FCPS Guidance Document for IEP Teams for COVID Recovery Services

This document is designed for Fairfax County Public Schools staff and is adapted from the VDOE document: *Virginia Department of Education Considerations for COVID Recovery Services for Students with Disabilities.* (see appendix page 11). This document provides guidance, and information for IEP team considerations that are necessary in order to make decisions and address requests for COVID recovery services for students with disabilities. Despite the development and implementation of Temporary Learning Plans (TLP) by FCPS to ensure continuity of learning during the COVID-19 school building closures, some students may show signs of regression or display gaps in their learning as school services resume. To mitigate and close these gaps, some students with disabilities will need additional services and support to regain lost skills. School staff should consider each student individually and gather data to guide instruction and identify any students who may be significantly impacted by the COVID-19 school closure. It is recommended that school staff and parents collaborate around realistic expectations and timeframes for teachers to develop a rapport with students, administer assessments, deliver appropriate instruction and/or interventions, and collect data for progress monitoring during this crisis and transition back to school.

COVID recovery services may be considered for any student. Not all students with disabilities will need COVID recovery services. If the IEP team decides a student requires recovery service, the team will need to determine the amount and type of recovery service that is required to address individual students' needs. COVID recovery services may include additional services to recoup previously learned skills, and new services and supports that were not previously provided to assist with successfully re-entering the school environment (e.g., mental health needs or services related to a student's disability to address significant disengagement resulting from the extended school closure). COVID recovery services do not need to be a minute for minute replacement for services that were not provided during the building closures.

Prior to determining the need for and amount of COVID recovery services, each IEP team should consider the student's rate of skill acquisition and IEP goal progress, and data from a variety of sources. This includes data spanning the continuum of pre-COVID-19 school closure to the return to school with a focus on reducing the impact of the school closure and a return to student progress that is appropriate for the student. IEP teams should use individual student progress data and data about FCPS's offerings during the COVID-19 school closure and upon return to school when considering services. The need for COVID recovery services should be based on whether or not the student continued making progress in the general education curriculum, or alternative course of study specified in their IEP, or toward meeting their individualized IEP goals and/or if any significant regression occurred during the period of school closure (See VDOE, Recovery Guidance, 2020).

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COVID Recovery Services Analysis at a Glance

Pre-COVID-19 Data Sources and Questions to Consider (PRE)	COVID-19 School Closure Data Sources and Questions to Consider (DURING)	Return to School Data and Questions to Consider (POST)

Pre-COVID-19 Baseline
• Gather and review data (informal/formal) from the pre-COVID-19 school closure to establish a baseline and compare skills and performance toward IEP goals to include but not limited to:
  • The rate of skill acquisition
  • The progress on IEP goals, objectives and benchmarks
  • Observations and data from teachers, therapists, parents, and others having direct contact with the student
  • Screening, assessment or information maintained on the student, including pretest and post-test data
  • Curriculum-based assessment, including pretest and post-test data; and other relevant factors
 	
Questions to Consider at the IEP Meeting when Discussing COVID Recovery Services:
 	
• Did the student make progress on their IEP goals and objectives prior to the ordered school-building closure period?
• What were the student's baseline measures on his or her IEP goals and objectives prior to the ordered school-building closure period?
	COVID-19 School Closure
	• Gather and review data (informal/formal) from COVID-19 school closure from student participation in any FCPS activities and offerings
	• Compile data from observations, sample of the student's work, behavior logs, informal screenings and assessment, and parent input/observations
	• Document student's attendance during distance learning
	
	Questions to Consider at IEP Meeting Based on the Educational Opportunities Offered when Discussing COVID Recovery Services:
	
	• What was the educational model offered by FCPS to all students?
	• What goals, accommodations, and services were offered to the student through the Temporary Learning Plan (TLP)?
	• Is there documentation of the progress the student made such as progress reports and other documentation?
	• Did the district provide a FAPE to the student during the closure?
	• If the district provided a FAPE, did the student make progress?
	• Did the student regress even with a FAPE provided during the ordered school-building closure period?
	• Was the student "accessible" during the ordered school-building closure period for the district to provide services?
	• Did the parent or guardian refuse services during the ordered school-building closure period? If so, did the district document the refusal in a prior written notice?
	• What was the provision of new learning or continuation of learning during March, April, May, and June 2020?
	• Were special education services and supports offered during the closures?
	• Were these services and supports reasonable in light of the circumstances?
	• How was core content instruction and specialized instruction delivered to students?
	• How was the student's performance during the COVID-19 school closure? Report out on student data regarding participation, work completion, grades, progress on IEP goals. Consider parent input.
	• Did the student require/receive any ESY services during summer?
		Return to School
		• Gather and review new data (informal/formal) from the first quarter of instruction. Consider data points including grades, IEP goals, benchmark assessments, formative assessments, unit assessments, information reading inventories, and teacher observations
		
		• Determine if the student:
		  • requires extensive review to demonstrate previously learned skills
		  • demonstrates inconsistencies in performance; and/or
		  • demonstrates previously mastered or partially acquired skills presented during pre-COVID-19 school closure
		
		Questions to Consider Based on Individual Student Performance:
		
		• How is the student performing after the return to school for the 2020-2021 school year? Consider any local assessment data, classroom performance compared to peers, and rate of learning contextualized to the education model being provided.
		• Does the student have any unique social emotional issues that may impact their learning?

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Services on the IEP

Services should address the instruction specifically related to the student's need for COVID recovery services and should reflect in-person or virtual synchronous instruction provided by a special educator to the student. The amount and duration of recovery services should be determined based the student's rate of skill acquisition and IEP goal progress, on the data collected, and the individual student's needs.

Documenting COVID Recovery Services on the Services page in SEA-STARS

When proposing COVID recovery services at the IEP addendum, the previously proposed IEP services will continue to remain documented in the primary and additional/related services sections, as appropriate. Click on the drop-down menu and select the service(s) coded with an "R" and indicate the number of hours with start and end dates in that row.

If teams are proposing an annual or initial IEP, begin by proposing 5-day in-person services based on 30 hours per week or 120 hours per month in the primary and additional/related services sections, as appropriate. Propose new hours and dates for virtual and/or face to face services according to individual student needs. Recovery services should then be discussed and included on the services page. Click on the drop-down menu and select the service(s) coded with an "R" and indicate the number of hours with start and end dates in that row.

Note: All services will run concurrent with regular primary and additional or related services, so the system will not generate a validation error. The PDF will show in-person, virtual and recovery hours in the same grid. The begin date is the date the recovery services will begin, and the end date should be the date the recovery services will be completed. If the recovery services are proposed go beyond the date of the annual IEP, the remaining services that have not been provided would be added to the newly proposed annual IEP.

Documenting COVID Recovery Services in the Present Level of Performance Page (PLOP) and Prior Written Notice (PWN) in SEA-STARS

Teams should use the PLOP (IEP 309) to summarize the data used and the discussion held about COVID recovery services. Additionally, the team should clearly document the plan for delivering the recovery services to include frequency, location, start and end dates (duration), if different from the services page. Teams should also document the plan for monitoring and tracking of the student's progress.

A thoroughly drafted PWN is key to convey the team's proposal regarding recovery services. Clear descriptions regarding the student's current performance, why recovery services are necessary or unnecessary for FAPE, in light of the lapse in services caused by COVID-19. The IEP team should clearly identify the rationale behind offering or declining the specified recovery services offered by FCPS. Be sure to include in the PWN a timeline for when the request for COVID recovery services was made and FCPS' actions taken upon request.

Sample PLOP language: Prior to COVID-19 student was able to _____. During the COVID-19 school closure he _____. Upon the student's return to school he _____. Based on the student's work samples, test/quizzes, informal assessments, and participation since March 2020, the student requires recovery services because he has not recouped the skills he had in the expected timeframe. The student will receive 1 hour a week of math instruction beginning on January 19, 2021 and ending after 9 weeks on March 23, 2021. The student's progress will be assessed at the end of each 4-week interval.

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SEA-STARS Sample - Service Page

Primary Service + Add

✖	Line	Service	Hours			Frequency	
			Special Education in General Education Setting Hours	Special Education Setting Only Hours	Total Hours		
☐	1	ID - Intellectual Disability	1.50	27.50	29.00	week	10/09/

Additional/Related Services + Add

✖	Line	Service	Hours			Frequency	
			Special Education in General Education Setting Hours	Special Education Setting Only Hours	Total Hours		
☐	1	OT - Occupational Thera	0.50	1.50	2.00	month	10/09/
☐	2	SL - Speech Language	0.00	2.00	2.00	month	10/09/
☐	3	IDF - Intellectual Disabilit	1.50	22.00	23.50	week	10/09/
☐	4	IDR - Intellectual Disabilit	0.00	8.00	8.00	month	10/09/
☐	5	IDV - Intellectual Disabilit	1.50	11.00	12.50	week	10/09/
☐	6	OTF - Occupational Ther	0.00	1.50	1.50	month	10/09/
☐	7	OTV - Occupational Ther	0.00	1.00	1.00	month	10/09/
☐	8	SLF - Speech Language	0.00	2.00	2.00	month	10/09/
☐	9	SLR - Speech Language	0.00	0.50	0.50	month	10/09/
☐	10	SLV - Speech Language	0.00	2.00	2.00	month	10/09/

Other Services + Add

Service	Hours of Special Education Service in General Education Setting	Hours in special Education Setting Only	Frequency	Begin Date**	EndDate**	Begin Date**	End Date**
ID - Intellectual Disability	1.50	27.50	week	10/09/2020	06/11/2021	08/23/2021	10/09/2021
OT - Occupational Therapy	0.50	1.50	month	10/09/2020	06/11/2021	08/23/2021	10/09/2021
SL - Speech Language	0.00	2.00	month	10/09/2020	06/11/2021	08/23/2021	10/09/2021
IDF - Intellectual Disability (Face to Face)	1.50	22.00	week	10/09/2020	06/11/2021	08/23/2021	10/09/2021
IDR - Intellectual Disability (Recovery)	0.00	8.00	month	10/09/2020	06/11/2021	08/23/2021	10/09/2021
IDV - Intellectual Disability (Virtual)	1.50	11.00	week	10/09/2020	06/11/2021	08/23/2021	10/09/2021
OTF - Occupational Therapy (Face to Face)	0.00	1.50	month	10/09/2020	06/11/2021	08/23/2021	10/09/2021
OTV - Occupational Therapy (Virtual)	0.00	1.00	month	10/09/2020	06/11/2021	08/23/2021	10/09/2021
SLF - Speech Language (Face to Face)	0.00	2.00	month	10/09/2020	06/11/2021	08/23/2021	10/09/2021
SLR - Speech Language (Recovery)	0.00	0.50	month	10/09/2020	06/11/2021	08/23/2021	10/09/2021
SLV - Speech Language (Virtual)	0.00	2.00	month	10/09/2020	06/11/2021	08/23/2021	10/09/2021

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1. **When should IEP teams meet?**
   It is important to note that the closure of schools due to COVID-19 is not a normal school break and this should be taken into consideration when considering a reasonable time standard for recoupment. Typically, all students may require six to eight weeks to recuperate skills. Students with disabilities may require more than the six to eight weeks to recuperate skills. The determination of COVID recovery services is made by the IEP team after a careful review of student performance and data including pre-COVID closures, student participation and performance during COVID-19 school closure, and performance upon return to school. It is recommended that schools schedule IEP meetings for students to discuss COVID recovery services after data is collected (7-9 weeks). However, schools can reconvene earlier than this timeframe, if appropriate.

   An IEP meeting should be convened when requested by parents or when school members of the IEP team are aware of:
   - a lack of expected progress toward the annual goals and in the general curriculum, if appropriate
   - the collection of student data to inform decision making for COVID recovery service
   - the results of any reevaluation conducted, information about the child shared by the parent needs to be addressed; or
   - a student's anticipated need for COVID recovery services (Virginia, 2020, p. 9-10).

2. **How does the school staff respond to the parent's request for an IEP meeting to discuss COVID recovery services?**
   When a parent makes a request to discuss COVID recovery services, this is a request for an IEP team meeting. Acknowledge receipt of parent communication and follow-up with a parent invite letter for an IEP meeting or a standalone prior written notice (PWN), as soon as possible from the time the request was made. A PWN must be issued if the team declines such a request and could contain additional information justifying the refusal such as, the need for time to assess student progress. If a parent requests a meeting to discuss COVID recovery services, the IEP team should communicate clearly the amount and types of data required to address COVID recovery services. After communicating the data required to make the decision, the IEP team may either 1) hold the meeting to hear the parent's request 2) inform the parent that the team will schedule the meeting for a date in the future when the required data for decision making will be available. If the parent agrees to schedule a meeting in the future when sufficient data is available, this should be clearly documented in the PWN (See sample PWN in the appendices). Be sure to document all communication with the parent in the IEP 201 Meeting Notification Contact Log (Virginia, 2020, p. 10).

3. **What are some ways in which school teams can deliver COVID recovery services?**
   The IEP team should consider a variety of options to include but not limited to alternative schedules, after school, before school, and during breaks or weekends. COVID recovery services may be provided over an extended period and may take a variety of forms. IEP teams should clearly document the plan for delivering COVID recovery services. School staff should carefully document the COVID recovery services provided to students with disabilities and monitor and track individual student progress. COVID recovery services do not need to be a minute for minute replacement for services that were not provided during the building closures. COVID recovery services are not treated as extended school year services nor it is required that the services be delivered in only one specified manner (Virginia, 2020, p. 13).

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Appendices

Appendix A: Social-Emotional Learning (SEL) – (taken from the Virginia Department of Education Recovery Services Document (p. 8-9)
The threat of COVID-19, long-term social distancing, and prolonged disruption to the school routine may create significant stress and impact students' well-being. This is a particularly important consideration for students with disabilities, as they may be more likely to experience challenges in adapting to the many changes brought on by the COVID-19 school closures. **Professionals working with students with disabilities (SWD) need to consider the students' social-emotional needs as well as the impact that the student's well-being may have on their readiness to learn and academic progress.**

The social-emotional well-being of students is influenced by a child's individual characteristics, prior experiences, social and economic circumstances of the family, degree of dependency on adults, and the availability of support. The Center for Disease Control and Prevention (CDC)[1] has identified key factors that may affect a child's emotional response to a crisis. Not all learners will respond in the same way to these experiences.

Prior Experiences

- Did the student experience any previous traumatic or stressful events?
- Has the student previously experienced the loss of a family member or close friend?
- Did the student have any existing social-emotional needs identified?

Current and Future Experiences

- Is the student experiencing a separation from caregivers during the crisis or as they return to school?
- How are the parents and caregivers responding to the crisis?
- What are the ongoing stressors occurring due to the change in familiar routines or direct impact of COVID-19?

Environmental Factors

- Is the surrounding community resilient and supportive?
- Are there strong existing family structures or relationships with healthy communication among family members?
- Does the family have access to essential resources?

Students who are impacted by one or more of these key factors may need additional social-emotional supports as they return to school and learning. Expectations for students' growth and achievement will need to be contextualized given the impact of trauma or level of social-emotional needs. By addressing students' social-emotional wellness, strengthening their social support networks and their skills in self-management, teachers can help to support students' overall well-being and academic success.

[1] Centers for Disease Control and Prevention (CDC); 2019. Retrieved from: https://www.cdc.gov/childrenindisasters/helping-children-cope.html.

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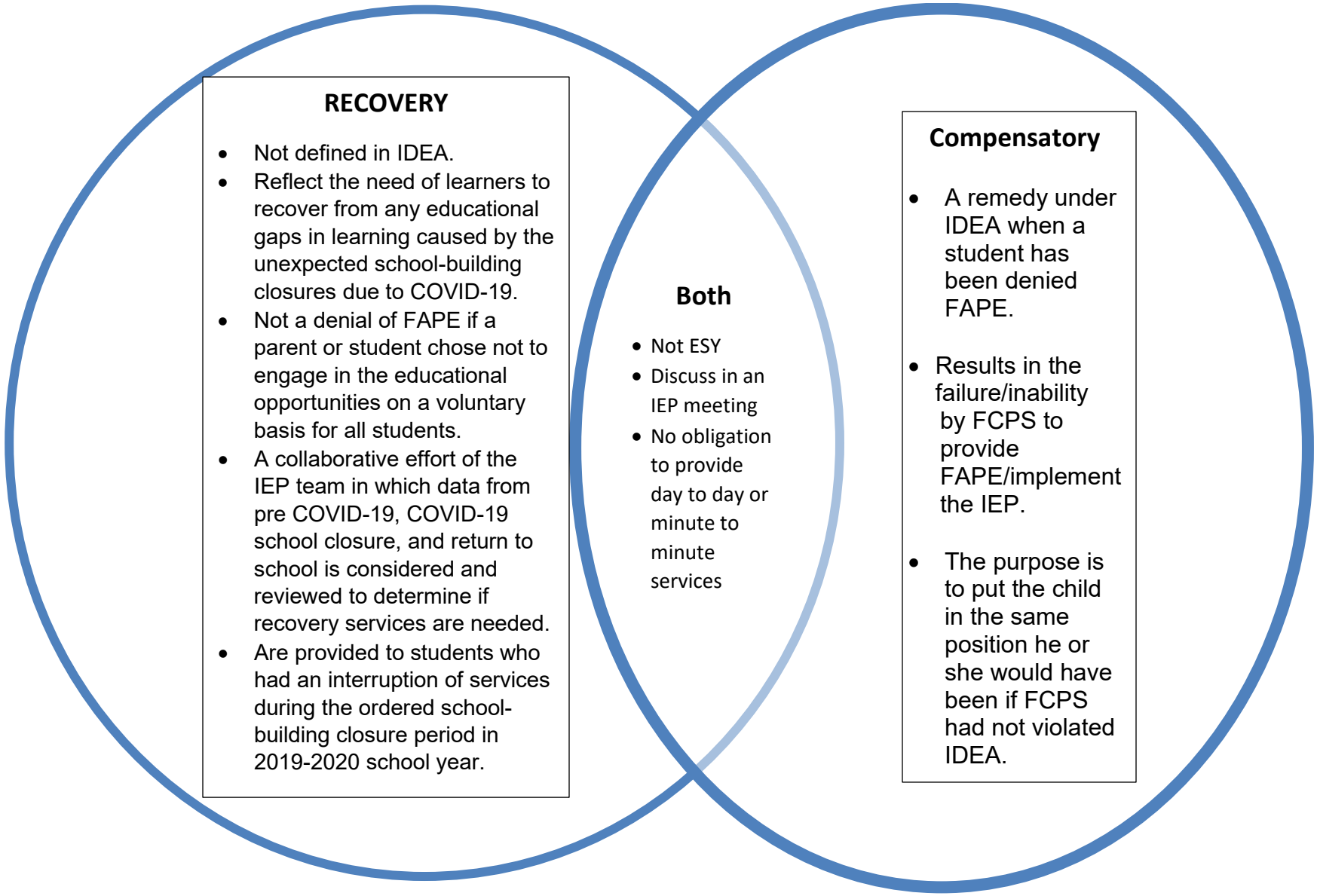
Appendix B: Information has been taken from the Virginia Department of Education Recovery Services Document (p. 14-15)



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Appendix C: Recovery Services Decision Tree: COVID-19 (adapted from Idaho SDE)

Review documentation regarding educational opportunities provided and answer these questions:

What educational opportunities were provided to general education students in the student's class or at the student's grade level?

What services/supports did the IEP team agree on during the COVID-19 school closure?

Was the student able access and participate in general and/or special education opportunities as agreed upon by the IEP team?

Scenario 1:

Yes. The student was able to access and participate in educational opportunities as agreed upon by the IEP team. The team will proceed with the typical IEP process.

Does the student require changes or additions to the IEP based on his or her current and individual circumstances?

Yes. Amend the IEP as agreed upon by the IEP team. Provide Prior *Written Notice* to parent.

No. Provide Prior *Written Notice* to parent and implement the IEP as written, based on parental consent.

Scenario 2:

No. Despite efforts on the part of team members to provide services as agreed upon by the IEP team, the student's circumstances and/or disabilities prevented access to the opportunities made available.

Does the student require changes or additions to the IEP based on his or her current and individual circumstances in order to recover skill " lost" during the closure?

Yes. Consider COVID recovery services. The team should determine what services will be provided, when, by whom, and for how long. Amend the IEP and Provide Prior *Written Notice* to parent.

No. COVID recovery services are not required for this student. Implement IEP as written or amend the IEP as needed. Provide Prior *Written Notice* to parent.

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Scenario 3:

No. Parent declined or refused educational opportunities during the COVID-19 school closure.

Does the student require changes or additions to the IEP based on his or her current and individual circumstances?

Yes. Amend the IEP as needed to meet the needs of the student. Provide Prior *Written Notice* to parent.

No. Provide Prior *Written Notice* to parent and implement the IEP as written, based on parental consent.

Scenario 4:

No. FCPS did not contact the parent and did not provide educational opportunities for the student during the COVID-19 school closure.

Does the student require COVID recovery services in order to compensate for the failure on the part of FCPS to make reasonable attempts to provide educational opportunities that were available to all students during the closure?

Yes. COVID recovery services are required. The team should determine what services will be provided, when, by whom, and for how long. Amend the IEP and provide Prior *Written Notice*

No. COVID recovery services are not required. Implement IEP as written, based on parental consent or amend the IEP as needed. Provide Prior *Written Notice* to parent.

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Appendix D: Sample PWN – Refusal of Parent Request to Convene an IEP Meeting to Consider Recovery Services

Fairfax County PUBLIC SCHOOLS
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PRIOR WRITTEN NOTICE

Student _____ ID Number _____ Date _____

School _____

Dear _____

The Individuals with Disabilities Education Act requires that a school division provide written notice to parents when the school division proposes or refuses to initiate or change the identification, evaluation, or educational placement of a child, or the provision of a free appropriate public education (FAPE).

During a/an phone conference meeting on date , Fairfax County Public Schools (FCPS)

☐ proposed or ☑ refused (check one) the following action:

Per our conversation on **DATE**, FCPS refused your request to hold an IEP meeting at this time for consideration of COVID-19 Recovery Services for your child.

The reason FCPS proposes or refuses the action:

School staff additional time to gather data on your child's current performance. The IEP team will reconvene to consider and discuss your request for recovery services based on student performance data from pre-COVID-19 closure, during COVID-19 closure, and return to school for the 2020-21 school year.

Description of other options considered by FCPS and why they were rejected:

The other option considered was to hold an IEP meeting to discuss recovery services. At this time, FCPS does not have the necessary data to make a decision regarding the need for recovery services.

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Description of each evaluation procedure, test, record, or report FCPS used as a basis for the proposed or refused action:

Parent input, student data pre-COVID-19, during COVID-19 closure, and return to school for the 2020-21 school year, most current IEP, and progress reports. **Note:** Include ESY, private evals, or any other pertinent information, if applicable.

Information from the Fairfax County Public Schools student scholastic record is released on the condition that the recipient agrees not to permit any other party to have access to such information without the written consent of the parent or eligible student.

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Fairfax County PUBLIC SCHOOLS ENGAGE • INSPIRE • THRIVE

PRIOR WRITTEN NOTICE

Student ID Number Date

School

Description of other factors relevant to FCPS' proposal or refusal:

FCPS proposes to meet for consideration of COVID Recovery Services once the required data to make this determination has been collected.

Parents of a child with a disability have protection under the procedural safeguards including the right to appeal the proposal or refusal of the action described in this notice. A copy of *Your Family's Special Education Rights (Virginia Procedural Safeguards Notice)* (SS/SE-4) has previously been provided to you. Additional copies of this document are available at your child's school or on-line at https://www.fcps.edu/sites/default/files/media/forms/se4.pdf. If you have questions or desire assistance understanding the provisions of these safeguards, please contact Due Process and Eligibility at 571-423-4470.

Sincerely,

Note: **Use SS/SE 141 in the Forms Cabinet** https://www.fcps.edu/sites/default/files/media/forms/se141.pdf

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References

Special Education Guidance for Back-to-School 2020. Idaho State Department of Education (SDE). Retrieved August 23, 2020, from https://ipulidaho.org/files/docs/SPED-Guidance-for-Back-to-School-2020.pdf

Virginia Department of Education Considerations for COVID Recovery Services for Students with Disabilities. (2020, July). Virginia Department of Education (VDOE). Retrieved July 23, 2020, https://www.doe.virginia.gov/...19/guidance_on_recovery_services.docx

Virginia Department of Education. (2020, October 15). VDOE Special Education and Student Services (SESS) Frequently Asked Questions. Retrieved October 15, 2020, from http://www.doe.virginia.gov/support/health_medical/office/covid-19-sess-faq.shtml