
September 2020

Early Intervention/ Early Childhood Special Education

**COMPANION GUIDANCE TO
*READY SCHOOLS, SAFE LEARNERS AND
COMPREHENSIVE DISTANCE LEARNING***

ALIGNING FEDERAL AND STATE REQUIREMENTS



**OREGON
DEPARTMENT OF
EDUCATION**

Oregon achieves . . . together!

Table of Contents

Introduction	2
Limited In-Person Instruction	3
Required Health Services	4
Child Find, Referral, Evaluations and Eligibility.....	5
Individualized Family Service Plans (IFSP)	6
Specially Designed Instruction	8
Related Services under IDEA.....	9
Transportation as a Related Service	10
Progress Monitoring	10
Compensatory Services or Recovery Services	11
Social and Emotional Behavioral Supports	12
Staffing	13
Children With Disabilities in Private Schools Placed or Referred by Public Agencies	13
Future Updates	14
Acronyms and Definitions.....	15

Introduction

The context for early care and education is much different than that of K-12, given that enrollment for learners under the age of 6 in a particular early care and education program is not compulsory. Additionally, the Early Care and Education System is made up of many different connected systems and a variety of ways in which young children and their families receive access to high quality early care and education. This includes publicly funded programs (Oregon Pre-Kindergarten [OPK], Head Start/ Early Head Start, Relief Nursery, Preschool Promise, Baby Promise, district-based PreK, and Early Childhood Special Education Classrooms), child care (Certified Family, Registered Family, licensed or exempt Center-Based Care), and family, friend or neighbor care. Within each of these contexts for early care and education, young children with disabilities are learning, growing, and developing alongside their same aged peers, within their community, and with trusted adults.

Students protected under Individuals with Disability Education Act (IDEA) are guaranteed a Free Appropriate Public Education (FAPE) to all eligible learners. IDEA has two main components: (1) Part C, which covers infants and toddlers experiencing disabilities; and (2) Part B, which covers all learners, age three to 21, experiencing disabilities who are found eligible for educational services.

During COVID-19, the requirements and protections under IDEA Part B and Part C have not been altered. Schools, districts, and ESDs must still consider the most effective ways to provide Parent Participation opportunities, Identification and Evaluation, FAPE, Least Restrictive Environment (LRE), and Procedural Safeguards for students protected under IDEA. Early Intervention/Early Childhood Special Education (EI/ECSE) and other early learning programs and providers that offer education and partner with families have continued to provide support and learning opportunities for children in a variety of ways. As we move towards the fall, engagement, intention, and service delivery must evolve. Districts and ESDs that provide services for young children with disabilities must develop plans for moving in and out of the instructional models as highlighted in Ready Schools, Safe Learners. This effort will require critical innovative thinking, imagination, and collaboration across sectors with increased partnership with families.

The following guidance addresses requirements and recommendations for EI/ECSE contractors and subcontractors to provide high quality intervention services to families and young children who experience disability. This guidance is a companion to the Ready Schools, Safe Learners (RSSL), Comprehensive Distance Learning (CDL), and the Health and Safety Guidelines for Child Care and Early Education during COVID-19 Pandemic.

This guidance does not reiterate RSSL, CDL, or Early Learning Division (ELD) guidance, but rather to clarify how to implement them for a specific population within this new paradigm. Oregon Department of Education (ODE) worked with internal and external partners to address critical aspects of delivering services and recognizes that districts have unique local contexts that will inform how to apply this guidance.

What this document is:	What this document is not:
<ul style="list-style-type: none"> ✓ Guidance that will change and grow based on local trends and statewide data ✓ Informed by engagement, evidence, and expertise ✓ Essential actions designed to spur thinking, planning, and prioritizing ✓ Part of a continuum of school decision-making ✓ Supplemental to Ready Schools, Safe Learners 	<ul style="list-style-type: none"> ✗ Legal advice ✗ An exhaustive list of actions required to return to school ✗ A distance learning playbook or school closure guidance ✗ The final word on how schools will manage the next phases of COVID-19

Those who serve children who experience disability must also consider how to recognize and meet the strengths and challenges experienced by learners who have been historically marginalized by educational systems. Within these groups are children and families who identify as Black, Indigenous, People of Color (BIPOC), are emergent bilingual students, students of migrant and farmworker families, students in foster care, students who have an incarcerated loved one, and students experiencing houselessness. The varied intersections of race and ethnicity, socioeconomic status, and disability have the potential to impact opportunities and compound discrimination and oppression.

Equity must live at the heart of every decision and every action in service of the children and families we serve. This means recognizing and leveraging the assets, roles, and strengths of learners and their families, including native language. It means strengthening relationships with community partners, school districts, educational association leaders, tribal nations, and business and industry partners. It means heightening attention to groups of students who bear the burden of an inequitable health and educational system. As we experience a world unfamiliar to us all, we will find innovative ways to support our students and staff.

Limited In-Person Instruction

For EI/ECSE, services can include assessment, specially designed instruction, and related services. Limited In-person Instruction is not synonymous with in-home services. Further guidance on home visiting is forthcoming. Decisions regarding Limited In-Person Instruction are locally determined based on a variety of local factors and individualized considerations for families and children.

Required Health Services

All programs must account for students who have health conditions that require nursing and other health services in each instructional model. Provision of health services to a student may be required per a student's IFSP under IDEA.

Required

- Determine whether a student would benefit from the provision of any service via telehealth. This may require that licensed staff:
 - Conduct additional assessment and evaluation of the student and their learning environment.
 - Update student's individualized health plan or other provider required plan of care.
- Align services via tele-health with applicable licensing board rules.
 - See [provider specific telehealth guidance on the ODE website](#).
- Provide therapy and other related services (registered nurse, occupational therapist, physical therapist, speech language pathologist) when they are determined to be necessary per a student's IFSP in order for the student to access FAPE.
 - In comprehensive distance learning models, this may be accommodated through either [Limited In-Person instruction](#) or provision of in-home services.
 - Specific services required in order to access FAPE may be different given plans for the 2020-21 school year (i.e., some students may require additional services; for some students, some services may no longer be required).
- Align with FERPA and HIPAA privacy requirements.
 - See: [Student Privacy Considerations and Distance Learning for All](#).

Early Intervention/Early Childhood
Special Education

LIMITED IN-PERSON INSTRUCTION

Key Considerations for Engaging in Limited In-person Instruction

FAMILY ENGAGEMENT AND NEED

- Can families engage meaningfully from a distance?
- Are they available to receive services remotely?
- Are there historical systemic barriers to supports or services?

ACCESS TO TECHNOLOGY

- Is the access to broadband limited?
- Can a device be provided for remote learning?
- Are families unable to use phone or other means for communication?

ASSESSMENT

- For eligibility, do certain standardization rules have to be followed?
- Are there certain components of evaluation, such as hearing screenings, that must be done in person?

IMPACT ON PROGRESS

- Has progress been difficult to achieve remotely?
- Are there certain skills that are difficult to teach in the home setting?

Figure 1: Key considerations for engaging in limited in-person instruction

Recommended

- ⇒ See [Resource Toolkit for Students with Complex Needs](#) for more information about serving students with complex needs.
- ⇒ Seek Medicaid reimbursement for allowable health services that are provided both in-person or via telehealth.
 - See ODE [School Medicaid Resource](#) page.

Child Find, Referral, Evaluations and Eligibility

Required

- Review current policies, procedures, and protocols regarding referral and evaluation processes for possible revision.
- Involve impacted stakeholders in the policy review and train all staff regarding any new policies, procedures, or protocols.
- Maintain all intake lines for referrals and respond to parents within 48 hours or as soon as feasible.
- Prioritize evaluations for children transitioning from EI to ECSE, and any evaluations that were delayed or interrupted due to the extended school closure.
- Finalize any eligibility for evaluations completed prior to the school closure.
- Review student performance after initiation of on-site education and services.
- Use the appropriate code if timelines are delayed due to access and closure related to COVID-19 (see the [Child Find Manual](#), pg.14).
 - Districts and ESDs can also continue to use the “GC” code found in EcWeb for EI/ECSE evaluations.
- Prioritize conducting eligibility meetings virtually or over the phone. When in-person meetings are chosen as an option through Limited In-Person Instruction under CDL, address the home languages of families who require translation of printed material or an interpreter for spoken meeting, have limited virtual or phone access, or who require additional accommodations to fully participate.
- Note the State of Emergency circumstances under which the evaluation was completed and note adaptations to typical test administration procedures on the evaluation report.
- Inform members of the Eligibility team where reliability of assessment results may be impacted (e.g., due to administration procedures). (OAR 581-015-2115 Evaluation Planning, OAR 581-015-2100 Responsibility for Eligibility)

Consider the impact of the Extended School Closure and changes in educational environments on student learning and growth. All students likely experienced regression in some manner due to the Extended School Closure. Such regression is not necessarily indicative of a disability that requires special education.

Recommended

- ⇒ Consider the impact of the Extended School Closure and changes in educational environments on child learning and growth. All children and families have likely

experienced regression in some manner due to the Extended School Closure. Such regression is not necessarily indicative of a disability that requires special education.

- ⇒ Develop a plan to initiate and complete evaluations during [Limited In-Person instruction](#) under allowable exceptions or when shifting to on-site instruction.
- ⇒ Consider continuing eligibility for students previously identified with Developmental Delay (DD) through age 9; this will minimize unnecessary evaluations.
- ⇒ Determine if the proposed evaluation can be completed using alternate sources of data, thus minimizing the use of standardized assessments.
- ⇒ Choose a tool that is sensitive to incremental skill growth and use it in conjunction with an intervention plan that is designed to address the student’s social, emotional, or behavioral skill deficit when the use of standardized rating scales is necessary. By administering the assessment before and after targeted interventions, the student’s rate and degree of skill growth can be analyzed and used to inform the evaluation.
- ⇒ Review information to make ECSE eligibility determination (past information, parent interview, file review and virtual assessment) as necessary to complete information in a timely fashion.
- ⇒ Develop policies and procedures for obtaining parental consent via electronic signature. Electronic signatures are allowed by FERPA provided certain conditions are met. For more information see [34 CFR 99.3\(d\)](#) and [34 CFR 300.154](#). The statutes do not make reference to the platform to use to obtain consent; that decision is up to district policy and security protocols.
- ⇒ Hold eligibility meetings using audio or video conferencing. Provide interpreters and translated materials to ensure meaningful parent participation.
- ⇒ Use other codes, such as for “no concerns,” when appropriate.
- ⇒ Files may be closed after 60 days following the last referral when the program has made multiple attempts using various methods (text, email, phone, etc.) to contact the family. Attempt to contact these families after the program reopens.

Resources

- [Part C Evaluation and Assessment Timelines in the COVID-19 Environment](#) (July 6, 2020)
- [Early Childhood Technical Assistance Remote Administration of Assessment Practices](#)
- [Engaging Families as Assessment Partners](#)

Individualized Family Service Plans (IFSP)

Individual Family Service Plans are, by definition, individualized for a family and children specific developmental needs. Due to the unique circumstances of the 2020-21 school year, IFSPs will need to be developed in such a way that makes them resilient to any change in instructional model, ensuring that services continue in spite of change. To do this, IFSP teams need to consider one of three options for development or review of a child’s IFSP.

IFSP Development

OPTION A	OPTION B
<ul style="list-style-type: none"> Option A is recommended if a school district/program anticipates being in one model all year long and/or a family requests year-long comprehensive distance learning. <div style="text-align: center; margin: 10px 0;">  </div>	<ul style="list-style-type: none"> Option B is recommended if a school district/program anticipates switching between models. By following Option B during IFSP development, districts can minimize the need for IFSP meetings due to instructional model changes. Option B should clearly describe the IFSP implementation and plan for all instructional models. This can be done in any of the following sections: <ul style="list-style-type: none"> Present Levels of Information Service Summary Page The goal of Option B is to ensure that parents/guardians clearly understand the services provided across all instructional models.
OPTION C	<p style="font-size: 1.2em; font-weight: bold; color: #0056b3;"><i>Due to the unique circumstances of the 2020-21 school year, IFSPs will need to be developed in such a way that makes them resilient to any change in instructional model, ensuring that services continue in spite of great change.</i></p>
<ul style="list-style-type: none"> Option C is recommended if a school district/program anticipates starting the school year in comprehensive distance learning or anticipates switching between models. Option C minimizes the need for frequent IFSP meetings due to instructional model changes. Option C contains the following elements: <ul style="list-style-type: none"> IFSP services are written with a standard on-site instructional model in mind, and A Comprehensive Distance Learning Plan (CDLP) is constructed with the family and describes the services, instructional methods, contact time, and start and stop dates of the child's services which need to be provided through the comprehensive distance learning model. The CDLP is activated through a Prior Written Notice and deactivated through a Prior Written Notice when the instructional model is changed back to On-site or Hybrid learning. 	



Figure 2: IFSP Development

Required

- Review policies, procedures, and protocols regarding IFSP development.
- Review the current IFSP for each eligible student to determine:
 - If the IFSP is still appropriate for the student’s circumstances and can be implemented in the selected instructional model as written.
 - If progress monitoring tools are appropriate to the goal and valid and reliable given the program’s current and future instructional models.
 - If supplemental services, adaptations and accommodations will be needed in the home or school setting.
- Determine whether there has been regression of learning and/or unfinished learning due to lack of in person instruction or lack of engagement with service providers during the extended school closure.

Checkboxes (☐) indicate requirements; arrows (⇒) indicate recommendations. Bullets denote considerations or potential actions.

- ❑ If the team has determined, upon review of the IFSP, that obligations cannot be met as described, or that revisions need to be made because circumstances have changed, then the team must consider options for amending the IFSP.
- ❑ Note the circumstances under which progress monitoring was completed.
- ❑ Document changes to the IFSP (including the addition of or change with the Comprehensive Learning Plan) using Prior Written Notice and Contact Log.

Recommended

- ⇒ Evaluate the IFSP with an asset-based mindset that extends itself to the assets inherent to each family context, as recommended by the Division of Early Childhood (DEC). Use practices described [in this document](#) for meaningful family participation.
- ⇒ Adjust levels for service coordination if required during Comprehensive Distance Learning.
- ⇒ Determine if anything is needed by the family to make the home or community more accessible during Comprehensive Distance Learning (i.e. providing visual supports for communication and learning new routines, offering augmentative communication devices, adaptive devices for play and other routines, or mobility equipment)
- ⇒ Create practice and support materials for participation in virtual meetings and services for families. These should be provided, as feasible, in the family’s home language.
- ⇒ For some students, reevaluating plans for Extended Year Services (EYS) or Compensatory Education may be warranted.
- ⇒ Develop policies and procedures for obtaining parental consent by electronic signature. Electronic signatures are allowed by FERPA provided certain conditions are met. For more information: [34 CFR 99.3\(d\)](#) and [34 CFR 300.154](#). The statutes do not reference the platform to be used to obtain consent; that decision is up to district policy and security protocols.

Resources

- [Part C Procedural Safeguards in the COVID-19 Environment](#) (June 30, 2020)
- [Part B Procedural Safeguards in the COVID-19 Environment](#) (June 30, 2020)
- [Tips sheets for virtual IEP meetings](#) (appropriate for IFSP development as well)
- [Equitably Serving Children With Disabilities and Their Families During COVID-19](#)

Specially Designed Instruction¹

Overview

Specially Designed Instruction (SDI) focuses on essential learning, individualized goals, and leveraging assessment information and child and family assets to inform differentiation and extensions. SDI-related activities should be aligned to the [Early Learning and Kindergarten Guidelines](#), Assessment, Evaluation, and Programming System for Infants and Children (AEPS®), and individualized goals.

¹ Content in this section was originally released as a part of Oregon’s Extended School Closure Guidance: EI/ECSE Specially Designed Instruction Toolkit.

Required

- IFSP teams must continue to plan for Specially Designed Instruction regardless of the instructional model.
- If writing an IFSP that does not require to be amended with the change in models, IFSP teams can note the SDI plans on the Service Summary Page.
 - **Service Type:** In alignment with the student goals.
 - **Minutes:** Written based on the unique concerns of the student and the goals.
 - **Location:** May have to adjust or amend due to the instructional model (see section on IFSPs).
 - **Provider:** If provider is LEA or ESD, amendment unnecessary. If another provider is listed, the team must review to determine if a change is necessary and/or appropriate.
- SDI cannot be reduced, altered, or modified simply due to a change in instructional models.
- Plan for access to instruction regardless of the model the school is operating.

Recommended

- ⇒ Communicate with families/guardians on SDI in each instructional model. Focus on learning experiences that support student growth towards goals, and learning across daily routines.
- ⇒ Partner with early learning programs that are operating and serving children's families to support learning and development at home.
- ⇒ Review the EI/ECSE Competencies, especially for service delivery, to provide best practice and assess where accommodations may be needed.

Resources

- [Practice Improvement Tools \(DEC Recommended Practices\)](#)
- [Supporting Children and Families During COVID-19](#)
- [Provider and Educator Use of Technology](#)

Related Services under IDEA

When evaluating the Specially Designed Instruction (SDI) for a student in this context, school teams must review and update related services. This review must include, if applicable, medically-licensed service staff (registered nurse, occupational, physical, or speech and language therapists) and incorporate the uniqueness of the student's new learning environment. Related services can be provided in teacher-facilitated or applied learning settings using synchronous and asynchronous methods.

Required

- Consult with related service provider to determine:
 - The need for a new assessment or evaluation to determine service level.
 - The need to update the student plan of care as required by the applicable licensing board.
 - Alignment with applicable licensing board rules. Each licensed provider should use professional discretion to determine whether a child is eligible for services delivered via telehealth.
- Plan and develop related service provision in coordination with parent/guardian/or caregiver and related services providers:

- Timing of when services may take place.
- Availability of in-home supports (parents, caregivers, family members, Personal Service Workers, etc.).
- Limitations and updates to related services per licensing board constraints and discretion of licensee.

Recommended

- ⇒ Provision of related services during CDL may be provided in multiple platforms. Schools should consider the family/guardian and home context when determining how services will be provided.
- ⇒ Recognize that parents/guardians/caregivers are the primary supports in the home learning environment and may benefit from support to fulfill this role well. If specific supports would enable FAPE, consider these as part of the IFSP process.
- ⇒ Consider Limited In-Person instruction under CDL and hybrid instructional options to students who have limited growth or success under distance learning when allowable.

Transportation as a Related Service

Required

- Align with state and local public health requirements related to the COVID-19 pandemic and transportation as per [RSSL guidance](#).

Recommended

- ⇒ Work collaboratively with families to determine their ability to transport their child to and from school. Notify the family in writing of the transportation plan.

Additional Transportation Resources

- [National Association for Pupil Transportation](#)
- [Transportation's Part in Recovery Planning](#)

Progress Monitoring

Progress monitoring is a critical component of IFSP implementation, FAPE delivery, and monitoring effectiveness of instruction. Teams should plan for ongoing monitoring or student progress related to IEP goals regardless of the delivery model of instruction.

Required

- Continue to monitor progress on goals based on services delivered through any instructional model as required under IDEA.
- Provide relevant staff (Community preschool teachers and staff, special education teachers, instructional/related services providers, and instructional assistants) with collaborative time to coordinate methods of delivering SDI--integrating goals and related accommodation into the curriculum--and procedures for collecting data about progress.
- Provide additional training and support to families/guardians on options and supports for gathering feedback regarding progress while in CDL.

- ❑ As much as possible, keep the AEPS updated with the current skills and behaviors of the child in case a move to distance learning makes the observation and assessment of some of the items impossible to measure.

Recommended

- ⇒ Use data to inform activities, assignments, and supports for students.
- ⇒ Provide flexibility in how students demonstrate knowledge through use of augmentative and alternative communication (AAC), pictures or videos from families, work samples or portfolios, manipulating objects, or other forms of expression.
- ⇒ Focus on student strengths, family priorities, and highlight areas to expand interest and engagement.
- ⇒ Find resources for considering data collection during comprehensive distance learning [online](#).

Compensatory Services or Recovery Services

The typical conceptualization of compensatory services is that they are intended to redress some wrong or error on the part of the district; they are typically an imposition through dispute resolution. In this concept, compensatory education is the attempt by a hearing officer or court to restore a child's progress following a district's failure to provide FAPE. In contrast, Compensatory Education Services following the Extended School Closure in spring 2020 and Distance Learning for All are meant to address any possible loss of progress related to the exceptional circumstances due to the pandemic. For the purposes of the 2020-21 school year, given the reality of COVID-19, this document refers to compensatory services as a method for districts to proactively keep children where they would have been educationally but for the disruption caused by the pandemic ([Coronavirus and Schools: "Compensatory Services" in a Post-Pandemic World²](#)).

Compensatory services are not a contractual remedy. They are designed to educate students within the meaning of the IDEA and "[t]here is no obligation to provide day-for-day compensation for time missed" ([Parents of Student W v. Puyallup Sch. Dist. 3³](#)).

Service Provision Considerations

- Did the child regress from previously-attained skill levels targeted in their goals due to COVID-19 related educational realities?
- Did the child fail to progress enough to meet annual goals?
- Did the child or family become so disengaged from the learning process that they require additional programming or supports to re-engage?

² "Coronavirus and Schools: 'Compensatory Services' in a Post-Pandemic World." Sweet, Stevens, Katz, and Williams LLP, 13 Apr. 2020, www.sweetstevens.com/newsroom/coronavirus-and-schools-compensatory-services-in-a-post-pandemic-world.

³ Poole, Cecil F. Parents of Student W v. Puyallup Sch. Dist. 3. 17 Aug. 1994, www.casemine.com/judgement/us/5914bdd7add7b049347a4c2b. Accessed 28 July 2020.

Required

- Meet to review the request when a parent/guardian requests a review of compensatory or recovery services.
- Provide a Prior Written Notice (PWN) to inform parent/guardian of decisions. Parent information and concerns should be considered in determining whether or not compensatory or recovery services are necessary, how much service time is required, and how the services will be delivered.
- Include conversations about compensatory or recovery services during routine IFSP meeting agendas.
- Consider whether a child's learning pathway can be restored through the typical IFSP process, or whether such restoration requires compensatory education, extended year services (EYS), or both.

Recommended

- ⇒ Provide compensatory or recovery education after school, during breaks in the academic calendar, or on weekends.
- ⇒ Provide compensatory or recovery services that do not differ from the services identified in the child's existing IFSP.
 - Note that a child or family who has disengaged from the learning process may require additional services not present on the existing IFSP. Teams should continually evaluate services and instructional options to account for the many learning opportunities families and their children require.

Social and Emotional Behavioral Supports

Providing students and families with social, emotional and behavioral supports will look significantly different throughout the 2020-2021 school year. Behavioral plans, early childhood positive behavior interventions and supports (Pyramid Model or ECPBIS) programming and related IFSP goals and services may be modified to support healthy behavior in the changing environment. [This resource from the National Center for Pyramid Model Innovations](#) may be a useful resource in planning for Pyramid Model implementation for the 2020-21 school year.

Learning will be able to occur when students and families feel physically and psychologically safe within the learning environment. Students experiencing disability are often marginalized and benefit greatly from a strong relationship with caring adults. Emphasis on re-teaching versus punishment is especially important. This is true across environments. Recognizing that even our youngest learners may regress in their academic, emotional, and social behavioral performance, from skills they had been able to demonstrate prior to school closure ([ASCA-NASP, 2020](#)) is critical. [Best Practices for Universal Social, Emotional, and Behavioral Screening](#) addresses the consideration of targeted and intensive supports, as referenced by the current performance of positive and healthy social behavior of a universal reference group.

Required

- Teams must consider the impact of the closure in March 2020 and the ongoing COVID-19 pandemic when assessing need, altering instructional supports, or adding supports to students regarding new or increased challenging behavior.

- ❑ Use tiered instruction and supports that allow students to attend school and engage in instruction in the least restrictive environment (LRE).
- ❑ Plan and adjust protocols for room clears to maintain health and safety requirements, including for virtual classroom environments. Recommendations for responding to challenging situations related to face coverings and significant behaviors are available [online](#).

Resources for [crisis and mental health](#) are available through the National Association of School Psychologists and [Mental Health and Social Support during the COVID-19 crisis](#) on the [Oregon.gov page](#).

Staffing

Alignment with Licensing Boards

Recommended

- ⇒ Each licensing board sets requirements related to the provision of services for both in-person and telehealth delivery.
- ⇒ Each licensed provider must use professional discretion to determine whether a child is eligible for service delivered via telehealth (see [the ODE website](#) for more telehealth resources).
- ⇒ Train and support board licensed providers for the provision of services via telehealth.
- ⇒ Train and support teachers and other instructional staff on:
 - How to use the district online e-learning platform.
 - Online instructional best practices.
 - Online safety, etiquette, and safety.
- ⇒ Consider the role of Instructional Assistants (IAs) in service delivery. IAs may assist certified teachers in the provision of services in the virtual setting in a similar manner to in-person. For example, an appropriately trained IA may facilitate virtual groups provided they maintain close and frequent proximity with certified teachers, the certified teachers participate intermittently in the sessions, and frequent feedback sessions are held between the certified teachers and IAs.
- ⇒ Provide e-learning training and support for parents or caregiver including:
 - Parent or caregiver role in e-learning.
 - How to use the district online e-learning platform and/or other required assistive technology.
 - Formal process to address concerns and/or address challenges.

Children With Disabilities in Private Schools Placed or Referred by Public Agencies

IFSP and IEP teams may place students in approved Private Schools when the private school's program appropriately meets the needs of the student.

Note: This guidance does not apply to parentally placed private school students.

Required - Private Schools

- Application for approval must contain the private school's Operational Blueprint in addition to all other required documentation.
 - Private Schools providing services on behalf of public schools, districts or ESDs to any combination of children aged 3-21 seeking renewal must provide all documentation outlined in the most recent assurance statement/application document as if the private school was applying for its initial approval.
- All documentation must be in electronic format when submitted.
- Instruction must follow:
 - The county where the school is located meets the requirements in [Ready Schools, Safe Learners](#) in Section 0, Community Health Metrics
 - The school is operating under all guidance outlined in [Comprehensive Distance Learning](#).
- Provide continuous services when moving between instructional models (in-person, hybrid, and comprehensive distance learning).

Required - Public Schools and Districts

- Prior to referral for services at a private school for in-person services, schools and districts must confirm the private school's Special Education Approval status with the ODE. Schools and Districts may send an email to the Office of Enhancing Student Opportunities' IDEA Finance Team at ODE.IDEAFinance@state.or.us with the name of the private school and a short message requesting its approval status.
 - This does not apply to referrals into private schools where the services will be provided entirely via CDL.
 - If a private school with a placement wishes to move the child's services to in-person delivery, the private school must follow all requirements outlined in RSSL and this document prior to providing those services in person.
- For any public school with a referral to a private school (or where the district referred the child), the public school's Operational Blueprint must include information about each private school with a child referral including:
 - The name and location of the private school;
 - A reference to the private school's Operational Blueprint and where it may be found; and
 - The contact information for the person representing the private school on the IFSP/IEP team.

Future Updates

This document will continue to be updated based on:

- The continuing impacts of COVID-19 and the state's evolving mitigation efforts as directed by Governor Brown and the Oregon Health Authority.
- Input from educators, students, families and community partners.
- An ongoing review of equity impacts.
- Learnings from efforts being rolled out in other states and countries.

Please see the curated information at the [Special Education COVID-19 Resources](#) pages for additional tools, links, and related documents.

Acronyms and Definitions

Assessment, Evaluation and Programming System for Infants and Young Children (AEPS): An assessment that examines the development of young children in six major areas: fine motor, gross motor, cognitive, adaptive, social-communication, and social. The assessment encompasses pre-academic content areas such as pre-literacy, numeracy, and pre-writing.

American School Counseling Association and the National Association of School Psychologists (ASCA-NASP): Professional organizations that provide professional development, publications, and other resources, research, and advocacy to school counselors and psychologists.

Augmentative and Alternative Communication (AAC): A term used to describe various methods of communication that can help people who are unable to use verbal speech to communicate. AAC methods vary and may be personalized to meet each individual's situation.

Centers for Disease Control and Prevention (CDC): The national public health institute.

Comprehensive Distance Learning (CDL): An instructional model in which instruction occurs remotely with very limited exceptions for in-person support.

Developmental Delay (DD): 1.5 standard deviations or more below the mean in two or more of the following developmental areas for early special education and school-aged special education (ages 3-9), that adversely affects a child's developmental progress when the child is three to kindergarten and the student's educational performance when the student is kindergarten through age nine: cognitive development; physical development; communication development; social or emotional development; and adaptive development.

Department of Human Services (DHS): Oregon's principal agency for helping Oregonians achieve wellbeing and independence.

Education Service District (ESD): ESDs provide county districts with an array of educational programs and services, many of which are too costly or limited in demand for a single location.

Extended Year Services (EYS): Special education and related services that are provided to a child experiencing disability when determined necessary by an IFSP team to maintain skills that were learned during the year.

Family Educational Rights and Privacy Act (FERPA): A federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

Free Appropriate Public Education (FAPE): FAPE is an educational program and related services that are individualized to an eligible student who experiences disability and meets the standards established by the state, provided at public expense and without charge.

Head Start and Oregon Pre-Kindergarten (OPK): Head Start is a federal program that promotes school readiness of young children from low-income families by enhancing their cognitive, social and emotional development. Oregon modeled Oregon Pre-kindergarten (OPK) after Head Start to expand high-quality early learning opportunities for lowest income and highest need preschool children. OPK is free to families from the period of prenatal to five years old and not yet eligible for kindergarten, and who meet income or other eligibility qualifications.

Hybrid Learning: An instructional model that engages student groups through access to in-person instruction using staggered schedules and/or programs, in accordance with public health requirements.

Individuals with Disabilities Education Act (IDEA): A law that makes available a free appropriate public education to eligible children with disabilities throughout the nation and ensures special education and related services to those children.

Individualized Family Service Plan (IFSP): A written plan of early childhood special education, related services, early intervention services, and other services developed in accordance with criteria established by the State Board of Education for each child eligible for services under this chapter.

Instructional Assistant (IA): A classified school employee who does not require a license to teach, who is employed by a school district or education service district and whose assignment consists of and is limited to assisting a licensed teacher in accordance with rules established by the Teacher Standards and Practices Commission. (ORS 342.120)

Least Restrictive Environment (LRE): IDEA says that children who receive special education should learn in the least restrictive environment. This means they should spend as much time as possible with peers who do not receive special education.

LGBTQ2SIA+: An acronym for Lesbian, Gay, Bisexual, Transgender, Questioning/Queer, 2 Spirited, Intersex, Asexual, Plus other non-heterosexual orientations or non-binary genders.

Limited In-Person Instruction: Instruction provided in a public space, typically a school, when the school is operating under a Comprehensive Distance Learning model. There are required health metrics that must be met prior to providing any limited in-person instruction.

Local Education Agency (LEA): Entity with responsibility for local supervision of the public school system.

On-Site Instruction: An instructional model that engages students and staff in learning through in-person instruction in their traditional classrooms with additional health and safety requirements.

Preschool Promise: Preschool Promise is a model for a publicly-funded, high-quality preschool system. Preschool Promise leverages high-quality, local and culturally-relevant early child care and education programs and makes them available to children living at 200% of the poverty level. By incorporating a mixed delivery approach which recognizes that high quality early

learning experiences can take place in a wide variety of settings, Preschool Promise provides opportunities for families to access and choose the preschool setting which best meets their needs.

Short-Term Distance Learning: A four-week instructional response to an outbreak of COVID-19 that provides the planning window for schools or districts to respond and determine if they must shift to CDL or can return to their prior instructional model.

Specially Designed Instruction (SDI): Instruction that is provided at no cost to the parent to meet the challenges of a child who experiences disability.

State Education Agency (SEA): Public entity with primary responsibility for the state supervision of the public school system.