

National Disability Rights Network

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Remote CART Captioning

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CAPTIONER: Standing by.

Good afternoon, folks.

>>: Are we live?

>>: I believe we are.

>>: Welcome, everyone to our webinar.

Student Success in Educating Students with Disabilities During COVID-19.

A highlighting collaboration in Kentucky and Nebraska.

My name is Ron Hager.

I am the Managing Attorney at the National Disability Rights Network.

This webinar is being cosponsored by us and by the Council of Chief State School Officers.

We are very grateful to have their collaboration with us.

I want to do a special shout out to Peter Zemora from CCSSO and Amanda Lowe from NDRN, who took the lead in putting this altogether.

We are grateful for that work and we thank you to all of those who are participating with us this afternoon.

This webinar is being recorded, and it will be archived and made available to the public.

So once it is completed and available, you can distribute it widely.

Feel free to share it with your networks.

We have an excellent panel today, and what we are going to be doing is paring an educator and an advocate from each state, from Kentucky and from Nebraska.

So from Kentucky, we have Gretta Hylton, who is the Associate Commissioner of the Office of Special Education and Early Learning in the Kentucky Department of Education.

She is the director -- the State Director of Special Education, she also on the board of the National Association of State Directors of Special Education.

And we have paired with Gretta is Lucy Heskins, who is an attorney with the Kentucky Protection and Advocacy Program.

She has been with that program for 11 years, and she is the supervisor of their education and youth team.

From Nebraska, we have Matt Blomsteadt, who is the Commissioner of Education for the Nebraska Department of Education.

He is the president-elect of the CCSSO Board, and the Department of Education in Nebraska houses both the educational services, as well as vocational rehabilitation program. And Mark Schultz worked there before he hightailed it to Washington, DC. So Matt has the unique pleasure of being Mark Schultz's boss.

And then -- paired with Matt is Michael Elsken, who is an attorney with the Disability Rights Nebraska.

He has been there for 18 years.

And he's the primary attorney serving Assistive Technology, Special Education, and social security at the Nebraska Protection and Advocacy Program.

What we're going to do is after each speaker, we are going to open up the chat box for questions.

So you will see the chat box and you have been typing away there.

After each speaker, we will open it up for some questions in the chat box. And then we will move on to the next speaker.

Also at the very end of our webinar, we will open up for broad questions, and at that time, we will open it up for audio questions as well. We will have both the audio and chat at that time.

The other thing is at the end of your PowerPoint, we are not going to go through this afternoon, but you will have resources for both the Kentucky and Nebraska Departments of Education.

I want to take a couple of minutes for us to set the stage this afternoon.

As you all know, we are experiencing something that has virtually never been experienced by our country before. Because of COVID-19, all 50 states have had mandated school closures into April and beyond.

Many states have already closed for the remainder of the school year.

124,000 schools have been impacted.

Over 55 million students are affected, including over 7 million students with disabilities.

What happened is we moved in a virtual instant from virtually none, or very little, distance learning programs throughout the country, and the public school systems, to 100 percent distance learning options.

As schools wrestle with how to address this new reality, we thought it would be very helpful to highlight the work of Kentucky and Nebraska, and how they are working to deal with the new reality, to meet the needs of their students, both students with and without disabilities.

No one is perfect.

But we think that the model that they have been working can be one that can be helpful for us all.

Before we begin, I want to pause for a moment to put our focus where we think it should be, whether you are an advocate, an educator, or a public policy person, I do not if you can see my tie or not, but this is where our focus should be.

Right there.

Our children and our students.

I am now going to turn it over to Gretta to talk about the Kentucky program.

Gretta.

Do not forget to unmute.

>>GRETТА: Good afternoon.

Can you hear me okay?

Ron?

>>RON: Yes.

GRETТА: perfect.

>>RON: Gave you my thumbs up.

GRETТА: Technology issues.

Good afternoon, and thank you for just an opportunity to spend a little time to talk to you about the work that Kentucky is doing during this really unique and challenging time.

Really that is where I want to start today's conversation with Kentucky.

When this first happened, when March 13th came, it really came quickly. It was almost -- we knew, but we did not really know.

Kentucky was not alone in that. So when we were faced with the understanding that we were up against a global pandemic, I do not know that any of us really knew what impact that would have on us.

But one of the first things that we did in Kentucky when we were facing the understanding of what we needed to do to eliminate face-to-face classes due to the prevention of community spread, our governor and commissioner -- you know, I have had ongoing conversations with all of our local superintendents, and we actually engaged in an executive leadership team meeting the very first day, and Kentucky did not mandate school closures, which made us really unique.

It was voluntary for the superintendents.

We had conversations with superintendents, and explained the risk, and offered the nontraditional instruction program that we had in Kentucky for a number of years.

And offered really ongoing support from every office, at every level, of the SBA, as well as all of our regional partners.

It was the 172 local school districts who voluntarily had those face to face discussions.

They have continued to do so.

It has never been mandated, which is really unique.

Looking at the challenges, it happened so fast.

So there really wasn't time to prepare.

Even though we were fortunate enough to have the nontraditional instruction in Kentucky, we called the NCI Program.

We had that infrastructure, which was really good, but the challenge behind that was it was intended to be for adverse weather events.

But, typically, ten days or less, and not all school districts utilize the program.

So we had that challenge, along with the uncertainty of whether or not this would occur for the remainder of the school year, or it would only be a couple of weeks, because, initially, we -- in-person classes only for a couple of weeks.

The other question that came about really quickly was equity.

Did -- the question around that was did all students have access to virtual learning?

As you know, in Kentucky, we have very rural and very mountainous areas.

Not all of our students or educators have access to the Internet. The vast majority do, but not everyone.

We knew that would be problematic.

Some of the things that we will get into a just a moment that we do to work through, those while it took some time and commitment, the underlying message that I want to convey is that it really took the partnership and collaboration and the communication, for all of these changes that we face.

Progress monitoring.

That is a challenge, and it is going to continue to be a challenge.

There was a lot of focus when this first happened.

The fear.

The focus on fear, I think, was initially what everyone had in common, was how do we -- how we make sure we meet the timelines.

People started thinking -- I like to say inside the box.

It's easy to think about how do I meet a timeline, and how do I maintain compliance.

While that is important, that is not the purpose of special education.

So we knew -- looking forward, that was going to be a problem, but also how do you sustain the NCI they had used -- how do you decrease the amount of fatigue, not only for teachers and educators, but also students and parents and families.

So just pausing, going back to March 13th when we were facing widespread closures, we, as an agency, tried to think about those immediate challenges which began with time to prepare, thinking forward all the way to if this last, four weeks, five weeks, end of school, which we now know it will, what about the fatigue?

If we can go to the next slide, I want to discuss briefly some of the solutions that -- some of the strategies that we used to create solutions.

I said, a moment ago, the key thing was really about communicating with our districts and families and all of our partners.

When this first to occurred and we closed schools and face-to-face sessions, one of the first things that my office did was have -- we offered a Microsoft meeting for all of our local directors in special education, and there immediate staff.

We had nearly 200 people on the line.

It was within the first week of school closures.

Frankly, we did not have the answers at the SBA level.

We still do not have all the answers.

The purpose of that meeting was to get together with our local -- we are all in this together.

We are all going to figure this out together.

As you said a minute ago, Ron, we will keep our eye on the main priority, being our students.

If we continue to think forward and think differently outside the box, and we worked together, with our focus being on kids, then we will be able to do that.

We will not get mired down in did I meet this timeline, or did I not?

We're going to focus on compliance, but it is important, but was also know that compliance is the floor of special education.

We can do better, and we can do better virtually.

We just have to think differently, and we are going to be able to think differently if we do it together.

So that was very well received.

Very much appreciated, I think, by most of our locals, just to hear us say, we don't have the answers.

We are looking to OSET for answers, but we also know that they do not have the answers.

We are just going to lean on each other.

Shortly thereafter, within the agency, we began having superintendent webcasts every Tuesday, and the topics ranged from finance, to food.

Because, obviously, that is a challenge for all states right now.

You know, feeding kids during the closure, to transportation, to special education.

And when we had our superintendent webcast, that was a joint webcast for local directors and special education and superintendents, it was a two-hour session, and continuously through the course of the two hours, we had over 550 participants on that webcast.

That is a true testament of the people who were engaged together trying to work through the problem together.

Again, honest communication, I've actually been involved in some Facebook Live conversations with our committee that involved other chief and key leaders across the state and nation, and former leaders.

And all of that simply was just to push out all the information that we had, to be as transparent as we possibly could to say, we do not know the answers. There are things that districts will get wrong, there are things that the state is going to get wrong, and there might be things that OSET gets wrong, but that is okay.

Because we are keeping our focus on the kids.

We will remedy that when we get back together face-to-face.

And the key component is that we communicated over and over was that students are still entitled to a free appropriate public education, but we will also continue to think about the safety and health and welfare of our kids, of the staff, and the families.

Because of the unique nature of the situation, we have to do that a little differently right now.

It was very important for us to have equal access.

We know that there is going to be challenges with that, but, again, it is about opportunity.

And one of our largest school districts, it took them a little longer to implement the NPI program, but they were getting things together so that they could offer some equal access.

For example, they pushed out 6000 hotspots to students that we knew did not have Internet access.

And some of the more rural areas, actually where I am from, the local Internet provider set up places in public libraries and parking lots of public libraries, some churches, and other places where parents could take students, or students could drive and stay in their car, and have access to the Internet.

You have to look at the -- it does not have to be virtual. There are other things that can occur, and that's -- [AUDIO LOST] many local directors about.

Think outside the box.

[AUDIO LOST] Local newspapers --

>>RON: You're breaking up a little bit, Gretta.

>>GRETТА: Is this better?

>>RON: Go ahead.

>>GRETТА: Okay.

>>RON: Better.

>>GRETТА: [AUDIO LOST] And teaching through -- whatever technology -- [AUDIO LOST] that is the piece that we have communicated so many times is that you have to make a good faith effort.

Where there are situations [AUDIO LOST] students are not provide a free appropriate public education -- those are the conversations that we have had repeatedly.

It really comes down to the strong collaboration internally and externally. Across our SBA we have had extremely strong conversation and collaboration and effort just working together.

For all students, including students with disabilities.

We have partnered with our regional providers.

If you will pop onto the next slide.

For example, in Kentucky, this slide illustrates the regional partnerships that we have.

We use some of our -- they set aside dollars to fund regional special education cooperatives, as well as early childhood regional training centers.

These are --these are the boots on the ground.

These are the people in the local district.

They are the conduit between the local district and the state education agency.

We have relied heavily on them during this time, and they have really stepped up and done a fabulous job of helping us not only get information out, but to put tools in the toolbox of educators.

We are actually hosting a series of really short bursts of information that are webinars every week.

We have a 30 minute webinar, one dedicated to the special education cooperative for school-age providers, and the focus of those are specially designed instruction, progress monitoring, accommodations and modifications, during the unique time, as well as special instructions for students with the most significant cognitive disabilities.

Also, weekly, we rely heavily on our early childhood regional training centers to get tools in the toolbox for those providers of those kids that are ages three to five.

That looks very different because the preschool population are not required to participate in NCI.

They typically did not, but the vast majority of the childhood centers stepped up and said, we want to provide support to the younger learners.

So the webinars that we are providing for this group include helping families continue routines during this time.

Social and emotional learning and the impacts that this pandemic has on the earliest learners.

Purposeful play, especially now, and how important that is for development of young children.

Just how to navigate this world of nontraditional instruction of preschool.

Again those have been very well received.

We have approximately 200 participants.

There is additional information if anyone is interested in tapping into those resources.

There is additional information at the end of the PowerPoint.

The one thing that I would leave everyone with is, that this time is really unique.

It is about working together, keeping the focus on the kids, and being as honest and transparent as possible and not shying away from any compensatory education, or other types of needs that are owed to our students when we resume face-to-face classes.

>>RON: Thank you.

It does not look like there's any questions in the chat box.



But someone did comment, if you're having trouble with the audio, this is -- there is a closed -- or open captioning link that you can use if you want to use.

There is a web link box just below the chat box.

Thank you again, Gretta.

Let's turn it over to Lucy, from the Kentucky P&A.

>>LUCY: Thank you.

And good afternoon, everybody.

We have been -- I have been with P&A for over ten years now.

During that time, I have worked with Greta and a lot of the folks at KDE, and historically we have had a very good relationship with them.

They have been very pro-student in our interactions with them.

We were pleased, but not particular surprised at the response that they have given to the pandemic.

Even though this was unprecedented, and not really anticipated, KDE came out very early with a very clear and consistent message about their expectation. And that message really has been repeated over and over, that they expect districts to make a good faith effort to provide instruction to all students.

That this was not the normal course of business and it was going to require creativity and flexibility.

There would be trial and error.

And there would be error, but that KDE would do what they could to provide a variety of support for the districts.

Where they fell short, there was an expectation that those students would receive compensated.

In terms of the strategies that have really set us up for a successful start to this, I think that same message being repeated has been really important.

In my work at P&A, we have been at those board of education meetings or online now with those, the board of education is KDE's governing board.

The superintendent meeting.

The director of special education meeting.

Training for teachers.

Facts. All of that correspondence and communication has focused on that very central message.

In addition to setting a forefront, I think KDE has worked with the educational cooperative and the early childhood regional training centers to set up a lot of different training.

They are readily available.

They are done live, but teachers can go back and look at them afterward. They give a lot of basic information.

Great suggestions.

Then those agencies are also available to do individuals with consults.

Again, even within the context of those, and some of the ones I have seen Gretta has appeared on, she is there saying that same message of there are some strategies that we can try.

Not everything will work for every student.

We hope you find this helpful.

If you do not, they have been available as that resource.

In addition, another strategy that Kentucky has used that I think has been very effective has been the fact that we have family resource and youth service centers embedded in many of the schools.

And they provide nonacademic support for families and students.

They are in every school where there is a population of 20 percent or greater who are qualified for free or reduced lunch.

That equals about 850 -- I think it is 854 centers in the school serving about 650,000 students.

I have attended webinars and webcasts with professionals from those -- we call them FRYSCs.

They are out there working to support students in getting them food, making sure they're fed.

Making sure they have technology access.

Some of the Internet resources that Gretta referred to.

Driving packets to students when they don't have transportation.

Picking it up.

Coordinating.

They are in there, and they are working side-by-side with a lot of the districts in getting those things done.

I think those are some of the main strategies and support that we see out there that have really gotten behind the message of putting students first.

Kind of doing what we can. And, again, it is always followed by that message of, we are going to fail, and when we do, we will make it right.

And I think to the extent that parents have seen that, and have gotten that message, I think that has calmed the fears of a lot of the parents in terms of the communication that they have had with the teachers.

I think that message is getting to them, and that has been a very positive thing.

Can you do the next slide?

In terms of collaborations for parents who need support.

Of course, the P&A is out there, and we immediately developed a one-pager to distribute to parents and it has gone out to other agencies, which is sort of an attempt to get proactive information out to parents of what they needed to do.

I think it is consistent with what KDE has had said.

The very first thing is to make sure that you're communicating with the teachers and that you're keeping track of, you know, what is going on.

If you have concerns, are you addressing those.

First and foremost, with the teachers. If technology isn't working for you or the child?

If there are issues in terms of understanding, of making sure that those things are being sent back.

Another thing that has been stressed by KDE that we stress as well is keeping the documentation of the knowledge that this may not all goes smoothly, and when we come to the end of it all, we want to be able to sort out and look at what happened and dissect it and see where comp-ed is needed, and where things could have been successful.

We also have emphasized communication documentation and flexibility with the parents.

We are currently forming an agency collaboration to look at what are the resources available for parents.

I think there has been a lot out there for teachers and supporting teachers, and there is a lot of information disbursed in a lot of different ways for parents.

We want to look at what is available, identify if there any gaps, and how we can fill them.

I think everybody has a goal now for us and KDE is to ensure that the children with disabilities are getting as much as they possibly can through NPI.

When they return to school, if something has to be made up, it is the least amount that has to be done, just because the NPI has been successful. I think everybody wants NPI to be as big a success as possible.

In terms of the other part of that collaboration is when kids return to school, how -- what are the parent concerns going back into school.

We think there will be some transition issues and how we can best facilitate a smooth return for everybody.

Another big parent support has been our parent information center, KY-SPIN.

They've been providing weekly update and training for parents.

The messages is the same as ours, the same as KDE, which is communicate, document, and be flexible.

In terms of what we are seeing, I think I told Ron yesterday, we have not been too busy.

When this started, we expected to be overwhelmed with calls from parents who were unhappy with what was going on or concerned about the education their children were receiving.

We have not seen that.

We have had a handful of calls.

I reached out to Gretta probably when this all started, and her immediate response to me was, if you need any help with individual cases, working through those, call me.

Here are the names of other people in my office you can contact.

I believe she is involved with a couple of cases that are being worked through.

In a good way, not in a due process, not -- everybody is working together.

I know we have had one case that came in.

The parent was called who was really concerned about an annual review.

She was concerned because the district wanted to go ahead with the annual review.

She was very concerned that they would change the whole IEP without any supporting data.

She was wanting it to stay the same as it was.

It was asking for a guarantee that they would not change it.

She was also concerned with having another -- we call them ARC meeting in the fall for transition and to determine comp-ed.

So she was basically refusing to do the meeting, because she was so concerned about these things.

We advised her to put that down in writing, what her concerns were. And she wrote back that the district responded and said it is not going to be appropriate for us to say that we are not going to change the IEP.

But we will make those changes based on the data that is presented.

If there is any further need to schedule another meeting, certainly we would do that.

We anticipate having to meet in the fall to discuss transition.

She went forward with the meeting, and was very satisfied with the supports that were in place.

We had another client -- we had another client who had asked for an ARC meeting because the NPI that was being provided for her child was just too much.

He was not able to participate in the meetings because they were overstimulating on the Zoom.

He had too much work.

His anxiety was increasing.

He was having increasing behaviors at home.

She had some recommendations from his psychiatrist.

The ARC met.

They made revisions based on those.

They discussed ESY, which was something that had been discussed before the pandemic hit.

They were reviewing that data.

They did find that progress monitoring supported excessive recoupment.

So they qualified him for ESI.

Scheduled that to begin, and they made change to his IEP that mom was very pleased with.

Even in the short time, we have had some very positive results through the ARC process, and through maintaining that contact and communication.

Next slide, please.

Really I think these three things are one big thing, and that is a question of comp-ed.

As we look at going back into the fall, we feel very strongly that we have got a lot of state support.

What this will translate to in terms of comp-ed at a district and local level is something we are a little concerned about, and we are not really sure if the ARC will be consistent across each state and how they do assessments of progress data regarding regression

and progression, and whether or not they will make consistent decisions regarding comp-ed.

That is what we are looking toward.

Hopefully in those collaborations that we can come up with and working with KDE we'll get those resolved.

>>RON: Thank you very much, Lucy.

It looks like we have a few questions in the chat box.

Gretta it looks like they are more directed at you.

I am going to do one from Joel Greenberg, and then I will try and pair two together.

The question from Joel is, what are the level and quality of the individual consults, especially for kids who's IEP focuses on serious behavioral issues. Have you had success with that, Greta?

>>GRETТА: That has been one of the questions that has come up quite often in some context.

How do we monitor for students who have extreme behavior concerns, and how do we implement the IEP in order to monitor.

That is quite challenging.

There are -- obviously, it will be dependent upon the individual needs of the student, and what the IEP says.

But there are going to be situations in which we fall short and districts fall short.

The conversations that Lucy and I have just talked about, some of these things are going to be things we have to revisit. And it is going to be tough for us at the SEA level, because I'm sure, as all SEAs are, we are understaffed as well.

We will monitor for these things, we will be looking at that. And I saw on the chat box where there was a question around this, and whether or not it was contingent upon parents.

I do not think that the burden is on the parent at all.

The burden is on the district to make the good faith effort and to do the right thing.

I think the vast majority of the time, they absolutely do.

Then the obligation is upon the state to determine, did we exercise our general supervision requirements in the way in which we should have.

One of the things that I shared with a district in a case- situation when they asked, this student has social skills and a lot of the IEP is around how he or she performed with same- peers.

We were able to work with the district to have conversations around the siblings.

Could siblings step in -- the quote, group, during some of these small group instruction.

Is that appropriate?

Have you had the conversation with the parent to determine if the parents are comfortable with that?

Again, it is thinking outside the box.

We need to think outside the box because the phrase that I like to say in Kentucky is, something is better than nothing.

So even if it means that a student gets part of the IEP implemented, and we cannot implement everything because of this pandemic, then that is still better than throwing our hands in the air and saying we cannot.

That is the easy out.

And I am advising against that at all cost.

>>RON: Thank you, Gretta.

We have two questions, and I will pair them together as -- in terms of guidance.

Are you guys issuing guidance?

Is it a binding guidance, or is it advisory guidance?

The was combining a question from Lydia and Amanda.

>>GRETТА: Our guidance has been more of just that.

Just nonregulatory guidance, rather than being binding.

However, I do think it is important to note that general supervision still works.

That is still part of it.

That is a requirement, and we will continue to monitor to ensure that the IDEA was implemented.

>>RON: We are running a little behind, so I will close off questions for now, and move on to the great state of Nebraska.

And Matt Blomstedt, ahead.

Don't forget to take yourself off of mute.

I started to tell you to take you to take yourself off mute, and I forgot.

>>MATTHEW: I got it.

First of all, I will cover territory quickly.

Similar to the Kentucky's story, and every state, we suddenly ran into this very complex scenario.

We had schools looking at closures, and really unsure with the timeline. We really had different legal advice to our schools across the state.

We tried to respond to that as quickly as possible, you know from a state level.

But, oddly enough, what you find -- I'm sorry to offend any of the attorneys, but attorneys like to fight with one another.

So the reality for us was to figure out what is the value proposition?

What are we trying to accomplish?

How do we move forward?

I asked our team, certainly our Deputy Commissioner of education, Steve Milliken, and our director, I think she started officially on the 3rd week of March, Amy Roan to start convening our various groups, our stakeholder groups. And certainly Michael is part of one of those groups in Nebraska.

It is really important that we had conversations and talk about we are doing this for equity and addressing the concerns around inequity.

It was important for us to think through those particular challenges, just like I think in Kentucky.

It happened fast to everyone, and addressing that was important.

We really also ran into situations where schools were at different point.

Some were on spring break, and an extended spring break.

That created a lot more confusion around what the response time seemed to be.

I really got to the point where I just had to lay out an expectation for the school district across the state.

They were expected to build continuity of learning strategies.

They were expected to move forward and address -- they were expected to meet the requirements of all of our students.

We knew that there would be challenges because we knew already that not all digital resources -- not all schools even had access to digital resources, much less the fact that digital resources were not necessarily compliant with the needs of our students.

We also knew that it was important to start to direct schools to have ongoing conversations with parents and students.

We have a few places that just kind of froze.

I really did not like that environment.

They were not doing anything.

There was the fear of we are to get sued if we do it wrong.



I had to point out that you are expected to provide safe, regardless of the environment, you are expected to provide an educational opportunity.

And we tried to provide something.

In fact, we asked the school to develop the continuity of learning plans and recognize the different barriers.

But our plan is very basic.

When we first asked the school to fill out -- do continuity of learning from all of kids, and the second question is how are you going to serve your students with special needs?

Those were two basic questions.

We will continue to use that to provide guidance to schools when they run into those challenges.

Honestly, it is about communication.

It is about ensuring that you have good communication between schools and parents and students.

It is ensuring that we have good conversations and communications among a lot of different potential actors.

We are not there.

Do not get me wrong.

I am really trying to led a value-based approach to where we go as a state.

We are learning just like I think Kentucky is.

We are having to learn through different moments.

We will learn on those fronts together.

We will maintain our consistent equity theme and direction that we will continue to guide us and do that work.

Really looking into the future.

I think this is why it is so important in this moment.

In my role, and I appreciate CCSSO's involvement and Peter, I think, about week one into this, we started having conversations about what is happening at a state level, and at a national level.

We knew places were in different positions at a moment in time, and I wanted to make sure that we were being thoughtful about we're going to make mistakes, but we will not continue to make the mistakes as we go into the summer or the fall.

Instead, we will learn from these moments, and try to direct that in a fashion that is going to be meaningful for students and be responsive.

I do not know how many -- we had some schools that were struggling to understand how they could do IEP in such a short order.

We provided an example of a model on a virtual IEP meeting.

We encouraged them to work through it.

Make the communication with all the parents and get them involved in that.

Really, last, I want to add that we still have a lot of work to do.

We have to learn from these particular moments.

Put things in place in the summer.

I just got off the phone a little bit earlier with the governor's office talking about how we could maybe start to come out of this and use summer. And I said let's focus on the most vulnerable students.

Those students that really need some hands-on attention.

Those students that really need to be in a setting that is going to help them.

We need to focus on the students with disabilities, and the compensatory education opportunities.

We have to build a safety net.

What I want to call a safety net around education.

We need digital resources that will be appropriate for all the learners.

But also we need to be thoughtful about when we are restarting school.

How do we get to the most vulnerable of the population and how do we do that most effectively.

It will take ongoing conversations to get the work done.

I will end there so I can let Michael say a few of his words, and just appreciate the level of partnership both in Nebraska that we are seeing, but also across the nation.

So thank you, Ron.

And thank you everyone from the organization.

>>RON: Thank you so much, Matt.

And I'm going to switch over to Michael in just a second.

I guess the way we did with Lucy and Gretta worked out well. If you have questions for the pair, just feel free to put them in the chat box, and when Michael is finished we will open it up it up for more questions.

Michael, take it away.

>>MICHAEL: I have to congratulate the state --

>>RON: Don't forget to unmute.

>>MICHAEL: I show it as being off of mute.

Can you hear me?

Hello?

>>RON: I still cannot hear you.

>>MICHAEL: I will call.

If I can.

>>MATTHEW: Ron, while he's getting on, do you want to ask a couple of the questions and I can try to address those while he's dialing up.

>>RON: People are saying they can hear him. I wonder why I can't hear him.

>>MICHAEL: Okay.

I was looking on my computer, and it says the microphone is on.

At any rate, I will go ahead --

>>RON: I think we had too many people chatting.

Michael are you there?

>>MICHAEL: I am here.

Can you hear me?

Can any of you hear me?

Okay.

I am --

>>MATTHEW: Ron, he's on computer.

>>RON: Michael, you need to use your phone.

>>MICHAEL: Okay.

>>RON: While Michael is getting back up.

If anybody has questions for Matt, type them in.

Michael there's a thing in the chat box.

Charles, put in the full number and the pin.

The question is for you, Matt.

Can they deny IEP meeting that cannot be done in person?

>>MATTHEW: Could you ask again?

>>RON: The question is, can an IEP meeting be denied if it cannot be done in person?

>>MATTHEW: Can it, or should it?

That might be the better...

>>RON: Go for it.

>>MATTHEW: I really encourage folks to continue to do those meetings and make sure that they're able to try everything they can to have a virtual type of environment, if that's safest and best right now.

I just was texted that they cannot deny it.

>>MICHAEL: Can you hear me now?

>>RON: Yes.

>>MICHAEL: I have to use my cell phone.

>>RON: Also mute your speaker.

>>MICHAEL: I will turn off the computer microphone.

>>RON: Yes.

>>MICHAEL: Okay.

Can you hear me?

[AUDIO LOST]-- congratulate the state department of education on being as proactive as they were about making sure that people understood that both parents and school districts understood that just because we are in a crisis does not mean that the state is going to be denying children with disabilities.

They really step forward on that and made sure.

We have literally hundreds of LEAs, in 93 different counties.

And there are going to be people that missed this.

And to the extent that our office gets calls, we really do encourage them to contact the State Department of Education, because they're in the position to be more proactive than our agency is in terms of what we would normally do, because of the supervisory capacity that the SEA has over the various entities that they supervise.

It is meant to change the thought process.

We have also made sure that -- we always encourage parents to have cordial relationships with schools.

And a lot of times, we do not get called until there has already been some degree of breakdown down.

We are really trying to make sure that the parents do keep the lines of communication open.

But also, encourage the parents that if they feel like the lines of communication have been broken by the schools entirely, that they at least contact the SEA and let the SEA try and address things so that they're not going to get everything.

No one will get everything right now, but they are entitled to the child receiving a free appropriate public education.

Parents often feel alone or uncertain to what to do.

So we also try to be a referral source for them.

For example, we get parents who have three children and one computer and all of the children are trying to use the one computer for their educational opportunity.

It is a matter of the schools -- it may be two different schools, you might have a middle schooler and a high schooler, that are vying over the same computer access.

So letting the schools know that that is a concern.

That is when the parents have access to the Internet.

A lot of parents do not, especially when you are dealing with the rural community.

In our state, we have a very rural state.

Those are concerns that we try to address to parents and make sure that they understand that the child is entitled to that free appropriate public education.

Some of this is going to have to be addressed as we come out of COVID-19.

Needing to do some planning in that regard.

Not only for compensatory education, but for what education is going to look like for the child as they move forward.

And when we come out of this, we are going to have a lot of students who may not have been diagnosed before, but they certainly have a diagnosis afterwards.

You will see a spike in anxiety.

You will see a spike in PTSD because you have children who have had family members who have been significantly at risk or have actually died because of the COVID-19 circumstance.

So schools need to be aware of that.

Some of their own staff will have issues of anxiety and PTSD.

It may create some issues for the schools in terms of how are teachers able to deliver educational services when they're dealing with their own issues, too.

This is going to be a huge process.

We need to start planning for that now.

We do not need to wait until we are two weeks from school opening and we are about ready to have children showing up.

We need to be thinking about that now.

Next slide.

The fact is that one of the things that we really need to encourage and we really work with parents about is understanding their options.

A lot of parents are concerned about if they are dealing with school districts that are being inflexible, what do they do?

Ordinarily, you might send a referral to the Office of Civil Rights or you might talk about an OCR or due process.

In the current environment, that is probably not an effective referral.

So we really try and work with parents to help them understand that there may be some deferral because of the circumstance.

That deferral cannot be unreasonable.

For example, sort of a mirror image from what was talked about earlier, we were contacted by a parent's representative that was concerned that the school had all the data for updating the MDT, but they were not going to update the MDT.

My reaction was, well, is the change in the MDT going to significantly impact what the IEP will look like?

And the response of the representative was, well, we do not know because we do not have access to the information.

So basically I said, you could demand an MDT and technically you might be right.

But the real question -- it is one that the school has to think about when they are saying that we are not going to do the MDT is we have data that shows a circumstance that results in a significant change in the IEP, is that functionally a denial of FAPE, even though they had not had the updated MDT because they knew about the information that could have done an electronic MDT meeting and they chose not to.

As opposed to it is not going to change substantively the IEP.

So why wrestle over doing an electronic MDT meeting in that circumstance.

The fact is that every child's circumstance and every school's circumstance is going to be different.

We have got some school districts that they do not really have staff that goes anything more than from year-to-year because they're very small districts.

You have people relocating out of the district all the time in terms of a spouse being employed elsewhere.

You end up losing. Teachers

Every school district where that occurs is going to be different from the school district like Lincoln or Omaha where you have teachers who are there 30 or 40 years.

It creates a different environment.

Parents need to understand that things are different because of the current circumstances.

They need to understand that things are different from -- because of the current circumstances and they need to understand that options that are available -- parents need to be willing to communicate with the schools, but the schools also have to be willing to communicate with the parents.

At this is a two-way street.

You really need to try and work on that process.

You also need to -- we need to work with parents in terms of navigating concerns with the schools, if they are there.

If they are things that are possible to navigate now, we will navigate them now.

If they are that that can be deferred without adversely impacting the child, then it makes sense to -- for the parents to relay the information that they are willing to defer it.

If it does have an impact on the child's FAPE, then the school needs to step forward when it comes time this fall to address the issues.

Next slide.

We do a lot of collaboration with our Parent Training Institute.

We -- I think we have each other on speed dial.

We do a lot of communication with PTI.

We refer parents to PTI.

It is supposed to be the resource for parents for general information about special education, within the state of Nebraska.

It is funded specifically to do that.

So they are really on top of the things that are occurring at the present time.

We also -- we think inside the box in terms of if you have an issue about accessing the Internet or resources that may be available, talk to the Assistive Technology Partnership.

ATP has a specialist that -- in this state, it has a specialist that does nothing but school related ATP.

So they may be able to help address those issues that exist regarding access.

It is not going to be perfect.

Part of the reason I'm here at the office as opposed to at my home, which is where I have been working, is my Internet provider has not got the capacity to deal with all of the people in my neighborhood that are home either watching Netflix or teaching kids, or are working from home.

So I kept on dropping off, so I came here because we have the capacity here that did not exist at home.

There are going to be glitches.

Some glitches are not going to be under the control of the school or the parent.

We have to try and work around all of those.

ATP is a good resource.

If you have children who have specific disabilities, there are disability-specific organizations that can help if you have questions, educational questions.

Under the current circumstance, unless the Autism Center, but there is the National Epilepsy Organization.

They focus on dyslexia.

All of these resources that are specific to the disability are looking at the issue of education specific to the disability themselves.

They often have information that the more generalized organization like Disability Rights of Nebraska may not have.

Finally, there are parent resource groups.

Sometimes they serve as a venting resource.

But sometimes, you get people together all thinking outside the box to come up with resolutions or potential resolutions that other people [AUDIO LOST] touch base with those parent resource groups.

Next slide.

Really the last thing I have to say is this is an ongoing matter.

This is not going to disappear just because schools reopen.

You are going to have kids who are going to be entitled to some degree of compensatory education.

You will have people who will have problems even after school is back and it will be related to this condition.

We will wrap it up here, and if anyone has any questions, go ahead and pose them and Ron can forward them on.



>>RON: Thank you.

There are a couple of questions that have come out while you were talking.

Specifically for you, Matthew, about children that are going through the parts C to the part B program.

Are you -- what is happening in terms of the timeline for that?

Are you telling people to wait until the end of the summer to make those transitions? I think that was one of the ones that came out.

>>MATTHEW: One of our philosophies is do not make blanket statements, and actually go do the conversations with the affected students and parents.

That is our best approach.

If we say look, you have to do something in that timeframe, they may be a little bit faster.

So might have other challenges with that communication back and forth.

Even from B to C, transition is going to be important to have that individual conversation.

That is our guidance for those.

>>RON: Thank you.

The other thing, ironically, is we are having a conversation about collaboration, the chat box was blowing up with what is happening in New Jersey, where the school districts, out of fear of being sued, are requiring students or parents to sign a liability waiver before they provide special education services.

I say, how can that be complicit?

I also said, if they want to guarantee been sued, do nothing.

I do not know -- if Matthew, if you wanted to react to that.

But I definitely would like to open it up for-- we are over time.

So if you feel like you have to drop off, please do.

I think we will end up with that question, and then we will close out the webinar.

>>MATTHEW: I was just going to say, I think Michael and I are in agreement.

The fact of the matter is that would not be [AUDIO LOST] instead, it would be much more appropriate for them to be talking about timelines and how they are going to serve the student underneath FAPE.

>>RON: Gretta.

Go ahead, Michael.

>>MICHAEL: To outright deny a child receiving FAPE until they have gotten some sort of waiver, to my mind, would wipe away -- it is just not an appropriate action by the schools themselves.

I do not know what you think about that, but they're probably not thinking deeply on it.

>>RON: Greta, any thoughts? Or Lucy?

>>GRETТА: I do not know that I have any really thoughts different than anyone else.

I cannot imagine really what the purpose would be.

I tend to agree with what Michael just articulated.

>>RON: I think that is contrary to the whole intent of this webinar is, lets not worry about every little dot and every little T.

Let's focus on the child, and do the best we can.

Work together with this horrible situation we are in it, which we find ourselves.

Again, thank you, our panelist for your excellent information.

Thank you all of our attendees.

As I said, this webinar will be available, the PowerPoint, as well as the archived webinar itself, the whole package. As soon it is done, we will forward it to all of the registrants, and it will be available on the CCSSO website, as well as our website.

And you are welcome to share it wide and broad.

Thank you so much for being with us today.

Have a great, great, great afternoon.

Bye everyone.