



## **Special Education - Frequently Asked Questions**

*This document summarizes questions from the school districts to date and will be updated as necessary. Questions are listed in the order in which they were received. Additional questions can be sent to the Alaska Department of Education and Early Development, Special Education team, who may be reached at (907) 465-2972 or by email at [sped@alaska.gov](mailto:sped@alaska.gov). This summary does not constitute legal advice. At the present time there are no exceptions to the IDEA requirements from the US Department of Education. Districts will be immediately informed of any changes to this as the department is notified.*

**1. Can IEP meetings be conducted by Phone?**

Yes – and by other teleconference methods.

**2. What sort of services must be provided during the current school closure? (UPDATED 3/31/20)**

During a school closure, accommodations must be made for the delivery of services to all students, including students receiving special education services. These service plans will be very different from student to student, despite limitations of the resources necessary to carry out services.

**3. Can students be assessed for disabilities by video?**

Yes – many districts have done this in the past. It is important to point out that a student may not require new assessments to continue in special education. Initial evaluations would be the priority to focus resources.

**4. When school returns, can small groups be taught at school if the students are screened?**

Not at this time. Please refer to the DHSS Health Mandates at:

<https://gov.alaska.gov/home/covid19-healthmandates/>

**5. How does Compensatory Education plans work?**

A Compensatory Education plan is a plan to provide a student services that are not available at the time and must be “made up” to the student. These plans should be individualized to the student and the specific situation. A “Blanket” plan is not acceptable.

**6. Will there be official state guidance? (UPDATED 3/20/20)**

A special education guidance document has been prepared for the districts and sent to superintendents and special education directors/coordinators.

Please review the most current information for Alaska education is on the following sites (UPDATED 3/26/20):

<https://www.AKlearns.org>

<https://education.alaska.gov/safeschools/infectiousdisease>

**7. What will happen with the Alternate assessment window? (UPDATED 3/29/20)**

The state has cancelled state assessments.

**8. Since some Head Starts are now shut down do districts need to continue serving these students and develop a distance delivery model for each of them?**

Please contact the department for clarification for your local situation. Head Starts have different operational rules and difference relationships with local school districts from one location to the next. The department can assist with this communication.

**9. When does the services at home situation potentially require a change of placement?**

The educational environment shifting to another location does not necessarily constitute a change of placement as the services are intended to be the same in a different location. This answer must be individualized to the student’s situation and services. Do not use a “blanket” solution.



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- 10. How do districts continue providing itinerant special education services and testing for IEPs?**  
When possible, teleservices are strongly encouraged. Other answers are unique to district resources and service provider solutions available.
- 11. Can districts have students with IEPs come into the school on a one-to-one basis to receive direct services from our teachers and paraprofessionals?**  
Please refer to the DHSS Health Mandates posted at:  
<http://dhss.alaska.gov/dph/Epi/id/Pages/COVID-19/default.aspx>
- 12. Do I need to continue to have IEP/ESER meetings? If so, how?**  
If they are due, Yes. Meetings should be held via telephone, Skype, Zoom, etc.
- 13. What do I write on the signature line for parents who do not attend in person?**  
"Parents attended via telephone" is sufficient (or by whatever means were used).
- 14. A. Should parents be required to attend meetings in person?**  
No, parents should not be attending meetings in person at this time. Please review the DHSS Health Mandates posted at: <http://dhss.alaska.gov/dph/Epi/id/Pages/COVID-19/default.aspx>  
**B. What about itinerant related service providers? Should they attend IEP meetings in person?**  
No. When attendance is required, attendance electronically is recommended. See above referenced Health Mandates link from DHSS.
- 15. Should school based special education referrals move forward?**  
If pre-referral interventions warrant moving forward, districts should do this, however, if classroom observations are necessary, this may require a temporary hold until classroom issues are resolved sufficiently for the information to be valid.
- 16. Do districts amend IEP's because students are missing so much school?**  
No, IEP's should reflect that school services are being provided or amended to reflect the individualized situation that applies.
- 17. Will the 90 day evaluation/IEP completion timeline be extended?**  
There is no provision for an extension to the 90-day timeline, however, open communication with parents of individual issues and challenges is important. It is imperative to continue to maintain parental involvement in decisions.
- 18. How do I provide special education instruction to kids when they are not at school?**  
Focus on looking at student IEP goals and objectives, and activities that would help students meet these goals. There will be a variety of solutions for different districts ranging from low/no tech to virtual classrooms with individualized one to one support A resource is available at <https://www.AKLearns.org> Also, please remember that parent communication about what's best for the individual situation is recommended.
- 19. Who do I call if I have a special education related question?**  
The district special education director/coordinator (first) and the state special education team at 907 465-2972 (office) or 907 957-1346 (mobile)
- 20. If a district has a scheduled Child Find activity for the Community should they move forward?**  
Districts are still expected to maintain new referrals to special education, however; please keep in mind that assessments should only be considered after prereferral interventions have been attempted (where applicable). Child Find does not have a specific required time frame. Districts may adjust this date at their discretion.



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**21. Should students already receiving teletherapy be reduced to allow for increased teletherapy services?**

All special education services that can be maintained should be pursued to the best of the district's ability. Typically, existing remote services should remain the same with additional service providers added as necessary. Changes to actual IEP services still require an IEP amendment or IEP meeting to allow for a team decision including parental input.

**22. Are Complaints/ Due Process and Mediations allowed during this national pandemic?**

Yes. These processes are federal law requirements, however; these activities should be conducted telephonically or through video conferencing or by mail or fax when internet is not available.

**23. Can districts change their federal grant budget to address distance learning and technology needs?**

Yes - These are subject to district approval processes but will be expedited by the department.

**24. Are there resources or plans for providing services, specifically Related Services?**

The department has prepared a sample listing of information and resources for "High to Low tech" solutions that will be forwarded as soon as the information is approved by the department (within 24 hours).

**25. What is the first steps special education teachers should do to get services to students?**

District special education directors will have processes that may vary from one district to another, but as a minimum, special education teachers should review student services identified in the IEP and prepare for solutions to service provisions and consider possible compensatory education plans.

**26. What is happening with the Alternate Assessments? (UPDATED 3/23/20)**

Alaska has been approved for the Assessments Waiver. Details of related issues will be forthcoming from the Department's assessments team.

**27. Will employees being paid from VI-B funds continue to be paid?**

Yes. There is likely more work for these personnel to do under the current circumstances, especially paraprofessionals. If districts have difficulty designing a program in which paraprofessionals or other staff, please call the department and we can share ideas.

**28. Should districts plan to conduct ESY at this time?**

Yes. Normal planning for Extended School Year needs should continue. For clarity, ESY is not (necessarily the same as a time frame that may be dedicated for Compensatory Education plans. Please call if you have any additional questions concerning this issue. Individual situations can vary.

**29. What will the state be doing to help with compensatory education supports?**

At this time, any decisions for Compensatory Education are district level and there is no current plan for supports above those currently in place (Intensive Funds, state/federal budgets).

**30. Most of our speech sessions already delivered teletherapy are in small groups (2-3 students). Do we need to switch those to one on one services?**

According to Health Mandates, social distancing and isolation are required. The district may still have the capacity to conduct group teletherapy in a teleconference setting. This is a district capability and individualized student IEP decision. Please refer to the DHSS Health Mandates at: <http://dhss.alaska.gov/dph/Epi/id/Pages/COVID-19/default.aspx>



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**31. What is happening with the Alternate Assessments?**

Alaska has been approved for the Assessments Waiver. All state assessments are cancelled.

**32. Our district is advocating teachers provide a limited amount of schoolwork / instruction per day. It is a reduction of services from the normal school day. Would it be acceptable to reduce the special education services, academic and related services by a similar proportionate amount?**

As a result of the change in delivery method overall, there may be an inevitable reduction of services statewide, however, student IEPs must be based on the student's needs and not district preference. Some IEPs may need to be amended to reduce services to what is necessary to provide FAPE.

**33. Students in a virtual classroom run the risk of confidentiality issues. Can districts use virtual classrooms for students on an IEP?**

Yes, but virtual classrooms should not be identified as special education groups, nor should any student(s) be identified as special education students in the course of the instruction.

**34. Are parents still required to have a copy of the IEP at the end of the meeting?**

A draft IEP could be sent prior to the meeting with a finished one sent after the meeting via mail or by Email (with the parent's consent). Other methods are also possible – just be sure the parents are informed.

**35. Do we have guidance on how to handle getting consent for initial placement and signatures on ESER's?**

During this period, a consent for evaluation may be signed to state that the party acknowledges consent. Include the date and who obtained the consent (Staff). This is slightly more formal than the IEP, as the IEP signature simply addresses those in attendance and provided the opportunity to participate. Once the current situation lessens, this practice will be revisited.

**36. Are we foregoing vision and hearing screenings before proceeding with evals or are we still doing them?**

This is going to be researched, but as a minimum, verbal inquiries with the parent concerning direct observations should be conducted

**37. As we have completed surveys on whether students have internet in their homes, there are a number without both phones and internet. Do you have any advice on how to provide service?**

Packet work with telephonic support is recommended for homes without internet. As a minimum, packet work with individualized guidance can be distributed on an ongoing basis. If there is no way to provide services at all, a compensatory education plan should be considered.

**38. Do districts amend IEPs or not?**

This is an individualized situation from student to student. As a rule, if the student's services do not reflect the actual services, an IEP meeting or an amendment to the IEP is in order.

**39. Amending services times district-wide is being considered for all student, including students with disabilities. What are the considerations in going this?**

IDEA requires reductions in services to be student centered and based on the needs of the student, having said that, it is possible that requiring a longer school day for students in special education programs could technically be a civil rights issue. This subject is pending a response from the federal Office of Special Education Programs (OSEP).



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- 40. The special education guidance of 3/29/2020 states that concerning incomplete ESERs, districts are to assume eligibility and provide services. Is this a blanket policy or do we still look at things case by case based on available information?**

This is a case by case basis situation. If there is sufficient evidence supporting the student does not qualify for services, that should be acknowledged. However, if insufficient information exists and cannot be collected or obtained, the guidance is when necessary, err on the side of serving the student.

- 41. Many programs are being given extra time, extensions on deadlines, and reductions in reporting requirements. What is the special education stance on this?**

At this time there *has* been communication from the Office of Special Education Programs (OSEP) that there are currently no changes to reporting requirements or deadlines. That is to say that the state reporting requirements and workload has not been reduced. Our special education team is doing everything possible to assist districts with requirements.

- 42. Our District is considering moving services to virtual on-line learning. Will the IEP need to be amended to reflect this?**

During this period, once school districts begin serving their general population of students such as through distance learning (low or high tech), students with disabilities need school districts to develop an interim plan (as part of the IEP) that can be implemented until the district returns to a brick and mortar school. The plan will not be perfect, but it should be tailored to the individual needs and circumstances of the student and family. The plan will need to be adopted either through an amendment to the IEP without a meeting if the parent agrees, or by IEP team meeting (telephonic or other alternate means). If done as an amendment to the IEP without a meeting, the parent must agree to forgo the meeting and agree to the plan. The changes will need to be memorialized in a Prior Written Notice. It will be important to emphasize that this is a temporary/interim plan during the period of school closure.

- 43. How do districts track student services with virtual services?**

Districts are expected to track progress of the student's IEP goals as they are identified in the IEP. If the tracking method (data, work samples, observation..) or the frequency (daily, weekly, monthly..) change, be sure to amend the IEP to reflect this as needed.

- 44. How does the changes in instructional practices affect IDEA Special Education services?**

The IDEA does not currently have provisions for waiving any requirements. IEP amendments may be necessary when services are altered significantly. Parental communication is essential during this time. Districts are expected to modify the method of delivery, to the best of their ability, in the unique situations they face from student to student. FAPE is still a requirement, albeit provisions may look different during this time. Services that simply cannot proceed in a virtual format, such as physical therapy, may require a compensatory education plan to make up the services once the crisis has lessened. Districts with unique problems should contact the department's special education team.

- 45. Will a generalized log suffice for proof of ongoing education services in special education?**

The method of determining student progress is addressed in the IEP on the goals and objectives page(s). It varies significantly from objective to objective and different for every student. The frequency in which data is collected that what that data is individualized. If observation daily is the method used and the student does not have internet in the home, districts should consider



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amending that method. As for maintaining a master consolidated log of special education activities, this is not something a compliance monitoring team will be reviewing.

*The 1:30 webinar link is:*

<https://stateofalaska.webex.com/meet/colleen.shivers>

*Join by phone at 1-650-479-3207 Access code: 808 623 654*