



THE SCHOOL DISTRICT OF CHESTER COUNTY

509 DISTRICT OFFICE DRIVE
CHESTER, SOUTH CAROLINA 29706

April 1, 2020

Dear Parents and Families of Students with Individual Education Programs (IEPs):

During this time of school closures due to COVID-19, there are some important things to remember. Any actions taken by a district or school regarding closures are for the safety of all students, families, school personnel and community members. As districts are determining the most appropriate steps to ensure student and staff safety, we want to provide you with guidance relating to students with disabilities and their services. It is extremely important for families and schools to collaborate and communicate regarding services for students with disabilities.

The United States Education Department understands that, during this national emergency, schools may not be able to provide all services in the same manner they are typically provided. While some schools might choose to safely, and in accordance with state law, provide certain IEP services to some students in-person, it may be unfeasible or unsafe for some institutions, during current emergency school closures, to provide hands-on physical therapy, occupational therapy, or tactile sign language educational services. Many disability-related modifications and services may be effectively provided online. These may include, for instance, extensions of time for assignments, videos with accurate captioning or embedded sign language interpreting, accessible reading materials, and many speech or language services through video conferencing. Based on this flexibility, Chester County Schools has decided that providing IEP services to students in-person is not feasible nor safe during the current emergency school closure. Everyone's health, safety, and well-being remain the District's top priority.

What will happen to my child's services when school is canceled for all students due to COVID-19?

1. If a school closure causes educational services for all students to stop, then the district is generally not required to provide services to students eligible for special education services during that same time.
2. After an extended closure, districts are responsible for reviewing how the closure impacted the delivery of special education and related services to students eligible for special education services. The IEP teams may determine students need compensatory services or extended school year services.
3. If annual reviews or eligibility determinations are due during a school closure, please work closely with your school to have the eligibility determination meeting as soon as school is back in session or through alternate means, such as video or audio conference calls.

What will happen to my child's services when a school is closed but educational services continue to be provided through nontraditional means such as distance learning?

1. If a local school district elects to utilize nontraditional methods to provide educational opportunities to the general student population, then the district also must ensure that students with disabilities have equitable access to the same opportunities, including the provision of a Free Appropriate Public Education. Districts should be communicating with you during and after this period of instruction regarding your child's IEP services. Districts and schools will work to ensure that all students receive services to the most appropriate and reasonable extent possible.
2. Although special education or related services may need to be adjusted, districts must provide IEP services. Districts may provide IEP services through an alternative means, such as curriculum-based schoolwork packets, online learning, or some other distance learning adapted to the student's needs and location.
3. This is not a change in placement for your child. This is a temporary adjustment in service delivery for all students due to the current natural emergency.
4. Once schools reopen, IEP teams will be responsible for reviewing how the closure impacted the delivery of special education and related services to students with IEPs. Each student's IEP team must make an individual determination to decide whether the student requires compensatory education to make up for any skills that may have been lost because the student did not receive educational benefit due to missed special education services.



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5. If annual reviews or eligibility determinations are due during this time, please work closely with your school to meet as soon as school is back in session or through alternate means, such as video or audio conference calls.

Confidentiality and Virtual Platforms

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student education records. Educational records or school records include all materials directly related to a student, which a school maintains. Schools treat each student's educational records as confidential and primarily for school use. In most circumstances, schools will obtain written permission from the parent or eligible student in order to release any information from a student's education record. However, the schools/district may disclose student information without written parental consent when the information has been designated as directory information (i.e., student's name, parents' names).

To meet the unique needs of each student, some students may have the opportunity to participate in small group instruction with other students virtually. During these instructional opportunities, staff will do their best not to share personally identifiable information from a student's educational records, except for the information that has been designated as directory information. While we encourage families to set up a learning area in their home that is free from distraction, the District recognizes that individual family circumstances may not permit this and that other family members in the home may be able to view the virtual instruction. If you are not comfortable with your child participating in small group instruction and/or in a virtual platform, please let your child's service provider know and alternative curriculum-based instructional activities will be provided.

If you choose to have your child participate, we ask that you do not record the session to protect the privacy of other student participants. Given that some students benefit from the repetition of instruction, individual service providers may choose to record sessions so that students can access at a later date and time. Please know that it is the District's expectation that staff obtains prior written consent from all parties involved before recording a lesson. The District is committed to protecting the privacy of students, but also recognizes the benefits of being connected with others during this required time of social distancing.

Additional guidance may be found in the following:

- [OSEP Supplemental Facts Sheet](#)
- [COVID-19 and South Carolina Schools](#)
- [OSEP Q&A on Providing Services to Students with Disabilities during COVID-19](#)
- [OCR Fact Sheet COVID-19](#)
- [Supplemental Fact Sheet](#)

Please know that Special Services staff is available for guidance and support during the closures of schools. We are encouraging parents to email members of their child's team with any questions or concerns since the staff is working remotely. Also, student-specific questions may be directed to Mrs. Jean Ligon, Executive Director of Special Services, at jligon@chester.k12.sc.us. For general questions, you may access the South Carolina Department of Education's Office of Special Education Services webpage at <https://ed.sc.gov/districts-schools/special-education-services/>.

Sincerely,

Jean Ligon
Executive Director of Special Services