



CADRE

the center for appropriate dispute
resolution in special education

*Got Back to School
Questions? We've Got
Your Answers!*

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Technical Notes

- Your lines are currently muted.
- You may submit questions to the question box which will be monitored by CADRE staff and read by your host.
- The presenter will answer most questions at the end of the presentation, unless there is something that should be addressed more immediately.
- All questions will be answered as hypothetical situations and will not include case-specific information.
- Thank you in advance, for taking the time to respond to the brief survey at the end of this forum.
- This webinar will be posted and made available to the general public on [CADRE's website](#).

Disclaimer

The information shared in this webinar is not intended to serve as, nor should it replace, legal advice. Opinions expressed by today's presenter are not represented to be an official or unofficial interpretation of legal guidance from the U.S. Department of Education or CADRE. Application of information presented may be affected by your State's statutes, regulations, local policies and practices, and unique fact-patterns of a particular case.

Welcome, Diana Autin!



Executive Co-Director

Topic: Evaluation/Re-evaluation

Questions:

1. Can a school district require a parent to waive the 60 day timeline for an evaluation?
2. Can a school district refuse to consider conducting a virtual evaluation even if there are health reasons to do so?
3. What are some ways for a school district to conduct a remote evaluation/re-evaluation?

Topic: IEP Development

Questions:

1. Are the requirements for IEP meetings (timing, notice, participants) changed during the pandemic?
2. Are the requirements for the content of IEPs changed during the pandemic?

Topic: FAPE in LRE

Questions:

1. What is the responsibility of a district to ensure that students have access to equipment & connectivity for remote/virtual learning?
2. What can I do if my child with a significant disability is not benefiting from on-line instruction?
3. Might extended school year services be considered for a student now even if they haven't received them in the past?

Topic: FAPE in LRE – Remote vs. In-Person Learning

Questions:

1. My district's plan involves only in-person learning. Can they require parents to sign a waiver of FAPE and IEP implementation if they “opt” for remote learning?
2. My district's plan involves only remote learning. My child cannot benefit from remote instruction. What should I do?
3. My district required parents to select one option at the beginning of the school year and will not allow any changes even if the selected option isn't working for their child with a disability.

Topic: Remote Instruction vs. Home Instruction vs. Homeschooling

Question:

1. What is the difference between remote instruction, home instruction, and homeschooling? And why does it matter?

Topic: Compliance with COVID-19 Safety Requirements

Questions:

1. Can my child be required to wear a mask to participate in in-person learning?
2. Can my child be disciplined if they do not comply with COVID-19 safety requirements like wearing a mask or maintaining physical distancing?

Topic: Compensatory Services

Questions:

1. Are students with disabilities who missed out on services during the pandemic eligible for compensatory services?
2. What should the IEP team consider when discussing the possible need for compensatory services?

Topic: Waivers

Questions:

1. Can a school district require parents to sign a waiver of their child's rights to FAPE in LRE as a condition of receiving services?
2. What should I do if I am asked to sign such a waiver?

Topic: Transition to Adult Life

Questions:

1. How can my youth access transition to adult life services during this pandemic?
2. What if my youth needs extended learning and transition service provision beyond the planned academic year or initial date of exit?

Topic: Resolving Disputes

Questions:

1. Are dispute resolution procedures and mechanisms waived during COVID-19?
2. What are the dispute resolution mechanisms? How do they differ?
3. What dispute resolution process would be appropriate to obtain compensatory services?
4. Who has the burden of proof?

CPIR Resources

- COVID-19 Suite:
www.parentcenterhub.org/coronavirus-resources
- Evaluations, eligibility, IEP, placement:
www.parentcenterhub.org/partb-subpartd/
- Procedural safeguards:
www.parentcenterhub.org/partb-subparte/
- Developing the IEP: www.parentcenterhub.org/pa12/
- Dispute resolution:
www.parentcenterhub.org/?s=dispute+resolution
- Find your parent center:
www.parentcenterhub.org/find-your-center/

SPAN COVID-19 Resources

- SPAN Parent Advocacy Network:
 - COVID-19 Resources:
<https://spanadvocacy.org/home/spans-covid-19-information-page/>
 - Fact sheets (English and Spanish)
 - Sample letters (English and Spanish) including requesting meetings to discuss compensatory services
 - Special Education services tracking log
 - Recordings of relevant webinars

Other SPAN Resources

- SPAN Parent Advocacy Network:
 - Pre IEP Meeting letter:
<https://spanadvocacy.org/?s=pre+IEP+meeting+letter>
 - IEP meeting checklist (for preschoolers & for school-age students):
<https://spanadvocacy.org/?s=IEP+meeting+checklist>
 - Special Education FAQs (video format):
<https://spanadvocacy.org/video-webinar-archive/faq-special-education/>

Creating Agreement

- IDEA Partnership:

<http://www.ideapartnership.org/using-tools/learning-together/collections/411-collection-tools/1579-1579-creating-agreement-collection-tools.html>

COPAA Resources

- Burden of Proof:
<https://www.copaa.org/page/BOP>
- COVID-19:
<https://www.copaa.org/page/covid-19>
(includes information on compensatory services, provision of FAPE, etc.)

Resources on Educating Students with Disabilities Virtually

- TIES Center: <https://tiescenter.org/resources?text=TIES+Distance+learning&type=>
- IRIS Center: <https://iris.peabody.vanderbilt.edu/module/c19/#content>
- NCSI: https://ncsi-library.wested.org/resources?t_id=91; distance learning for students with significant cognitive disabilities <https://ncsi-library.wested.org/resources/560>
- Educating All Learners: <https://eala.wpengine.com/>

Virtual Transition Resources

- Transition to Adult Life Virtual Learning Resources: <https://transitionta.org/covid19>
- Workforce Innovation TA Center COVID-19: www.wintac.org/content/covid-19-resources

Questions



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Visit CADRE online

www.cadreworks.org

Contact CADRE via email

cadre@directionservice.org

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Thank you for joining us!

Please take a few minutes to respond to this brief survey about your experience:

Survey Monkey link:

<https://www.surveymonkey.com/r/R2RK7LH>

