

## Summary of April 10 Friday Recap Fireside Chat Series

Thank you for joining us for our Friday Recap. Below is a summary of the major topics that we covered. We continue to be amazed by all that you do for students and staff. We look forward to recapping the week with you every Friday. We are considering using a webinar format in the future, and will keep you posted.

### **General Information:**

- There have been a number of new questions and issues that we have heard from districts. Below are examples of some of the questions we are hearing. While we do not yet have the answers to all of these questions, we will continue to work with you to address these concerns as they arise.
  - We have had some hospitals ask to use school facilities so hospital personnel can use the school to shower before going home. We have been working with districts on this case-by-case basis.
  - Some districts are starting to think ahead to next year about student exclusion from school for not having updated immunization and physical exams. Some schools use a first-day exclusion, while others use an October 15 deadline. ISBE is reviewing this, as it may be hard for families to get this information in by the first day. Some schools will likely revert to the October 15 deadline, but there is no need to take Board action at this time. Instead we would advise you to wait to see what ISBE does and go from there.
  - There is still a lot of uncertainty regarding what will happen in the fall (i.e., fall sports, can students wear face masks, etc.). You may have parents that want to know if the teacher or other students had COVID-19, which will be a concern under HIPPA and the ADA. We don't know how any of these issues will be addressed, but we will continue to look into these issues and problem-solve with you.
- When districts provide communication with families, it will be important to recognize that families may be overwhelmed. Therefore, it may be advantageous for communication to be short and concise.
- Districts have focused a lot of efforts on students, and you are all doing amazing things for students. However, it will be important to make sure you are checking in on the adults too. Staff and administrators have been running on adrenaline and there is a lot that is still outside of our control. It is important to address the social emotional needs of staff. Additionally, it will be important to continue to make sure that remote learning plans are sustainable so that staff can continue to implement them as long as necessary, which may be until the end of the school year.

### **ISBE Guidance Updates:**

- ISBE provided updated guidance this week that had some good information related to assessment. ISBE provided specific details on what to do with PSAT and SAT materials since districts are not giving a test this spring.
- Guidance was also provided around the state-mandated constitution test. The constitution test is suspended during the Gubernatorial Disaster Proclamation, but will be reinstated once this is over. Students who are not currently seniors will be required to take and pass a constitution assessment in order to graduate. Districts can offer non-senior students an opportunity to demonstrate mastery of the content requirement through remote learning or by providing students with an opportunity to take a constitution assessment when in-person instruction resumes.
- There will not be an application process for districts to receive funds under the CARES Act. Districts may use these funds in line with the allowable uses under Title I, McKinney-Vento, IDEA, or the Perkins Act. Districts may also use the funds to address the needs of the total population during the emergency closure related to areas such as remote learning, meals, mental health, summer instruction, technology, or anything else needed to meet students' needs. The funds can also be used for getting guidance related to special education, which suggests you could use these funds to pay legal bills.
- In terms of transitional math, ISBE recommends districts work with community colleges so these courses can be used for placement in the fall.
- ISBE will allow districts to hold virtual proms or graduation ceremonies.
- ISBE indicated they will be releasing an appendix to the remote learning guidelines that will provide more guidance on supports for English Learners.
- Emergency regulations were released today. These regulations provide clarification on reimbursement. For instance, districts will be reimbursed for payments made to transportation companies even if the district is currently not using transportation services. The emergency regulations also provided more clarification on private placements, stating that payments to private placements are reimbursable no matter how remote learning is implemented by therapeutic day school placements.
- Last week we expected special education guidance coming out from ISBE. We don't know what happened, but we confirmed with our sources at ISBE that no imminent guidance is coming. We recommend districts follow OSEP guidance at this time and work with your legal counsel.

### **Student Services:**

- Districts should start thinking about transition events for students transitioning out of school building at a key time, specifically from 8th grade to high school and graduation from high school.
  - 8th to High School: It's important for elementary and high school districts to be collaborating about how to facilitate successful transitions since many of the typical transition activities that take place in the spring are not occurring.
  - High school graduates: Students and parents are starting to grieve not having monumental events such as prom or graduation. We know that some schools are looking at summer graduations, however, Governor Pritzker recently announced

that large events over summer may not be feasible. We don't recommend districts say there will not be any graduation events at this time, but districts should be thinking about creative alternatives. For instance, we have seen some districts put signs in student yards to recognize graduating seniors. It may be helpful to create a student advisory group to allow students to brainstorm ideas. Another idea is to create a video with students holding up signs indicating where they are going after graduation (college, military, work force).

- Districts should also be thinking about how to make sure necessary transcripts will be sent to colleges.
- Districts need to start thinking about how to transition students back into in-person instruction, likely next fall. It will be important to think about social emotional needs. There will be some students who thrived in a more independent model, like what students are currently doing, and districts may need to think about how to address the needs of these students, and whether there are ways to continue to provide these types of learning opportunities.

### **Special Education:**

- On the federal level, there has been a lot of feedback from parents and advocates that has been tough to read because they are upset right now and their message is that if the requirements of FAPE changes to be responsive to the pandemic, hardfought civil rights would be set back. We do not think this would be a permanent change, but reflective of the current time. We will continue to monitor these articles and points of view.
- One of the biggest questions we've gotten this week is around timelines and case study evaluations. At this time, there is no relief regarding timeline requirements. Most questions are related to transitions from Early Intervention (EI) to Early Childhood (EC). We think that many students who have been receiving EI services can be eligible based on existing information. For students who are not in EI and we don't have a lot of information on, districts should determine whether you have enough information, and if you need to collect additional information, if this will require an in-person assessment. If you need to collect information through an in-person assessment, we recommend you complete the notice of decision regarding an evaluation form and decline the assessment at this time, indicating that you are declining to complete the assessment because you need to complete an in-person assessment and cannot do it at this time due to COVID-19. With this form, districts should also include a cover letter saying that the evaluation will be picked up as soon as school is back in session, or as soon as it can be done.
- If there are students that you become aware may need an evaluation due to recent changes in need (i.e., a student has been recently hospitalized), it will be important to have ongoing communication with the family to determine how the student's needs will be addressed when school is back in session and to let them know that an evaluation will be completed when this is possible.
- While it's still a little too early to determine what will happen with Extended School Year (ESY), we advise districts to prepare like ESY and other summer programming will

happen on schedule. It is possible that these programs may need to be completed, remotely, in-person, or through dual-programming that would include both methods.

- When conducting annual reviews, ISBE has provided guidance that parents need to consent for the meeting to be held remotely. With this in mind, districts should be cautious in moving forward with meetings if parents have not consented or do not participate in the meeting.
- As a reminder, districts have 10 business days to respond to requests for records (and can request an additional 5 days for a total of 15 days to respond). This timeline is still in place so districts must be responsive to records requests within the required timeframes.
- Prone restraint restrictions have been delayed until July 1, 2021.
- We have seen families request reimbursement for private services and tutoring. All requests should be considered on an individual basis, but it is likely that most of these requests will be denied. When this happens, districts should use Prior Written Notice (PWN) letters which will be helpful to deny the request. Please see our recent [Special Education FAQ Newsletter](#) with information on PWN.
- Another question we hear is how to measure regression and recoupment during this time. It's safe to say all students will experience some regression, including students with disabilities. Some would say that if all students are experiencing regression, students receiving special education services who do as well are not entitled to compensatory services because all students are experiencing some regression. We don't know how this will play out but we are thinking about these issues and will continue to share our thoughts on this topic with you.

### **Employment and Labor:**

- We just did an employment and labor FAQ webinar and we will be releasing the recorded webinar soon. There is a lot of information and it will be posted shortly.

### **Board Governance:**

- The Illinois Attorney General has relaxed some requirements due to COVID19, resulting in the ability for school boards to conduct board meetings virtually. Below are some considerations boards should think about when conducting meetings virtually:
  - Make sure the public knows how to participate. This may include adding specific information and directions in the agenda.
  - Districts should stay away from public-facing platforms such as Facebook Live or other pure social media platforms. There are several private facing platforms available, and the platform districts use isn't as important as knowing the security features available and using them appropriately.
  - Districts should consider some of the nuts and bolts of conducting the virtual meeting. Considerations might include who will be the "host" and where will each party be during the meeting.
  - There may be more need to hold a closed meeting virtually. Be sure the closed video sessions are secure and locked down. It is suggested that you use two different meeting links for regular board meetings and closed board meetings to

make sure the closed session can only be accessed by the participants who should participate in the closed meeting.