

MEMORANDUM

To: Leah Voorhies, Assistant Superintendent of Student Support, and the Utah State Board of Education (USBE)

From: Utah Special Education Advisory Panel (Panel)

Subject: School Reopening Amid the Worldwide Pandemic

Date: August 5, 2020

In our role as an advisory panel to the USBE, we would like to provide input and recommendations to the USBE to consider the needs of students with disabilities and their families during the current pandemic.

We as a panel understand the complicated nature of this time where multiple agencies, governments, and regions have varying say and needs in response to the coronavirus pandemic. While understanding these complicated dynamics, we wish to advise USBE to take a number of special considerations of one of our most vulnerable populations of students, students with disabilities as listed:

- 1) Advise LEAs to provide clear and direct communication regarding the provision of IDEA (Individuals with Disabilities Education Act) during the 2020-2021 school year with parents, teachers, and administrators. The Department of Education has not provided any waivers to states regarding the implementation of IDEA. Many LEA's reopening plans and internal guidance documents either do not specifically address implementation of IEPs in the placement or location of services (general education setting or another setting separate from their nondisabled peers) or may contradict the requirements of IDEA in implementing each student's IEP as written. Parents, teachers, and administrators need to have clear communication about accurate implementation of IDEA so that everyone can be an informed member of a child's IEP team.
- 2) LEAs are encouraged to immediately reach out to the families of all children who have an IEP, or who have been identified as possibly having a qualifying disability. IEPs need to address in-person and distance learning challenges to ensure successful transitions between learning modalities and are shared with all relevant staff and implemented with fidelity.
- 3) Create and disseminate a FAQ addressing parent and educator questions regarding the implementation of IDEA during phased school reopening, including placement decisions, distance learning, implementation of accommodations, locations of services (in-home, small group >5, in-person traditional), mask and social distance for children with complex needs, other mitigation measures, and when and how IEP amendments are necessary.
- 4) Work with the Department of Health to provide clear guidelines to LEAs for working with students who require physical assistance, especially when mask-wearing or social distancing are not a possibility. (i.e., students who need physical assistance with personal care and

students who need physical assistance in order to maintain attention and access instruction). Communicate those guidelines with parents, teachers, paraprofessionals, and administrators.

- 5) Give clear guidance to LEAs on procedures for identifying family and household members of individuals who are at high risk for complications to the coronavirus so that if there is a confirmed case at the family members' school, they can be notified and make informed decisions about risk.
- 6) Provide explicit guidance regarding air circulation, masks, ability to social distance, and cleaning procedures so that parents of students with disabilities who are at high risk can make informed decisions about access to in-person instruction.
- 7) Identify for LEAs, parents, and the community how reopening plans will be monitored for compliance.
- 8) Clarify how Individual Healthcare Plans can be used during the 2020-2021 school year for students who are identified as high risk for complications.

Thank you for your time and consideration in reviewing these recommendations. We as a Panel appreciate all of your efforts on behalf of children with disabilities throughout the State of Utah.