

## General Special Education Guidance - Texas

[Texas Education Agency](#) - General Coronavirus (COVID-19) Support and Guidance Released for Special Education

- Guidance & [FAQ COVID19 and Special Education in Texas](#) - *Updated May 27, 2020* TEA provides a general approach for LEAs in planning Special Education and Section 504 Services to include: 1) Prioritize health and safety of staff and students in decision making 2) Make a good faith effort to meet the needs of students and 3) Communicate with families. TEA encourages all LEAs to **document** reasonable efforts to provide FAPE and meet timelines. Additionally, LEAs should **document** deviations in service provision or adherence to a timeline within the student record.
- [At Home Learning Resources for Students with Disabilities](#) – **updated June 4, 2020** curated list of online resources.
- [Section 504 of the Rehabilitation Act of 1973 Guidance](#) - *Released April 2, 2020* TEA notes the continued provision of FAPE during pandemic period applies to students participating in Section 504 programs. FAPE defined as, regular or special education and related services provided through distance instruction virtually or telephonically.
- [Special Education Privacy and FERPA considerations for virtual instruction](#) - *Updated April 2, 2020* compliance with FERPA does not preclude convening groups made up exclusively of students served by special education in virtual classrooms.
- [ARD Committee Considerations During COVID-19](#) - *Released April 2, 2020* ARD committees are not required to meet in person while districts are engaging in social distancing and mandated closures. LEAs are encouraged to work to meet timelines to the extent possible, make reasonable efforts to hold meetings, and ensure parent participation.
- [Guidance on Grading](#) – *Updated May 12, 2020* TEA released a Q&A indicating each district has the authority to adopt its own grading policy. Districts may wish to modify grading policies for providing instruction in a distance learning format.
- [Residential School Program Guidance](#) – **Updated June 9, 2020** to address residential program definitions, school closure guidance, day & residential programs, and high cost funds.
- Notification of Dispute Resolution changes during COVID-19 – *March 20, 2020*. TEA is temporarily changing filing paths for [Complaints](#), requests for [Mediation](#), and requests for [Due Process Hearings](#).
- **Strong Start Texas** information was released by TEA **on June 25, 2020**. Resources include the [SY 20-21 Attendance and Enrollment FAQ](#), an [Overview of Remote Instruction Guidance for SY 20-21](#), and a [COVID-19 Superintendent Briefing Video](#).

## Instructional Continuity - Texas

- *Updated May 26, 2020* TEA has developed a Special Education Emergency Contingency Plan form that can be used to document the temporary special education services that are feasible and safe to provide to a student during the COVID-19 pandemic. This document is available as a [Microsoft Word Form for Documenting Temporary Services](#) or as a [PDF Fillable Form for Documenting Temporary Services](#). Additionally, there is a [COVID-19 FAQ for the Special Education Emergency Contingency Plan](#) that outlines intentions and limitations of use. Additionally TEA has released general [Considerations for Selecting Online Instructional Education Options for Students with Disabilities](#) on *April 23, 2020*

## General Special Education Guidance - National

[Individuals with Disabilities Education Act \(IDEA\)](#) United States Department of Education COVID-19 Web Resources

- [United States Department of Education Q&A: Services to Children with Disabilities during Coronavirus Outbreak](#) – *March 2020* Details special education requirements within IDEA to uphold during school closure due to the pandemic.
- [Office of Civil Rights Fact Sheet](#) – *March 16, 2020* Provided school districts and postsecondary schools significant latitude and authority to take necessary actions to protect the health, safety, and welfare of students and school staff while maintaining non-discriminatory and equitable practices for students with disabilities. OCR has also produced a [YouTube](#) video to discuss online education and website accessibility.
- [Office of Civil Rights Supplemental Fact Sheet](#) – *March 21, 2020* Emphasizes that LEAs should not opt to close or decline to provide distance instruction to address matters pertaining to services for students with disabilities.
- [Office of Civil Rights & US Department of Health and Human Services Jointly Announcement regarding HIPAA](#) – *March 2020* OCR will exercise its enforcement discretion and will not impose penalties for noncompliance with the regulatory requirements under the HIPAA Rules against covered health care providers in connection with the good faith provision of telehealth during the COVID-19 nationwide public health emergency.
- [USDE Student Privacy Policy Office Update](#) – *March 2020* The purpose of this document is to assist school officials in protecting student privacy in the context of COVID-19 as they consider the disclosure of personally identifiable information (PII) from student education records to individuals and entities who may not already have access to that information.

## State Assessment

- On *March 18, 2020* The Texas Education Agency issued a [To The Administrator Addressed](#) letter notifying LEAs that all STAAR Assessments were cancelled for the remainder of the school 2019-2020 school year. TEA released Subsequent [STAAR Assessment Guidance](#) that was updated on *May 26, 2020*. TEA provided [Online Testing Window Extensions for 20-21](#) FQ and Guidance on *June 16, 2020*
- Information pertaining to [Optional End of Year Assessments](#) was updated by TEA on *May 7, 2020*. These assessments are an optional tool schools can use to measure student progress and understanding of the statewide curriculum, the Texas Essential Knowledge and Skills (TEKS), taught this school year. A webinar was held on *April 28, 2020* to provide more information on use and implementation of these assessments. [Optional End of Year Assessment Webinar Recording](#). Additional materials from the webinar are also available: [Optional End of Year Assessment Webinar](#) (PPT) April 28 2020 (Slide 10 covers accommodations). TEA released additional information about [State Provided Optional Beginning of Year Assessments](#) on *May 19, 2020*.
- [Reading Instruments Guidance](#) was released by TEA on *May 21, 2020* providing information about kindergarten waivers.

## English Learner & Special Education

- [TELPAS & LPAC Guidance](#) was updated by TEA on *May 26, 2020* to provide Local Education Agencies (LEAs) with guidance on adjustments and flexibility for Language Proficiency Assessment Committee (LPAC) procedures and the Texas English Language Proficiency Assessment (TELPAS). [Tips for Families with English](#) Learners was released as series of support documents in multiple languages on April 21, 2020.

## Evaluation

- [The Texas State Board of Examiners of Psychologists \(TSBEP\)](#), the licensing agency for LSSPs, has issued statements on their website reminding licensees that they may practice teletherapy without any special certification, training, or notice to the board, as long as they adhere to the same practice standards applicable to traditional or in-person settings. There are no additional or special restrictions or requirements on a licensee wishing to provide teletherapy services. The Board has published a set of [guidelines for the practice of telepsychology](#).
- The [National Association of School Psychologists \(NASP\)](#) has also developed non-regulatory Considerations for the Delivery of School Psychological Telehealth Services. NASP also has provided guidance to individuals practicing school psychology about how to share information regarding the shift to [Virtual Service Delivery](#). More broadly, the [American Psychological Association \(APA\)](#) has also developed non-regulatory guiding practices for telepsychology.
- TEA released [Evaluation Considerations During COVID-19](#) on *April 2, 2020* stating when timelines are not able to be met due to the current COVID issue, document the reason in the student record. [Guiding Questions for Educators Providing Multi-tiered Systems of Support \(MTSS\) Intervention](#) released by TEA on *April 7, 2020*.

## Speech & Related Services

- [Texas Department of Licensing and Regulation \(TDLR\)](#) announced on *April 9, 2020* additional flexibilities to allow SLP assistants and interns to provide services through telehealth, as directed by their supervisor, according to the SLP assistant practice and duties under 16 TAC §111.52.
- [The American Speech & Hearing Association \(ASHA\)](#) has standing non-regulatory guidance for the implementation of telepractice by Speech & Language Pathologists. ASHA also has a website listing of [Texas Telepractice Requirements for Audiologists and Speech-Language Pathologists](#) collected from the state licensure boards & regulatory agencies responsible for regulating the professions of audiology and/or speech-language pathology.
- The [American Occupational Therapy Association \(AOTA\)](#) has issued telepractice resources online, including documents for [Medicare/Medicaid](#) services provision.
- The [American Physical Therapy Association \(APTA\)](#) published a statement on March 16, 2020 regarding telehealth practices for Physical Therapists. APTA [updated resources on telehealth](#) related to areas such as regulation, risk management considerations, and implementing telehealth in practice.
- TEA released [Occupational Therapy \(OT\) and Physical Therapy \(PT\) Guidance](#) on *April 17 2020* provides considerations and key points to assist LEAs as they work to most effectively move these direct services typically provided to students to an indirect, or consultative, model of service delivery.
- TEA updated [Speech Language Therapy Services Guidance](#) on *May 14 2020* - This document is designed to help service providers identify ways to continue delivering services to students through remote learning or telepractice.

## Low Incidence Disabilities

- TEA released the [COVID-19 FAQ: Supporting Students with Complex Needs](#) on *April 9, 2020*. LEAs are encouraged to consider a combination of methods to create an instructional package that will position the student with complex needs to continue making progress.
- [Instruction and Accessibility Support for Students with Disabilities: Assistive Technology \(AT\)](#) guidance was released by TEA on April 23, 2020 related to procedures for special education staff to implement the provision and use of AT devices and services as outlined in each student's IEP.

## Behavior

- TEA released the [COVID-19 Mental & Behavioral Health Grief & Trauma Informed Virtual Support and Statewide Resources List](#) on *April 3, 2020*. Various links are provided to help schools connect families with specific resources in the area of mental health and wellness. See the TEA COVID-19 FAQ for [Discipline Guidance](#) updated May 5, 2020.
- [Tips for Managing Behaviors for At Home Learning](#) released on *April 14, 2020* is a Tip Sheet for parents with examples from the Autism Circuit network linked for download.
- TEA has also released behavioral guidance for LEAs [Supporting Challenging Behaviors at Home](#) on *April 14, 2020*. This document introduces a TEA developed checklist to facilitate at home learning for students with challenging behaviors.
- Guidance for [Providing Counseling as a Related Service](#) was released on *April 14, 2020*. This document is designed to help service providers identify ways they can continue to deliver counseling supports to students through virtual or remote learning.

## Transition & 18+ Programs

- The Student Centered Transition Network has provided [online resources](#) to continue the support of student transition during COVID-19. In addition, the ESC transition network members have worked to create a collaborative document titled [Levels of Access to Transition Assessment](#) to enable LEAs to continue transitions assessments remotely to prepare for virtual IEP/ARD meetings.
- On **June 4, 2020** TEA provided guidance [on Continuity of Learning for Secondary Transition during COVID-19](#). On **June 4, 2020** TEA provided a 2020 [Seniors Guidance and Graduation FAQ](#) to address questions about awarding diplomas, graduation requirements, class rank, GPA, award of credit, and graduation ceremonies.

## Early Childhood

- On *April 23, 2020* TEA released [Early Childhood Interventions for Students who are Deaf or Hard of Hearing or Blind or Visually Impaired](#). This document outlines questions and answers pertaining to the provision of ECI services and services to infants and toddlers.

## Instruction & Progress Monitoring

- TEA released a [Progress Monitoring Checklist](#) on *April 14 2020*. TEA recommends LEAs develop a protocol and train staff in how to use that protocol for documenting IEP goal progress, accommodations and specially designed instruction by the general education teacher, special education teacher, paraprofessional, and/or related services and speech providers. Various LEA example documents are linked for download.
- TEA released [Considerations for Extended School Year and Compensatory Services for Students with Disabilities During and After Texas School Closures Due to COVID-19](#) on *May 14, 2020*. This document provides resources to help ARD committees appropriately and effectively consider the provision of compensatory services and extended school year (ESY) to students in accordance with federal and state requirements.

## Deaf/Hard of Hearing (DHH)

- On *May 5, 2020* TEA released [Tips for Remote Learning for Students Who Are Deaf and Hard of Hearing](#). This document provides accessibility information for students who are deaf or hard of hearing (DHH) as lessons are being planned virtually.