

Contingency Plan or Remote Learning Plan (“Plan”): Your child’s special education case manager should work with you to develop a Plan that describes how your child’s Individualized Education Program (IEP) will be implemented to the greatest extent possible in a remote/hybrid (in school and in-home) learning environment. The team should consider the following when developing a remote learning plan:

- Can the student operate the technology independently and/or with limited assistance?
- Is the content available and understandable?
- Can the digital content be utilized via various technology supports (e.g., built-in speech to text, text to speech, etc.)?
- Are the demands of executive function skills supported?

It is important to build in supports to address the student’s learning, attention, behavioral, sensory, physical needs and provide appropriate materials. Accordingly, some students should be offered short videos and work to practice independently; others may have little screen time and hands on materials/manipulatives.

The Plan should include:

- Accommodations, including Assistive Technology: any instructional accommodations, devices or software, materials/manipulatives necessary to work on IEP goals and access instruction for remote learning.
- Identify the IEP goals that be worked on during remote learning?
- How this goal will be serviced remotely (i.e., provider, quantity, type, frequency, duration, and location)
- How this goal will be progress monitored remotely.

It is important to remember that an IEP and a remote or hybrid Plan are not the same. That is, an IEP is an offer of a free appropriate public education. A remote learning plan outlines what will be provided during COVID-19. If you have concerns with the remote learning plan offered by the school, you are encouraged to schedule a meeting with the IEP team to discuss concerns and problem solve.

Homebound (home/hospital instruction): The Individualized Education Program Team (of which the parent is a member) makes placement decisions. School districts must provide a continuum of services and homebound (home/hospital instruction) is a placement along that continuum. Homebound is considered one of the most restrictive educational placements for students. For some children homebound is appropriate because the child has a physical or mental condition that makes placement with other students prohibitive. The student’s IEP identifies services (special education and related services) that will be provided in the home/hospital setting.

Home Schooling:

Like enrollment in private education, a parent does have the right to withdraw their child from public education and home school them. The parent is responsible for providing a curriculum and instruction. The parent is expected to make arrangements for their child to participate in state assessments. It is important to understand that the rights/protections under Individuals with disabilities Education Act or Section 504 of the Rehabilitation Act ends

when you provide notice of your intent to homeschool and withdraw your child from public education. Accordingly, the district does not have an obligation to provide compensatory services for special education and related services that were missed during COVID-19.

Revocation: Some school districts have developed “**temporary revocation**” procedures. The procedures allow the parent to revoke permission for special education and related services. It is important that parents understand that a revocation means you are waiving your child right to a free, appropriate public education and due process rights under state and federal law (IDEA, ECEA, Rehabilitation Act). The Arc chapters **advise against parents agreeing to any revocation in relation to special education or related services.** Revocation means you are waiving your right to bring any claim against the district and any right to compensatory services. Compensatory Services: under the IDEA or Section 504 of the Rehabilitation Act, the IEP team or Section 504 Team will determine compensatory services that will be provided to make up for services missed during COVID-19.

Compensatory Services: When students return to school full time, the IEP team will determine compensatory services that will be provided to make up for services missed during COVID-19. If your child is in high school, it is important to consider the number of credits your child has earned and their course of study. For student’s ECE through high school, the IEP team will meet to discuss compensatory services (special education and related services). The Team will not simply calculate the exact amount of services minutes identified on the IEP, instead the team will identify services that will place your child in the same position they would have been in if a free, appropriate public education (FAPE) had been provided during COVID-19. Because compensatory services are individualized, more minutes or fewer minutes may be needed to for the student to recoup academic, social emotional and or language skills.