



SUMMARY OF GUIDANCE FROM THE CALIFORNIA DEPT OF EDUCATION RE: SPECIAL EDUCATION DURING THE COVID-19 PANDEMIC APRIL 9, 2020

Background

On March 13, Governor Newsom ordered the California Department of Education (CDE) to provide guidance on the coronavirus pandemic and how it impacts education, including special education. The Governor wants to ensure that students with disabilities receive education in line with their IEPs and that schools follow special education law.

The first guidance was issued on March 20. A summary of this guidance may be found on the SCDD website.¹ On April 9, more guidance was provided based on many questions received by CDE. Below is a summary of the most recent guidance. For a full understanding, [please read the original document](#).²

Do all IEPs have to be changed since students are learning at home and not at school?

Every IEP team discusses where a student should be educated, called “placement.” If that placement changes or a student is educated somewhere else for more than 10 days, under normal circumstances, the IEP team meets to talk about the new placement.

During this crisis, however, CDE believes that it is not necessary for every student being educated at home to have an IEP meeting nor to have an addition to the IEP that says that the student’s placement has changed. It

¹ <https://scdd.ca.gov/wp-content/uploads/sites/33/2020/03/ENG-COVID-19-and-special-ed-2-.pdf>

² <https://www.cde.ca.gov/ls/he/hn/specialedcovid19guidance.asp>



is their opinion that it is already clear that all students are being educated at home since all schools are closed during this pandemic.

Instead, CDE says that schools should continue to provide all the parts of the student's IEP even if the ways they are implemented are different. The US Dept. of Education agrees, saying that these "exceptional circumstances" mean that schools may not be able to provide all services in the same way as they are in school. The ways IEPs may be implemented include things like web-based learning or using the telephone.

However, there may be other reasons to change the IEP. The school or district may propose a change to the IEP without a team meeting if it is necessary to address a student's unique needs and the way teaching will be provided. Parents can also request a meeting or propose a change to the IEP for these reasons. Ideally, families and school personnel should work together to put together a plan for how the student will be educated, receive services and supports, and work on their IEP goals.

Schools are urged to stay in contact with parents and work together with them to ensure that students with disabilities are served and supported well and to deal with a student's immediate needs quickly.

Is it possible for schools to send someone to a student's home to help them use the tools and technology they will need to learn?

In rare circumstances, schools may send staff into a student's home in order to maintain the student's health and safety and to support them in using the tools and technology needed for them to learn. In such a situation, the staff would be regarded as an "Essential Critical Infrastructure Worker" that is described by Governor Newsom here. [Executive Order N-33-20](#)



Any staff person providing support in the student's home must follow the rules about using personal protective equipment, such as masks and gloves, and keeping social distancing guidelines in order to keep themselves and others safe and healthy.

Who do I talk to if I have questions about my child's IEP?

Each school district is handling this crisis in its own way. You should call your child's school or the district offices to discuss your child's IEP and how they are providing education for children with IEPs. Try to work collaboratively with your child's school and teachers to figure out the best way to educate your child. Parents and school personnel are encouraged to think creatively and flexibly to meet each student's needs.

There are many parent organizations that are offering help and support for families with disabled students.

What happens if my toddler is turning three soon? Will there be a meeting to talk about the transition from early start services to regular special education?

School districts must hold transition meetings for children who are turning 3 even during this crisis. The meeting will probably be held by phone or videoconference.

Since meetings are being held by phone or videoconference, how can I give consent? Is it good enough that I give verbal consent?

Verbal consent is not enough. Your school may ask you to use an electronic signature using a digital platform like DocuSign, Adobe Sign, HelloSign etc. They might also ask you to sign a document, scan it or photograph it, and email it to them.