

## Webinar Q & A

### **Q1: How can we expect children with special needs to wear a mask?**

**A:** ISBE released a document that addresses the use of face coverings for students with disabilities. This FAQ states, *“Consideration should be given to the impact of protective face coverings on students who suffer from a respiratory disease, sensory processing sensitivity, and/or expel bodily fluids orally. Due to these conditions, the wearing of a face covering may not be feasible for these students. In addition, some students with disabilities may refuse to wear the face covering for various reasons unknown to staff. Student with disabilities who are unable or refuse to wear a face covering may be provided reasonable accommodations per the Americans with Disabilities Act. Schools should contact their legal counsel regarding possible exemptions and accommodations for students who may receive an educational and/or health harm due to wearing the of a face covering in the school setting.”* This FAQ also states, *“Consideration of these situations must be addressed so that student and staff members understand and normalize that some persons may not be wearing a face covering and these situations do not need any intervention from others.”* **To read the guidance in its entirety please refer to #15 on pages 8 & 9 in this FAQ:** <https://www.isbe.net/Documents/SpEd-FAQ-Return-to-InPerson-Instruction-2020630.pdf>

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**Q2: How are kids with learning disabilities and physical disabilities able to learn without facial cues? I have spoken to my personal county special education department and they are not allowing face shields as an option because they are not safe enough. They will be spending 90% of their time taking temperatures and messing with masks and then documenting it all for the state. How are they going to have time to do any teaching?**

**A:** ISBE released a document, Frequently Asked Questions for Special Education on the Transition to In-Person Instruction (Last Updated: June 30, 2020) This guidance states, *“Consideration should be given to the impact that staff wearing protective face coverings may have on students with disabilities. Particular attention should be given to students with hearing loss or communication deficits. Districts and other serving entities may need to consider adapted face coverings with plastic to allow for access to a speaker’s lips and facial expressions, use of assistive technology, or other supports to assist a child in receptive language processing and effective communication.”* To read the entirety of the guidance refer to #15 on pages 8 & 9 in this FAQ: <https://www.isbe.net/Documents/SpEd-FAQ-Return-to-InPerson-Instruction-2020630.pdf>

Guidance has been released by ISBE regarding the appropriate use of face shields and can be found here: <https://www.isbe.net/Documents/IDPH-Update-Appropriate-Use-Face-Shields.pdf>

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**Q3: My daughter cannot do anything independently yet. How is she supposed to keep "social distance" from her instructors?**

**A:** ISBE released a document, Frequently Asked Questions for Special Education on the Transition to In-Person Instruction (Last Updated: June 30, 2020) This guidance states, *"IDPH requires the use of face coverings by all individuals in a school building during phase 4 of the Restore Illinois Plan. Gloves or other PPE may be worn by district or other serving entity staff and by the student when providing services that require hand-over-hand instruction and other methodology of physical prompting and cueing. There is significant evidence that face coverings provide protection and decrease the spread of COVID-19. Ensure that the face covering fully covers the mouth and nose, and that the covering fits snugly against the sides of the face with no gaps. All supplies and equipment used by the student and adult should be sanitized regularly.*

To read this guidance refer to # 11 on page 7 of this FAQ:

<https://www.isbe.net/Documents/SpEd-FAQ-Return-to-InPerson-Instruction-2020630.pdf>

The same FAQ released by ISBE states: *"Districts and other serving entities should consider the impact of the COVID-19 pandemic and mandatory suspension of in-person instruction will have, and currently affect, each student differently. Districts and other serving entities can assist families in preparing students with disabilities who struggle with changes in routine or understanding personal boundaries for the return to in-person instruction by providing social narratives about the return to school and advanced notice regarding anticipated changes to the environment that the child may experience upon return. District and other serving entity personnel may offer additional social work or counseling service or increased social and emotional (SEL) programming during the time of transition. School personnel can find additional resources to meet social and emotional needs at <https://www.isbe.net/mentalhealth>."*

To read this guidance refer to # 16 on page 9 of this FAQ:

<https://www.isbe.net/Documents/SpEd-FAQ-Return-to-InPerson-Instruction-2020630.pdf>

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**Q4: There are many CDC studies that have shown that masks are not effective in protecting against viruses and that they are detrimental to health and actually make people more susceptible to disease. Why are these studies not being followed? Why is the special education community not fighting for realistic services for these kids?**

**A:** The majority of studies show that masks are effective and if you look at the data from other countries who have more effectively slowed or stopped the virus, it has been attributed to mask wearing. The reason those studies are not being followed is that there are more studies that show mask to be helpful. The "special education community" does not know what the most "realistic" services are for children with special education needs since this is a situation we have never been in prior to this pandemic.

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**Q5: ISBE guidance allows a school district to accept a self-report of temperature. Families with medically fragile children should take such into consideration before sending their children to school.**

**A: Self-Certification:**

ISBE released: **Part 3 Transition Guidance: Starting the 2020-21 School Year FAQ Last updated: Aug. 5, 2020.** This document addresses self-certification. To read this in its entirety visit: <https://www.isbe.net/Documents/FAQ-Part-3-Transition-Guidance.pdf> and refer to page 4 & 5.

**A: Medically Fragile Students:**

ISBE released a document, Frequently Asked Questions for Special Education on the Transition to In-Person Instruction (Last Updated: June 30, 2020). This guidance addresses Health and Safety Factors and states: “Student safety must be the primary consideration when determining how to meet the needs of students with disabilities who are medically-fragile or immunocompromised upon return to in-person instruction.”

To read this in its entirety visit the following link and refer specifically to pages 6 & 7.

<https://www.isbe.net/Documents/SpEd-FAQ-Return-to-InPerson-Instruction-2020630.pdf>

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**Q6: Many schools are using our EI reports to determine eligibility. Many schools are unable to complete in person assessments as they have not been able to have access to their school buildings.**

**A:** In 2010, ISBE released: ISBE Guidance Relating to Transitioning from Early Intervention to Early Childhood Special Education Services when Children Turn Three. This guidance is still current and valid. It states: “Parents may provide written consent to share reports and/or evaluation results written by qualified professionals outside the educational realm (e.g. while the child received early intervention services) with the IEP team. In the determination of eligibility to receive special education services, the IEP team may consider these reports to be sufficient with no further evaluations needed for determination of eligibility [34 CFR 300.305].”

To read this guidance in its entirety, visit: [https://www.isbe.net/Documents/guidance\\_10-2.pdf](https://www.isbe.net/Documents/guidance_10-2.pdf)

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**Q7: What if the child is already 3 but the child is delayed?**

**A:** If a child is 3 and there are concerns the child may need special education and related services, a request for an evaluation can be submitted to the school district. Parents can reach out to the Parent Training and Information Center that covers their area for assistance.

- Family Matters Parent Training and Information Center: [www.fmptic.org](http://www.fmptic.org)
  - Family Resource Center on Disabilities: [www.frcd.org](http://www.frcd.org)
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**Q8: If my child is turning 3 in April (so at the very end of this school year) do I need to register for anything ahead of time?**

**A:** If a child is receiving services through Early Intervention the Service Coordinator will assist the family when the child turns 2 years and 6 months by working with the family to send a referral packet to the school.

When I am 3, Where Will I Be? is a helpful resource for families.

[https://www.isbe.net/Documents/transition\\_workbook.pdf](https://www.isbe.net/Documents/transition_workbook.pdf)

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**Q9: Who do I contact if I haven't been contacted by the school district yet? My Service Coordinator has done as much as she could in terms of sending transition packet, and giving my information to them, but I haven't heard from them yet.**

**A:** Guidance from ISBE states, "Local Education Agencies (LEAs) must ensure that children who receive early intervention services before they turn three and who will receive early childhood special education services, experience a smooth and effective transition and have an IEP or IFSP developed and being implemented by their third birthday [34 CFR 300.124]. During this process the LEA must implement all required procedural safeguards, including, but not limited to, providing any necessary parental notifications and requesting any necessary parental consents." This guidance can be found in its entirety here:

[https://www.isbe.net/Documents/guidance\\_10-2.pdf](https://www.isbe.net/Documents/guidance_10-2.pdf)

If you have not heard from your child's school district you can reach out to the school in writing to inquire about your child's transition and when an IEP meeting will be held.

There are currently no IDEA waivers that would delay the transition process:

<https://www.ed.gov/news/press-releases/secretary-devos-reiterates-learning-must-continue-all-students-declines-seek-congressional-waivers-fape-lre-requirements-idea>

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**Q10: Can you please restate/clarify compensatory services? Did you say students who may not be able to wear a mask may be eligible for SPED services to accommodate need?**

**A:** Compensatory services are addressed on pages 3 & 4 in, Frequently Asked Questions for Special Education on the Transition to In-Person Instruction - Last Updated: June 30, 2020, which can be found here: <https://www.isbe.net/Documents/SpEd-FAQ-Return-to-InPerson-Instruction-2020630.pdf>

Since diagnoses vary and impact each individual differently not every person with a diagnosis will qualify for special education and related services. Eligibility for special education and related services is determined based on how the student's diagnosis or disability negatively impacts their education, resulting in the need for special education services. A student could

meet criteria for not wearing a mask (ex. Sensory, respiratory) and provide a doctor's note to the school district and still not qualify for special education and related services. As a parent if you have concerns that your child/student's condition is impacting their education due to not being able to wear a mask the parent could approach the possible need for a Section 504 Plan. Not being able to wear a mask alone would not qualify a student for special education and related services through an IEP.

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**Q11: If we opt for E-Learning for our child, does that mean we will decline our therapy services?**

**A:** If the district is giving all parents the option of choosing in-person learning or remote learning (this is any learning that takes place away from the school and includes e-learning), then you may choose the one that you are most comfortable with for your child. Your child should still receive their IEP services no matter which option you choose. The in-person option may give your child access to a more traditional method of delivery for the therapy. However, the district should still offer some method for working with the therapist while remote learning. You should not have to sign that you are denying all therapy services when you choose remote learning.

The March 21, 2020 U.S. Department of Education's Supplemental Fact Sheet states that hands-on physical therapy, occupational therapy or tactile sign language educational services may be unsafe, but notes that school districts must remember that the provision of FAPE (free appropriate public education) may include special education AND related services provided through distance instruction provided virtually, online, or telephonically.

[https://www2.ed.gov/about/offices/list/ocr/frontpage/fag/rr/policyguidance/Supple%20Fact%20Sheet%203.21.20%20FINAL.pdf?utm\\_content&utm\\_medium=email&utm\\_name&utm\\_source=govdelivery&utm\\_term](https://www2.ed.gov/about/offices/list/ocr/frontpage/fag/rr/policyguidance/Supple%20Fact%20Sheet%203.21.20%20FINAL.pdf?utm_content&utm_medium=email&utm_name&utm_source=govdelivery&utm_term)

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**Q12: What will happen, if due to Covid the IEP evaluation is not completed by the age of 3 and the assigned school district is not able to provide therapies to my son. Can EI still continue with the therapies assigned until we will have the therapies from IEP in place??**

**How will evaluations be conducted now as their child approaches 3?**

**What suggestions do you have for children who recently aged out of EI. Our medical diagnostic was delayed because of COVID for months. Half was done for my son via EI half was done via Easter Seals Foundation. We didn't have a transition meeting from EI to school district. Is there talk of Illinois extending services -- Sec of State DeVos suggested in April Part C would be extended for six months.** <https://www.asha.org/News/2020/Education->

## [Secretary DeVos Requests Waiver for the Continuation of IDEA Part C Services Beyond a Child's 3rd Birthday/](#)

**Are expired IFSPs extended or is there supposed to be a virtual meeting/revision with parents?**

**How can a parent that is enrolled in the Early Intervention find out about the upcoming IEP meeting?**

**A:** Currently there are no IDEA waivers that would delay the transition process from Early intervention to school services. <https://www.ed.gov/news/press-releases/secretary-devos-reiterates-learning-must-continue-all-students-declines-ask-congressional-waivers-fape-lre-requirements-idea>

Current ISBE guidance regarding transition to school services states: "Local Education Agencies (LEAs) must ensure that children who receive early intervention services before they turn three and who will receive early childhood special education services, experience a smooth and effective transition and have an IEP or IFSP developed and being implemented by their third birthday [34 CFR 300.124]. During this process the LEA must implement all required procedural safeguards, including, but not limited to, providing any necessary parental notifications and requesting any necessary parental consents." This guidance can be found in its entirety here: [https://www.isbe.net/Documents/guidance\\_10-2.pdf](https://www.isbe.net/Documents/guidance_10-2.pdf)

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**Q13: Karrie - If a parent wants to do a blend of in-person and remote learning is that up to a parent's discretion? Our district is saying only 5 days a week is an option.**

**A:** Some districts are offering all students only in-person learning, some are offering all students remote learning, and some are offering blended programs. You can choose one of the options your district is offering. However, a district would not have to offer the blended option just based on a parent's preference for that. If, however, a blended option was a decision made by an IEP team for a child based on individual needs, that would be allowed per the IEP document.

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**Q14: Are schools allowed to provide in-person therapy at the school even if the schools are in remote learning/hybrid situations?**

**A:** This could be an option for an individual based on the child's IEP team decision at the district's discretion. However, the school could stick with an offer of another method of service delivery based on safety issues. Any decision regarding in-person services would change if schools are shut down at some point by health official's/state orders.

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**Q15: If we had IEP evaluations over the phone due to covid19 earlier this summer, are we now allowed to ask for in-person evaluations before agreeing to our IEP goals?**

**A:** An IEP is good for one year from the date it is written but can be altered throughout the year based on the student's needs. If the evaluations performed earlier addressed all domain areas and provided adequate information to develop an annual program, then the school may argue that there is no additional information needed. However, if components of the evaluation were not addressed earlier, and in-person evaluations are now permitted, then you can ask in writing for additional evaluations. Once those are completed, then the IEP can be adjusted based on the new data even if goals were recently written based on what data was available at the time.

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**Q16: I had an IEP meeting scheduled with a date that was during the city shut down, but I haven't received a new date.**

**A:** IEPs expire one year from the date they are developed. An IEP meeting needs to be held by the expiration date regardless of whether that meeting is held virtually or in-person. If your child's IEP has expired, put in writing to the school your request for scheduling an IEP meeting in-person as soon as possible. You can waive your right to a ten-day notice of the meeting in order to expedite the process if you choose.

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**Q17: Can remote learning be provided for preschool as well?**

**A:** Some districts offer preschool programs through block grants that operate differently than other early childhood programs for children 3-5. The young students in those programs may or may not have IEPs. If your child is in the 3-5 age-range and has an IEP, then educational services need to be offered either in-person or remotely or a combination of the two. If the Early Childhood program offered is generally a half day program, ISBE says that a minimum of 2 total clock hours per day is still required to be provided and it is strongly recommended that at least 1.5 hours of real-time instruction is provided so that there is live interaction between students and teachers. Read pages 20 and 21 of *Fall 2020 Learning Recommendations* from ISBE. Pages 58 through 70 address preschool age students.

<https://www.isbe.net/Documents/Fall-2020-Learning-Rec.pdf>

Also refer to: Frequently Asked Questions for Early Childhood Block Grant Program Grantees on the Transition to In-Person Instruction Last Updated: July 21, 2020 - <https://www.isbe.net/Documents/ECBG-Transition-FAQ.pdf>