please work with your school closely to meet as soon as possible. The team could meet in person or through alternate means, such as video or audio conference calls.

What will happen to my child's services if school remains open, but my child is sick and sent home?

1. Students who are sick and who need to stay at home for more than ten days may need to receive homebound instruction.
2. The IEP team must meet to determine how to provide services for your child. This may include instructional packets, online instruction, or some other type of learning adapted to the student's needs and location.

What if I chose to keep my child at home due to health or personal preferences, even though school is open?

1. If you chose to keep a student with an IEP home for precautionary measures, the district is not obligated to provide homebound services or to consider the need for compensatory education.
2. However, if you are a parent of a child with special health circumstances consider reconvening the IEP team to discuss alternative provision of services.

Additional guidance

North Dakota Department of Public Instruction

<https://www.nd.gov/dpi/>

Office of Special Education Program: <https://www.ed.gov/coronavirus>



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