

IEP @ School: Options for In-person and Virtual Learning

with Stephanie Nicholls



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Free parent training and information
to improve educational services and
outcomes for students with disabilities

800-552-4821

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Agenda

- Terms and Definitions: Schools
- Big Ideas in the Individuals with Disabilities Education Act (IDEA)
- Virtual Learning
- Frequently Asked Questions
- Considerations When Thinking of Changing Schools



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Local School District / Neighborhood Schools



Local Education Agency (LEA)
Public School District
Educating students who live in within
resident district (K-12 +)
Can not charge tuition
Must not discriminate
Governed by an elected school board



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Charter School / Public School Academy (PSA)

Can include any combination of K-12
No "resident students"
Public school district
Can not charge tuition
Must not discriminate
Governed by a board
Charter contract issued by authorizing body



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Nonpublic and Home Schools

- not operated by a public school district
- a private school, could be religion-based
- home schools are treated like a nonpublic school in Michigan

Parentally placed eligible students in a registered nonpublic school are not entitled to a FAPE but may receive some special education services through a nonpublic service plan.



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Resident District & Operating District

- **Resident District:** Public school district where the home address is located. District responsible for ensuring the eligible students receive a free appropriate public education (FAPE).
- **Operating District:** District responsible for implementing the programs and services documented in the IEP. May or may not be the resident district.
- **School of Choice:** Provide students with additional enrollment options. School of choice could be within resident district or another district. Participation in school of choice programs is **optional** for districts.



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Special Education Laws and Rules



Individuals with Disabilities
Education Act (IDEA)



Michigan Administrative
Rules for Special Education
(MARSE)



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Big Ideas in IDEA



Child Find

Free
Appropriate
Public
Education
(FAPE)

Least
Restrictive
Environment
(LRE)



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 **Child Find**

Child find activities are required to identify, locate, and evaluate all children and students with disabilities who need, or may be in need of, special education programs and services, including children and students who are:

- Suspected of having a disability even though they are advancing from grade to grade.
- Home schooled.
- Enrolled by their parents in a private, nonprofit elementary or secondary school, including a religious school, which is in the jurisdiction of the district.
- Attending an in-district virtual school or magnet school.
- A ward of the state.
- Highly mobile, such as a migrant and/or homeless student.
- Dropped out of school and have not reached the age of 26.
- Enrolled in another public educational program (i.e., Adult Education, Alternative Education).
- Held in county jail.
- In a low incidence placement, such as a residential facility, homebound, or hospitalized setting.



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 **Child Find Responsibility**

Where student is enrolled	Who is responsible for Child Find
Local School District	District where child resides
School of Choice District	District student is enrolled
Homeschool	District where home is located
Private school	District where school is located
Public School Academy (Charter School)	District student is enrolled (which is the PSA)



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FAPE


Free


Appropriate


Public


Education

The primary vehicle for providing FAPE is through an appropriately developed individualized education program (IEP) that is based on the individual needs of the child.



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FAPE & IEP Implementation – Nonpublic


Free


Appropriate


Public


Education



All eligible children are entitled to a free appropriate public education.

- If the family decides the eligible student will attend a nonpublic school option, they are opting out of a free appropriate public education (FAPE) for their child.
- Nonpublic schools are not bound by IDEA.
- Services may be provided through a nonpublic service plan.



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FAPE & IEP Implementation – Public School



If the parent chooses to move the student from resident district to a different public school, who ensures FAPE?

- Operating District



If the IEP Team decides to move the student from resident district, who ensures FAPE?

- Resident district ensures, operating district implements
- When the operating district is different from the resident district, they must work together to ensure FAPE.


Free


Appropriate


Public


Education



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Least Restrictive Environment

300.114 LRE Requirements

(2) Each public agency must ensure that—

- (i) To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and
- (ii) Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.





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Considerations for Determining LRE



- What opportunities exist for students with IEPs to access grade-level content and participate with peers without disabilities?
- What opportunities exist for all students to socialize and participate in extracurricular activities?
- What procedures and policies are in place to ensure students with disabilities receive the supplementary aids and services/programs outlined in their IEP?
- What accommodations, modifications, and/or other supports have been attempted in the student's previous/current educational environment, and what have the results been?



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More Laws That Protect People with Disabilities

Section 504 of the Rehabilitation Act of 1973
prohibits discrimination based on disability in any program or activity operated by recipients of federal funds.

Title II of the Americans with Disabilities Act of 1990 (ADA)
prohibits discrimination based on disability by public entities, regardless of whether they receive federal financial assistance.

Examples of the types of discrimination prohibited:

- inequitable access to educational programs and facilities
- denial of a free appropriate public education (FAPE)



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Learning with Technology



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Michigan Virtual Learning

In Michigan, we define virtual courses as:

"a course of study which is capable of generating a credit or a grade and is provided in an interactive learning environment in which the majority of the curriculum is delivered using the internet and in which pupils are separated from their instructor or teacher of record by time or location, or both." (THE STATE SCHOOL AID ACT OF 1979 [MCL 388.1621f](#))

Michigan is a local control state, therefore virtual learning options vary from district to district and in some cases even from school to school. Virtual learning encompasses participation in one course, a combination of courses, or 100% of courses.



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Terms for Virtual Learning

- **Virtual School:** complete educational institutions operated by a Local Education Agency (LEA) or a Public School Academy (PSA) that must fulfill the same requirements as a traditional brick-and-mortar school
 - Cyber School:** type of PSA, 100% online school
- **Virtual Program:** specific courses, modules, or sets of courses offered online, which may be part of a larger educational framework
- **Supplemental Virtual (Supp Virt):** The school offers virtual courses, but virtual instruction is not the primary means of instruction.



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More Terms for Virtual Learning

- **Full-Time Virtual (FTV):** The school has no physical building where students meet with each other or with teachers. All instruction is virtual.
- **Face-to-Face Virtual (FFV):** Virtual with face-to-face options; the school focuses on a systematic virtual instruction program but includes some physical meetings among students or teachers.
- **Supplemental Virtual (Supp Virt):** The school offers virtual courses, but virtual instruction is not the primary means of instruction.



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Ways to Deliver Instruction



Synchronous:
scheduled, real-time instruction with a teacher that is fully virtual/online



Asynchronous:
on-demand instruction that is fully virtual/online



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Types of Instruction

Blended:

- in person and through internet connected learning environment
- at least 30% of the content must be delivered online

Online Course:

- for credit or grade, teacher and students in different places

Digital Learning:

- interactive internet-connected learning, teacher doesn't provide instruction



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Accessibility



Aa

- Color filters
- Color Contrast
- Screen readers
- Magnify or zoom
- Voice Control
- Text-to-speech and Speech-to-text
- Font size – Make text larger
- Closed captions
- Automatic transcripts
- Braille display





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What may accommodations or modifications look like virtually?

Student Needs

Written / scaffolded instructions

Instructions/ lesson read aloud

Writing assignments

Sensory tools

Small Group / One-On-One Instruction

Modified assignment or test

Virtual Learning Alternatives

Instructions/ assignments shared ahead of time, bulleted list of instructions in chat, Learning management system

Teacher records instructions / lesson
Text-to-speech tools

Speech-to-text tools

Teacher provides sensory toolbox to student at home

Breakout Rooms

Prepared ahead of time, shared with student directly

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What may services look like virtually?

Student Needs

Speech and language therapy

Occupational therapy

Physical therapy

Social work services

Counseling

Assistive technology

Virtual Learning Alternatives

Teletherapy-students and providers use webcams, headsets, live video conference

Schools can contract with teletherapy companies to provide services

Schools can contract with other districts to provide services (Example: resident district)

Student and parent training to utilize assistive technology



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What may supports look like virtually?

Student Needs

Resource Program support

Paraprofessional support

Virtual Learning Alternatives

Resource Program teacher meets virtually with student/ small group of students

Remote desktop control

Private virtual meetings with paraprofessional for 1:1 work with the student outside of class time

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What is the expectation for parent involvement in virtual schools?



Great questions to ask the specific virtual program you are considering:

- What is my role as the parent?
- How much time is expected?
- How is it structured?
- How will staff communicate with me (phone, email, text) and how often regarding my child's progress or areas of concern?
- Who will ensure my child's accommodations are in place?



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If I am told they do not provide special education supports and services virtually what are my options?



- Public (including charter and virtual) school may not be selective in its enrollment process.
- The school may not screen out students based on disability, race, religion, gender, test scores, etc.
- A random selection process must be used if the number of applicants exceeds the school's enrollment capacity.

A charter school must provide special education programs and services through a combination of:

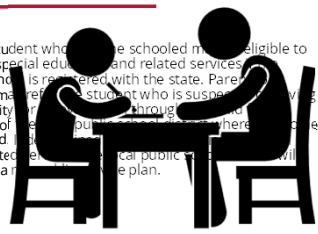
- (a) operating a special education program or service
- (b) contracting with another provider

Remember: If the virtual school is a public school, they have an obligation to provide FAPE.



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Can a student who is homeschooled receive special education and related services?



Yes! A student who is homeschooled may be eligible to receive special education and related services. If a student is homeschooled, the parent must first register the student with the state. Parents of a student who is suspected of having a disability may request an evaluation through the public school process of the public school district where the student is located. If the student is not eligible for special education and related services, the public school district will develop an individualized education plan.

Please put your answer in the chat.



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Can a student automatically be placed in a virtual or online program due to challenging behaviors?

No!

At no time may a student with challenging behaviors be placed in a virtual or online program. Virtual learning cannot be used as an alternative to discipline for a student with a disability without the student's consent and a discipline plan.

Removing a student from the regular education program without ensuring behavioral supports have been made available throughout a continuum of placements, including a regular education setting, could result in an inappropriately restrictive placement in violation of FAPE.

Please put your answer in the chat.

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Questions to ask yourself

Why am I leaving my current school?

What am I looking for in a new school?

What will be different at this new school? How will it benefit my child?

What are the possible disadvantages of leaving my current school for a new one?

How does my child feel about changing schools? How might this affect them emotionally or socially?

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Collect information from potential school

Who is going to implement my child's IEP?	What is the...
Does this school have a particular mission or philosophy?	teacher to student ratio?
How does the school support students with different learning styles and needs?	average class size?
How will my child's academic, developmental, and social-emotional progress be measured?	turnover rate with staff?
What extracurricular or after-school activities does the school offer?	discipline policy?
How does staff communicate with and engage parents?	bullying policy?

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