



# Illinois State Board of Education

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## Frequently Asked Questions for Parents of Students with Disabilities Regarding School Year 2020-21

**Last Updated: Aug. 14, 2020**

The Illinois State Board of Education (ISBE) is committed to providing parents and guardians of students with disabilities with the information necessary to prepare for the 2020-21 school year. ISBE has been working in conjunction with the Illinois Department of Public Health (IDPH) to provide guidance that ensures that the safety and health of students and adults are of the highest priority. It is important to keep in mind that any plan that local school districts or other serving entities make regarding the 2020-21 school year is also based on keeping everyone safe.

Each school community is unique and will decide the format of instruction most appropriate based on what is occurring in the community, the data available, and collaboration with their local health department. Schools may implement in-person learning where a teacher and student are in the same physical space, remote learning where students and teachers are physically separated, and or blended learning where learning is both in person and remote. School districts must provide remote learning services to any student upon request by their parent or guardian.

The successful transition to the new school year for students with disabilities will be best accomplished by strong, ongoing collaboration and communication between families and schools. This document is intended to provide parents and guardians of children with disabilities with answers to common questions that they may have, along with some additional resources, as they prepare for the new school year.

### **Instruction**

#### **1. How can parents prepare their children with disabilities for returning to in-person instruction? (Updated 8/14/2020)**

Parents will be in the best position to prepare their child if they are prepared themselves. It is important for parents to read all information on the plan their child's school has formulated, in addition to consulting with the district or serving entity about what the individual plan is for their child with a disability. Every child with a disability may react differently to the school plans for the student to return to in-person instruction. Parents can help prepare their children by sharing as much information as possible about:

- 1) Environmental changes their child may see in the school, such as
  - A) Classrooms being set up differently with students seated farther apart; or
  - B) Hallways having different markings to show students where to stand and which way to walk.
- 2) Instructional changes their child may see, such as

- A) Teachers using different technology or methods or services; or
  - B) Related service providers coming to the classroom rather than the student going to their office.
- 3) Teacher and student behavior changes they may see, such as
- A) Adults and students wearing face coverings; and
  - B) Standing further apart or away when talking to them.

A school that has photos or videos available can share them with parents/children so they can see what these changes will look like. Additional visual preparation for students, such as a virtual or in-person walk-through in advance of any in-person instruction, may be considered, if such options are available and agreed upon between the school and parent. A parent who takes their child on community outings, such as to the grocery store, can point out examples in the community where similar changes are already in place.

**2. How can parents prepare their children with disabilities for blended and or remote learning? (Updated 8/14/2020)**

Some schools may continue remote learning or may have a blended model of in-person and remote learning. Parents can prepare students by sharing as much information as possible about any changes they are aware of that the school is making with regard to remote learning when compared to what it did in the spring semester. Parents may want to keep a calendar or visual schedule if their child is attending a school that is implementing blended learning to identify which days their child will go to school and which days they will be at home. This will also inform them about how learning will occur and who will provide it. Parents are encouraged to contact their child's school for any available resources to familiarize and orient them to any virtual platform(s) to be utilized during blended and/or remote learning. Parents may also wish to access local parent support groups or parent information centers for additional ideas. There are some resources for parents on ways to assist their children during remote instruction at the end of this document.

**3. What steps should parents take if they have questions regarding the district or other serving entity's plan for the return to school of their child with a disability? (Updated 8/14/2020)**

Parents should make every attempt to handle concerns at the local level, including communications with the child's special education teacher or service provider; building administrators, such as a principal or assistant principal; or a special education administrator or director of special education. All schools are required to post their remote or blended learning plans to their website per Public Act 101-0643; however, parents of children with disabilities are encouraged to have conversations with their school administrators about what the plan is for their child and develop plans that consider the child's individual circumstances. If consulting with personnel is not successful, the parent may request an Individual Education Program (IEP) or 504 Plan meeting to discuss concerns regarding the plan for the return to school. The IEP team may consider alternative options, such as continuing the implementation of remote learning, blended learning of both remote and in-person instruction, or other appropriate service delivery and placement options in the student's least restrictive environment, if such options are available. Above all, parents retain all procedural and substantive rights under state and federal law.

**4. What can a parent do if he/she has questions regarding the appropriateness of remote learning or blended learning for their child? (Updated 8/14/2020)**

If a parent has concerns regarding a district's or other serving entity's plan that requires remote learning or blended learning, then the parent should follow the same procedures as listed in Question 3 and handle concerns at the local level. It is likely that districts and serving entities have made changes to their methods of remote learning since the spring; parents and schools should discuss any changes. Parents may find that the school has made changes that will make remote learning more appropriate than was previously offered or provided. An IEP meeting may also be scheduled to discuss the appropriate supports the student may need during remote learning. Parents and schools should also set up times and methods to regularly communicate regarding remote learning and discuss any necessary changes needed in the content or methods of the instruction.

If the district or serving entity is offering in-person instruction for other students, then a parent can also request an IEP meeting to discuss the appropriate services for their child, since the same educational opportunities should be offered to students with disabilities as their non-disabled peers. As stated previously, parents retain all procedural and substantive rights under state and federal law.

**5. What can a parent do if he/she is unable to support their child with a disability during remote learning? (Updated 8/14/2020)**

Parents should reach out to the child's school if there are concerns regarding the ability to support remote learning. Special education teachers or IEP teams can discuss ways to support the child and parent. Schools can provide training to parents; make recommendations for supports, such as assistive technology to access remote learning; and revise other accommodations and supports contained in the IEP. Parents can communicate such information to other caregivers who will be assisting the student when the parents are unavailable.

Parents of students with disabilities who communicate in a language other than English are encouraged to contact their child's school to learn about resources that are available to minimize language barriers and ensure ongoing communication is received in their home language as well as English.

**6. What can a parent do if he/she has questions regarding any skill regression that may have occurred during the spring semester or summer? (Updated 8/14/2020)**

Collaboration and feedback from parents with their child's school is encouraged as it is beneficial for reflection and future planning. If needed, a parent can request an IEP or 504 meeting to discuss any concerns regarding possible regression during the spring semester. An IEP team may discuss several options for students with IEPs, such as whether services or supports might need to be increased or added, if goals might need to be adjusted, or if the student may require extended school year services. Any available assessment data should be considered when making IEP decisions regarding regression.

Per [\*FAQ for Special Education on the Transition to In-Person Instruction\*](#) dated June 30, 2020, Question 14, *"If child is not making expected progress toward his or her annual goals, the IEP team must revise, as appropriate, the IEP to address the lack of progress. The public agency is responsible for determining when it is necessary to conduct an IEP team meeting, but the parents of a child with a disability have the right to request an IEP team meeting at any time. If a child is not making progress at the level the IEP team expected, despite receiving all the services and supports identified in the IEP, the IEP team must meet to review and revise the IEP, if necessary, to ensure the child is receiving appropriate interventions, special*

*education and related services, and supplementary aids and services. It also must ensure the IEP's goals are individualized and ambitious. The U.S. Department of Education clarified this aspect of student progress in its December 7, 2017 Q&A (United States Department of Education, 2017, p. 8). When reviewing IEPs, IEP teams might consider if changes are needed to the methodology, content, or delivery of instruction to allow the student to receive the necessary specialized instruction to address the impact of any lack of progress documented during remote learning. Additionally, IEP teams may consider changes in minutes, service delivery, or educational placement to meet the unique needs of the student."*

**7. What can a parent do if he/she has questions about the district or other serving entity not providing a free and appropriate public education (FAPE) during the pandemic for their child with a disability who has an IEP? (Updated 8/14/2020)**

Districts are required to provide FAPE to students with disabilities eligible for special education services regardless if the plan for return to school is in person, blended, or remote. A parent who has concerns that the district is not providing FAPE, including provision of related services or 1:1 support, is encouraged to first address the concerns at the local level by contacting the child's special education teacher, building administrators, or the district's special education administrator or director of special education. The parent may also request an IEP meeting to discuss their concerns. If the issue is not resolved at the local level, the parent is encouraged to access additionally available resources, such as the Parent Training and Information Center for their region, which they can identify at the end of this document. If this issue remains unresolved following these steps, the parent of a student eligible for special education services may choose to pursue any right under state or federal law, which may include one of the following dispute resolution options: 1) request an IEP facilitation, 2) file a written state complaint, 3) request a mediation, or 4) request a due process hearing. Information regarding each of these options is described on the ISBE website at <https://www.isbe.net/Pages/Special-Education-Effective-Dispute-Resolution.aspx>.

Compensatory education may be a legal remedy when FAPE has been denied by a school district, typically because the IEP was not appropriate or was not implemented due to action on the part of the school district. Generally speaking, it is not appropriate to use this term in connection with COVID-19-related changes to programming that were outside of the school district's control. Compensatory education may be appropriate, however, if 1) the school district did not make good faith, reasonable effort to provide FAPE during the school closure to the greatest extent possible, and/or 2) the school district does not make good faith, reasonable efforts to appropriately address educational impact and provide FAPE when in-person learning resumes and COVID-19-related restrictions are no longer in place. If there is an instance where a district or other serving entity has denied access to FAPE, compensatory education may be an appropriate remedy under the Individuals with Disabilities Education Act. As outlined in the June 30, 2020, [FAQ for Special Education on the Transition to In-Person Instruction](#) Question 4, "*Compensatory education is designed to be an equitable remedy, and as such, there is no obligation to provide day-for-day or minute-for-minute compensation of missed education. Compensatory educational services should be determined on a qualitative basis, by looking at the totality of the circumstances for each student and determining the amount of service needed to remedy the educational deficits resulting from a failure to provide FAPE. In making individualized determination as to whether a student is owed compensatory education, IEP teams should also consider services provided during remote learning and the ability of the student to access any services during remote learning. Compensatory education services are an equitable remedy, so parental input is important and parent information and concerns should be considered in determining if compensatory education services are owed, the amount of services needed, and how the services will be delivered. Due to the nature of the COVID-19 pandemic and the resulting unprecedented circumstances of*

*interruption to the typical operation of district and other serving entities, this guidance on compensatory education services cannot provide an answer to every circumstance.”*

## **Safety and Health**

### **8. How can parents prepare students with disabilities for wearing face coverings? (Updated 8/14/2020)**

The use of appropriate personal protective equipment (PPE), including face coverings, by all students and staff is one of five public health requirements for schools if they start the 2020-21 school year with in-person instruction during Phase 4 of the Restore Illinois plan. Students must wear an appropriate face covering unless a student has a qualifying exemption, such as being 2 years old or younger or having a medical contraindication.

As a result, parents are encouraged to prepare their child for the wearing of face coverings by the child and others in the educational environment through modeling, role-play activities, verbal and visual prompts and cues, videos, community outings, picture task schedules, social narratives, discussion, and other appropriate means. A few sample resources for social narratives are included at the end of this document.

### **9. What should a parent do if he/she is concerned that their child cannot wear a face covering because of a medical contraindication? (Updated 8/14/2020)**

The school and IEP or 504 team may already have information in IEP or 504 documents or the student's health file regarding a medical contraindication. A parent who is concerned that their child cannot wear a face covering due to medical contraindication is encouraged to collaborate with their student's medical provider(s) and IEP or 504 team in order to provide information and documentation regarding the student's circumstance to establish that there is a medical contraindication to the use of a face covering.

Students with an IEP or 504 Plan who are unable to wear a face covering or face shield due to a medical contraindication may not be denied access to in-person learning if their school is offering in-person learning to other students. In such a situation, the staff working with the student who is unable to wear a face covering or face shield due to a medical contraindication will wear approved and appropriate PPE based on job-specific duties and risk and practice social distancing, as much as possible. Other students will also remain socially distant from students who are unable to wear a face covering or shield due to a medical contraindication.

### **10. What can a parent of a child with a disability do if they have concerns regarding their child's mental health as a result of the pandemic's impact? (Updated 8/14/2020)**

The COVID-19 pandemic, including past and potential future adjustment of formats of instruction that in-person, remote, and or blended will require, affects each child differently. Each child may have additional and or varied needs, including mental health specific needs, during this time that require attention and support.

Depending on the needs of the child, parents are encouraged to consider, as appropriate:

- Establishing daily routines that coincide with family and home schedules to help the child maintain a sense of psychological safety.

- Introducing mindfulness, deep-breathing, yoga, or other calming exercises to help reduce anxiety or worry.
- Accessing available school and community mental health resources and supports.
- Accessing available parent support groups.
- Supporting social-emotional topics through discussion, pictures and videos, modeling, social narratives, and other appropriate methods.
- Preparing students in advance of anticipated changes.
- Discussing and reviewing their child’s presenting needs with their child’s IEP or 504 Plan team.
- Discussing and reviewing their child’s presenting needs with their child’s medical provider(s).

Parents may access free resources including, but not limited to:

- IDPH: Call for Calm -- A free emotional support text line through texting “TALK” to 552020 or “HABLAR” for service in Spanish
- National Suicide Prevention Lifeline -- A free and confidential support for individuals in crisis 24 hours a day seven days a week at 1-800-273-8255 (TALK)
- Crisis Text Line -- A free and confidential support for individuals in crisis 24 hours a day seven days a week through texting “HOME” to 741741
- National Helpline Substance Abuse and Mental Health Services Administration -- A free and confidential treatment referral and information service available 24 hours a day seven days a week at 1-800-622-4357 (HELP)
- National Runaway Safeline -- A 24-hour, seven-day-a-week national Safeline for youth at risk of, or who have, run away at 1-800-786-2929 (RUNAWAY)
- Screening, Assessment, and Support Service (SASS) -- A statewide crisis program through the Crisis and Referral Entry Services (CARES) line at 1-800-345-9049

Additional resources to meet social and emotional needs are available at <https://www.isbe.net/mentalhealth>.

**11. What can a parent of a child with a disability do if he/she has concerns regarding the impact of return to in-person instruction on the health condition of their student? (Updated 8/14/2020)**

A parent of a child with a disability who has concerns regarding the impact of return to in-person instruction on the health condition of their student is encouraged to submit information and documentation regarding the student’s circumstance to the child’s school and IEP or 504 Plan team. A parent may request an IEP meeting to review the student’s IEP and health care plan and determine any potentially harmful effects that may result from potential risk of exposure to COVID-19 as in-person instruction resumes. IEP teams may consider how to address any risk to the child, including consideration of options, such as continuing the implementation of remote learning, a blended schedule, or other appropriate service delivery and placement options, in the student's least restrictive environment.

ISBE strongly encourages prioritizing in-person learning for students with IEPs, but the agency respects and supports each caregiver in determining what is best for each student. Parents should discuss any plan for the request of full-time remote instruction due to pre-existing health conditions or living with individuals with pre-existing health conditions that deem them high risk for COVID-19-related complications with their child’s serving school team and medical provider(s).

Parents are encouraged to reference the IDPH and ISBE transition joint guidance document titled [Starting the 2020-21 School Year](#) and the [FAQ for Special Education on the Transition to In-Person Instruction](#) document for additional guidance regarding current health and safety protocols.

## **Meetings and Evaluations**

### **12. Can parents participate in IEP and other special education-related meetings virtually or must they attend meetings in person? (Updated 8/14/2020)**

IEP meetings and other special education meetings can occur in person, by virtual means using video conferencing software (e.g., Zoom, GoToMeeting, etc.), or by telephone. The manner chosen must provide the parent the opportunity to participate in the meeting in a meaningful way (e.g., give the parent opportunities to ask questions and provide input into decision-making), especially in cases where the parent or other IEP team member has a health condition that creates a serious risk with possible exposure to COVID-19. The use of telephone or video participation at IEP meetings may be a necessity even in a district where full-time, in-person instruction is occurring.

### **13. Will school districts and serving entities hold IEP meetings to discuss a child's services because of the district's return-to-school plan? (Updated 8/14/2020)**

If the district's return-to-school plan might result in a change to the services, goals, benchmarks, or modifications and accommodations to a child's IEP, the district may need to convene an IEP meeting as soon as possible with the parent to discuss the plan; its impact on the IEP; and what, if any, changes will be needed to the IEP. Any changes to the IEP should, to the maximum extent possible, continue to provide the child with FAPE.

### **14. Can a parent request an IEP meeting to discuss concerns regarding their child's educational plan? (Updated 8/14/2020)**

Yes. In accordance with the Illinois Administrative Code at 23 IAC 226.220(b), either a child's educational provider or a child's parent may request an IEP meeting at any time. Within 10 days after receipt of a request, the district or other serving entity shall either agree or notify the parent in writing of its refusal, including an explanation of the reason no meeting is necessary to ensure the provision of FAPE for the child.

### **15. What can a parent do if he/she wants a child's evaluation to be conducted in person, but the district wants the evaluation to be completed virtually, or vice versa? (Updated 8/14/2020)**

In an effort to resolve the disagreement, a parent may want to request a meeting (virtually or in person) with a member or members of the evaluation team to discuss their concerns and reasons for wanting the evaluation done in a particular way. If agreement can be reached, the parent should be prepared to sign the consent for the evaluation as soon as possible after the meeting.

If no agreement can be reached after the discussions, the parent may wish to ask the district or serving entity to participate in a state-sponsored mediation to see if the disagreement can be resolved with the help of a mediator. The parent should be prepared to give written consent for the evaluation as soon as possible following an agreement resolving how the evaluation should proceed.

## Additional Questions

For additional questions not addressed within this document, parents may:

- Contact the Illinois State Board of Education at [COVID19@isbe.net](mailto:COVID19@isbe.net).
- Contact their region's Parent Training and Information Center.

**Region 1 Parent Resource Center on Disabilities** – Serves Chicago, Cook, DuPage, Grundy, Kane, Kendall, Lake, McHenry, and Will counties. Phone (312) 939-3513 or (800) 952-4199 IL only. Also available TTY and TDY at (312) 939-3519. Email: [info@fred.org](mailto:info@fred.org)

**Region 2 Family Matters Parent Training and Information Center** – Serves counties not in Region 1, including counties in central and southern Illinois. Phone (217) 347-5428 or (866) 436-7842. Email: [deinhorn@fmptix.org](mailto:deinhorn@fmptix.org)

## Resource Links

### Office of Special Education Programs

Continuity of Learning During COVID-19

<https://osepideasthatwork.org/continuity-learning-during-covid-19>

### **ISBE Remote Learning FAQ and COVID-19 Resource Document**

<https://www.isbe.net/Documents/ISBE-Remote-Learning-FAQ-for-Families-20200514.pdf>

<https://www.isbe.net/Documents/ISBE-Remote-Learning-FAQ-for-Families-Spanish-20200514.pdf>

<https://www.isbe.net/Documents/COVID-19-Flyer.pdf>

<https://www.isbe.net/Documents/COVID-19-Flyer-SP.pdf>

<https://www.isbe.net/Pages/Special-Education-Programs.aspx>

<https://www.isbe.net/Pages/ContinueEDResources.aspx>

### **The IRIS Center and the CEEDAR Center**

IRIS: What If My Child Has a Disability?

<https://iris.peabody.vanderbilt.edu/module/c19/cresource/q1/p07/#content>

Parents: Supporting Learning During the COVID-19 Pandemic

<https://iris.peabody.vanderbilt.edu/module/c19/cresource/#content>

One-page Guide to At-home Learning

<https://cedar.education.ufl.edu/family-guide-to-at-home-learning/>

## **The Family Resource Center on Disabilities and Family Matters Parent Training and Information Centers**

COVID-19 Information and Resource Page

<https://frcd.org/frcd-covid-19-information-page-frcd-is-here-to-help/>

Remote Learning Resources Disability-Specific

<https://frcd.org/remote-learning-resources/>

Education and Parenting During COVID-19

<https://www.fmptic.org/node/4453>

## **The Parent Center Hub**

Virtual IEP Meeting Tip Sheets:

[https://www.parentcenterhub.org/wp-content/uploads/repo\\_items/virtual-iep-meeting-tipsheets.pdf](https://www.parentcenterhub.org/wp-content/uploads/repo_items/virtual-iep-meeting-tipsheets.pdf)

[https://www.parentcenterhub.org/wp-content/uploads/repo\\_items/infographic-virtual-meetings.pdf](https://www.parentcenterhub.org/wp-content/uploads/repo_items/infographic-virtual-meetings.pdf)

[https://www.parentcenterhub.org/wp-content/uploads/repo\\_items/sp-sample-agenda.pdf](https://www.parentcenterhub.org/wp-content/uploads/repo_items/sp-sample-agenda.pdf)

## **Resources for Social Narratives**

<https://www.autism-society.org/covid-19/>

<https://www.autism-society.org/covid-modifying-routines/>

<https://static1.squarespace.com/static/5ec811b5e52c012ce2467fcc/t/5ed02972aa179d0d0a213d11/1590700585844/Wearing+Masks+Social+Story+-+Autism+Society.pdf>

[Parent Resource Center on Disabilities](#) – Serves Chicago – Cook, DuPage, Grundy, Kane, Kendall, Lake, McHenry, and Will counties. Remote Learning Resources: <https://frcd.org/covid-19-resource-page/>