



Dear Parents:

In an effort to aggressively slow the spread of COVID-19, Governor Andrew Cuomo ordered the closure of all schools in the state of New York for a minimum of two weeks, ending April 1, 2020. Moreover, he seemed to indicate that he would consider closing them for a longer period in an effort to continue social distancing. At this point, we do not know when public schools as we know them will resume.

Greenburgh Eleven Union Free School District recognizes the significant impact an extended school closure will have on our entire school community, including students, families, and staff. We also appreciate the anxiety this may cause to our parents and students, especially those who depend on us for delivery of special education instruction and related services. This document includes important information about district plans for implementing special education instruction, providing related services and facilitating CSE meetings during the extended closures. Our staff have been working for over a week to put together plans to maintain consistency of special education services. We will be doing our best to address your child's needs remotely, but things will look different than our typical school-based instruction and supports. We ask for your patience as we work through this process that is new for all of us. To that end, we have prepared a list of frequently asked questions to help address many of the common concerns regarding how special education services will be impacted by the extended school closure.

Please closely review this information, and reach out to **your child's teachers or service providers (CSE Chairperson and district principal Elton Thompson ext. 244)** regarding any issues with your child's services during these uncertain times. We are here to support and take care of your children during this challenging time. Thank you for working with us as our entire community responds to COVID-19.

Committee on Special Education
Greenburgh Eleven Union Free School District



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Frequently asked questions about COVID-19 Response Impact on Special Education Services

Question 1: During the extended closure of Greenburgh Eleven Union Free School District (District), will my child still receive Individualized Education Program (IEP) services?

Answer: Yes. The District will be providing your child with instruction in the form of phone calls and handouts for the extent of the shut-down. We will attempt to address your child's special education needs to the extent that they can be met under these trying circumstances. Both academic and special areas teachers as well as related services providers (counselor, speech therapist and occupational therapist - if applicable) will be providing daily contact with students either by phone or through various web-based services. Work provided by teachers and related services providers are in direct alignment with your child's individual goals set forth in their IEP.

The District will use its best efforts to provide the free appropriate public education (FAPE) to its students eligible for special education services with an IEP during the period of school closing. After the extended closure ends, the District will be conducting annual reviews for children with an eye towards developing IEPs for the 2020-21 school year. At that point we will have to review how the closure impacted the delivery of special education and related services to students eligible for special education services. This might include a CSE discussion of compensatory education and extended school year services, but such decisions will be made on a case by case basis, in light of the unique needs of each child taking into account the duration of the disruption, missed educational supports and services and the impact of these factors on each student's development.

Question 2: Will the District provide mandatory online or distance learning during the extended school closure?

Answer: At this time, the District is attempting to provide continuity of education which may take several forms including actual on-line instruction using software, telephone or email contact with your child's teachers or related service providers, work packets designed to address your child's needs or other means.

If your child has difficulty with online or distance learning, or the methods or materials used, due to his or her disability, please reach out to your child's teacher or service provider. The District will explore ways to accommodate your child's needs during the period schools are closed.

Question 3: Does the extended school closure prohibit CSE meetings?

Answer: No. While the District is not required to hold in-person CSE meetings during the closure period, there is no prohibition against holding such meetings remotely. The New York State Education Department and the Commissioner's Regulations permit CSE meetings to be conducted



remotely. We will continue to offer annual review meetings and the CSE will use its best efforts to conduct meetings remotely.

Question 4: Can I request my IEP meeting be held telephonically?

Answer: Yes. The District understands that parents may be anxious about their child's special education program and are willing to participate in CSE meetings which are conducted remotely to limit exposure to public places. As explained in the Answer to Question 3, the Commissioner's Regulations permit CSE meetings to be conducted remotely. To that end, the District encourages parents to schedule CSE meetings via telephone or video conference. The District is confident that both options will provide parents with a meaningful opportunity to participate in the development of their children's IEPs. If you would like to schedule a CSE meeting via telephone or video conference, please contact your District's special education administration at the following email address ethompson@greenburgheleven.org or apozzuto@greenburgheleven.org to arrange for a remote CSE annual review.

If you do not wish to or are not available to participate in a virtual meeting, the meeting will be rescheduled to a date and time when school is once again in session. In the event that you do not have computer/telephone technology available and/or WiFi access, please notify us immediately by phone or email at the contact provided below, as it may be possible to lend you District equipment to allow your remote participation.

Finally, you have the option to request that the school district not convene a CSE or CPSE meeting for the purpose of making proposed changes upon your request, and that instead, the District can develop a written document to amend or modify your child's current IEP. We can also make arrangements for you to consult with the appropriate personnel or related service providers about these changes. If we agree to modify your child's IEP we will send you a prior written notice summarizing the changes. Upon your consent, we will provide you with a revised IEP that reflects the changes.

Question 5: Does the extended school closure prohibit evaluations or assessments of students?

If an evaluation of a student with a disability requires a face-to-face assessment or observation, the evaluation will have to be delayed until school reopens. Evaluations and re-evaluations that do not require face-to-face assessments or observations may take place while schools are closed, so long as a student's parent or legal guardian consents to the re-evaluation or evaluation.

Question 6: How does the extended school closure impact IDEA dispute resolution options, activities, and timelines?

Answer: There is no provision for waiver of IDEA dispute resolution options and timelines, including SED Complaints and Due Process Hearings. SED has indicated that resolution sessions



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may be conducted remotely using the same timelines that currently exist in the regulations. SED has also indicated that impartial hearings may go on remotely or by using other means, including direct testimony by affidavit, as long as the witness appears live by skype or other video conference for cross-examination. SED has also indicated that if the parties prefer to wait until the schools reopen to resume their impartial hearings, impartial hearing officers may grant extensions requested by the parties. That being said, federal agencies have indicated that they are considering adjusting these timelines. We will update you if there are any changes to the timelines during this period.

Question 7: How will the District address related services provided on a child's IEP?

Answer: Although there has been no specific guidance provided by SED for related services, the District will use its best efforts to meet your child's related services needs as provided by his/her IEP. Related service providers will be in touch with you to discuss how services will be provided during this difficult time. Related services which are usually provided in a group may have to be provided individually, which might result in a reduction in the contact time between the provider and the child as indicated on the child's IEP. Related services may be provided directly with the provider on the telephone, by Skype or using computer-based instruction, or instruction using assistive or other technology. It may also be provided by sending pictures, videos or descriptions of exercises children should engage in to enable them to work on the skills covered in their IEP goals.

Question 8: What about students who have an Accommodation Plan under Section 504 of the Rehabilitation Act of 1973 (Section 504)?

Answer: Section 504 plans generally provide accommodations to students in general education classes. Nevertheless, the principles set forth above apply to similar activities conducted for a student with a Section 504 Plan, or for a student who is being evaluated under Section 504. Teachers providing distance learning to students with 504 Accommodation Plans will use their best efforts to incorporate a student's accommodations in their instruction.

Question 9: What are the District's on-going obligations to provide dual enrollment special education (IESP services) for students where a non-public school is closed?

Answer: During school closures caused by the COVID-19 outbreak, the District will continue to ensure that students with disabilities have both equal access to the educational opportunities provided all students and, to the extent possible, access to FAPE. Students with disabilities who are enrolled in nonpublic schools by their parents should receive their special education services provided by the district where the private schools are located, to the extent possible, on an equitable basis as compared to other students with disabilities enrolled in the public school with an IEP.



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Question 10: Do Districts of Location remain responsible for providing IESP services when non-public schools are closed?

Answer: Yes.

Question 11: Are students expected to reenroll and be serviced by their District of Residence?

Answer: No. SED has advised that students do not have to withdraw from the private schools in which they are enrolled or enroll in the public schools to be eligible to receive their IESP services.

Question 12: Where can I turn for more information regarding the District's response to COVID-19?

Answer: Please visit the school district website www.greenburgheleven.org or contact the office of the School Superintendent at 914 693-8500 ext. 222.