Additional Services, Compensatory Services, Extended School Year, and Monitoring Progress of IEP Goals

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WISCONSIN DEPARTMENT OF
PUBLIC INSTRUCTION
Carolyn Stanford Taylor, State Superintendent

During out Time Together We Will . . .

- Understand school and district responsibility for providing a Free and Appropriate Public Education (FAPE) during the 2020-2021 school year through the lens of additional services and compensatory or recovery services.

- Understand the important role of monitoring progress of IEP goals to determine academic and functional growth.

- Identify options for supporting individual student disability-related needs, IEP goals, and services in light of COVID-19.

Thank you and Aknowledgements

- 09/08/2020 Community of Practice Supporting Students with IEPs: FAPE and Additional Services

- Fall 2020 A Guide to Implementing IEPs and Monitoring Progress of IEP Goals When Moving Between In-Person, Hybrid, or Virtual Learning Environments for Individualized Education Program (IEP) Teams

- 03/01/21 Community of Practice Supporting Students with IEPs: Family Engagement during COVID-19 & Extended School Year Services

- 04/08/2021 Compensatory Services Decisions for Students Exiting in the 2020-2021 School Year

- Wisconsin DPI COVID-19 Special Education Question and Answer Document

Educational Equity Means…

That every student has access to the educational resources and rigor they need at the right moment in their education, across race, gender, ethnicity, language, ability, sexual orientation, family background, and/or family income.

Our Focus Must be on Equity

What <u>actions</u> are we taking to:

- Serve the most marginalized students and families

- Maintain and deepen relationships

- Collaborate in decision-making based on individual student and family needs

- Increase capacity of families and general education teachers to maximize Least Restrictive Environment (LRE)

- Practice self-care so that we can support others

Adapting to Change

The Learning Environment has Changed

- Schools continue to adapt to changes caused by COVID 19.

- Take a moment to consider how this learning change applies to your personal experience over the last year.

Adapting to Change

Special Education Requirements have <u>Not</u> Changed

"To be clear: ensuring compliance with the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, and Title II of the Americans with Disabilities Act should not prevent any school from offering educational programs through distance instruction."

Supplemental Fact Sheet Addressing the Risk of COVID-19 in Preschool, Elementary and Secondary Schools While Serving Children with Disabilities. United States Department of Education, Office for Civil Rights, Office of Special Education and Rehabilitative Services. March 21, 2020.

Free Appropriate Public Education (FAPE)

"Schools must have in place for the 2020-21 school year an individualized education program (IEP) for each student with a disability that is reasonably calculated to enable the student to make progress both in the general education curriculum and toward their IEP goals that is appropriate in light of the student's circumstances."

COVID-19 Special Education Question and Answer Document

Free Appropriate Public Education (FAPE)

- IEPs must be reasonably calculated to enable students to make appropriate progress in light of the student's circumstances in age or grade level general education curriculum and toward IEP goals.

- IEPs must be implemented as written.

For more information on FAPE see DPI Bulletin 18.02 FAPE

Free Appropriate Public Education (FAPE)

- IEPs must continue to include ambitious and achievable IEP goals.

- Typical methods and procedures for collecting data related to progress monitoring of IEP goals should continue to be utilized as appropriate.

For more information on FAPE see DPI Bulletin 18.02 FAPE

Flexibility in Response to COVID 19

- Decisions about the IEP services are made based on the unique disability-related needs of each student.

- IEP teams, including the parent, work creatively to consider how best to provide services to students.

- FAPE may be provided consistent with the need to protect the health and safety of students with and those individuals providing special education and related services.
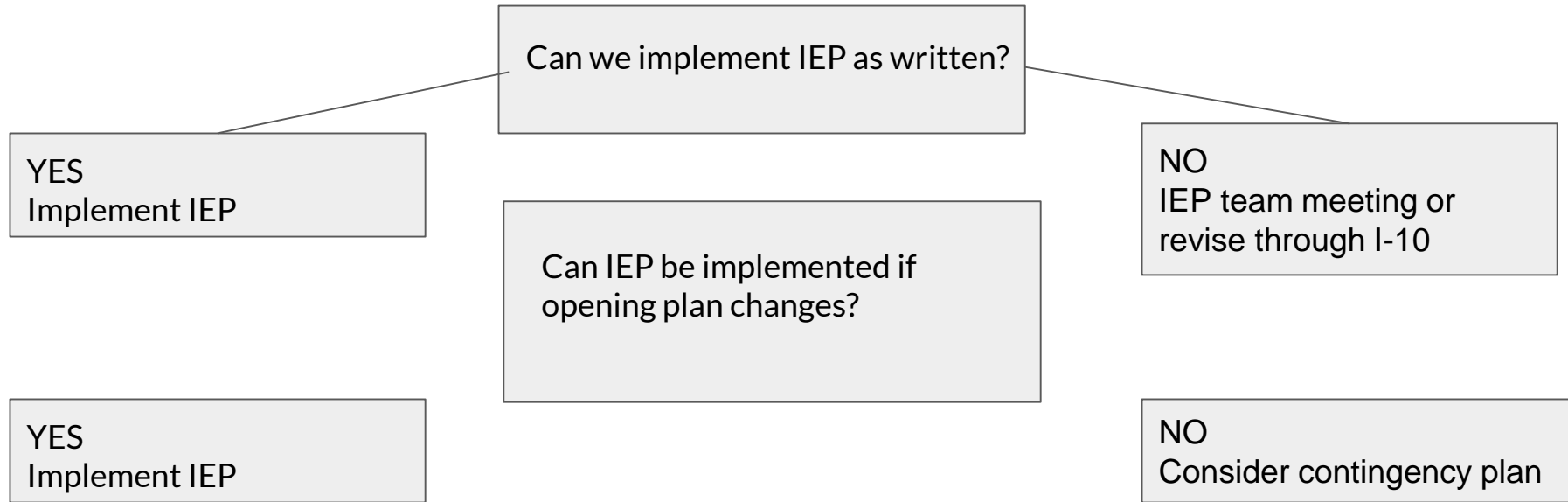
Flexibility in Response to COVID 19

In the last year more than ever:

- Educators used practices such as distance instruction, teletherapy, virtual instruction, lowtech strategies to provide curriculum-based resources, instructional packets, projects, and written assignments, and provided blending learning environment options for some in-person instruction or combinations of synchronous and asynchronous learning.

- [Supplemental resources for supporting students with IEPs during COVID-19](#)

IEP review at start of school year

Can we implement IEP as written?

YES
Implement IEP

Can IEP be implemented if opening plan changes?

NO
IEP team meeting or revise through I-10

YES
Implement IEP

NO
Consider contingency plan

Contingency Planning for Virtual

100% in-person or 100% virtual learning-student receives services in-person but IEP Team anticipates that could change to 100% virtual should it become necessary

Special Education/ Specially Designed Instruction	Amount	Frequency	Location	Duration
Self-advocacy instruction	15 minutes	2x week	Special education resource room	When school is open for in-person instruction
Self-advocacy instruction (virtual, through Google Meet)	15 minutes	2x week	Special education	If the school closes for in-person instruction

Contingency Planning for Some In-Person

Physically Distanced Learning- student receives services both in-person and virtually on a rotating schedule

Special Education/ Specially Designed Instruction	Amount	Frequency	Location	Duration
Speech language therapy (in-person session)	15 minutes	2x week	Special education speech therapy room	On days the student attends in-person
Speech language therapy (articulation drills via video chat)	10 minutes	2x week	Special education	On days the student attends school virtually

COVID-19 and Compensatory, Recovery, and Additional Services

- The COVID-19 pandemic created barriers for some students with IEPs to accessing services or making progress in IEP goals.

- IEP teams need to determine whether additional services, compensatory, or recovery services are required for these students.

- IEP teams should consider progress towards annual IEP goals (including Post-Secondary Transition Plan (PTP) goals for students aged 14-21) as well as progress in age or grade level curriculum in light of the student's individual circumstances.

Additional, Compensatory, Recovery, ESY Oh My!

Additional Services	Extended School Year	Compensatory Services
Services provided as a result of the extended school closure in the 2019-2020 school year.	**Special education and related services provided pursuant to an IEP beyond the limits of the school term are ESY services.**	**Services designed to address any lack of expected progress due to the effects of the pandemic.**
IEP team determinations made in the first six months of the 2020-2021 school year.	IEP team determinations for summer made prior to end of school year.	IEP team determinations can be made at any time.
Decision based on impact of school closure from March 18, 2020 through June 30, 2020.	Decision based on need for services outside of regularly scheduled school term in order for the student to receive FAPE.	Decision based on failure to provide FAPE during the 2020-2021school year due to the effects of the pandemic.

Additional Services

- In spring 2020, Wisconsin was under a statewide order to close school buildings to in-person instruction.

- Some special education services could not be provided or were not as effective and as a result some students with IEPs may have required additional services.

- Decisions about additional services should have been made on an individual basis in a collaborative manner.

Additional Services

- Additional services address regression of skills and are needed to accelerate progress.

- Additional services must supplement and not supplant the special education services the student normally receives.

- IEP teams may also have considered whether the student required new services and supports that were not previously provided to address learning loss or changes during COVID-19.

Additional Services Summary

- Additional services discussion should have already occurred.

- Additional services may have been needed by students who had significant regression of academic or functional skills due to the emergency school closure (March 2020 - June 2020).

- Documentation of additional services is in the Program Summary of the IEP and should occur by August 2021.

For more information, refer to Information Update Bulletin 20.01 Additional Services due to Extended School Closures.

Compensatory Education

- Also referred to as "recovery services".

- Typically required as a result of failure to provide FAPE (e.g. lack of progress on IEP goals and in general education)

- IEP teams should consider IEP implementation during 2020-21 School Year.

For more information, refer to COVID-19 Special Education Question and Answer Document.

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Potential Factors for "Why" a Student May Need Compensatory Education in Light of COVID-19 Pandemic

- Students may not have received a required service during 2020-2021 school year due to COVID-19.

- Students may have been provided virtual services, but the virtual services were ineffective in allowing the students to make sufficient progress towards their IEP goals and in the general education curriculum.

- Eligibility for special education was delayed because evaluations were not completed.

For more information, refer to COVID-19 Special Education Question and Answer Document.

Potential Reasons for "Why" a Student Needs Compensatory Education in Light of COVID-19 Pandemic

In all of these cases, LEAs must determine on an individual basis if compensatory or recovery services are required because the student did not receive FAPE for all, or for a portion, of the 2020-21 school year.

For more information, refer to COVID-19 Special Education Question and Answer Document.

Making Compensatory, Recovery, or Additional Services Decisions

IEP teams should…	IEP teams should NOT…
● Gather student and family input ● Consider how and when services will be provided with family input ● Consider student progress ● Collaborate on an individualized plan for services to supplement the student's disability-related needs and goals ● Document the services in the program summary	● Make predeterminations based on a student's primary disability ● Preclude a student from services based on availability ● Offer pre-set amount of services not based on an individualized determination ● Replicate all services and supports to supplant the current IEP ● Deny services due to earning a regular HS diploma or reaching maximum age

Additional, Compensatory, Recovery Services Determination

- Consider parent and family input.

  [Preparing Families for Discussions about Additional Services: What Families Can Do](#) (WSPEI)

- Analyze present levels and progress before COVID-19 related interruption or chnages to services.

- Compare data to the student's current progress.

Additional, Compensatory, Recovery Services Determination

- Consider progress compared to all students.

- Compare present levels and progress to age and grade-level expectations.

- Consider regression in skills and failure to make progress on IEP goals and age or grade level curriculum.

Wisconsin and IDEA Definitions of Progress Monitoring

IEP must be reviewed periodically.

At least annually, IEP team must meet to formally review progress toward all IEP goals and revise IEP as appropriate to address (in part):

- The student's disability-related needs
- Any lack of expected progress toward IEP goals
- Any lack of expected progress in the general education curriculum
- How IEP goals and services support student progress

34 CFR 300.324 (b)

Types of Progress Monitoring Methods and Procedures

Curriculum-Based Evaluation Methods: used to determine how a student is progressing in a specific academic area such as reading or math

- **Formative Curriculum-based Assessments**: Examples commonly used by school include teacher created assessments, classroom administered assessments, informal reading inventories, student work samples, student self-evaluation

- **Curriculum Based Measures (CBMs)**: Used to measure academic growth or attainment over short or long periods of time; also used to measure the degree to which instruction or an instructional intervention is producing learning. (i.e. written expression, math fluency, reading comprehension/MAZE)

- **Probes**: Paper and pencil versions of probes can be completed in a virtual learning environment if the student has access to a webcam.

Characteristics of Procedures and Methods Used to Monitor IEP Goal Progress

- **Accurate** (valid + reliable): Consistently measures target outlined in the goal
- **Sensitive**: Tools used are sensitive to growth; small changes in performance
- **Frequent**: Regular and frequent data collection
- **Simple**: Easy to implement, quick to administer, easy to "score"
- **Brief**: Takes only a short amount of time or embedded in instruction

See *A Guide to Implementing IEPs and Monitoring Progress of IEP Goals when Moving Between In-Person to Virtual or Hybrid Learning Environments for Individualized Education Program (IEP) Teams* *or* *DPI CCR IEP Step 5 Analyze Progress web page*

Compensatory Services and Students Graduating or Turning 21

- On February 5, 2021 the DPI and partners at DHS and DWD-DVR released a joint memo on the responsibility of school districts to provide transition services during the COVD-19 pandemic.

- On March 25, 2021, the Special Education Team released guidance on compensatory services determinations for students exiting in the 20-21 school year.

Discussion Questions for Students Graduating or Turning 21

As a result of the pandemic:

- Did the student fail to make progress?

- Has the student received planned transition services in order to prepare for postsecondary goals in education or training, employment, and when applicable, independent living?

- Is the student connected to supports and services that will facilitate a smooth transition to postsecondary environments?

Discussion Questions for Students Graduating or Turning 21

As a result of the pandemic:

- What services and supports would help the student make progress?

- To what extent is the student and family willing to participate in compensatory services?

Compensatory, Recovery, or Additional Services Documentation and Service Delivery

- Must be clearly labeled in the student's IEP (e.g. in the program summary section).
- Must include frequency, duration, amount, or location of services.
- Can include contingency plan if change of provision of services is required.
- Services must supplement and not supplant the student's existing educational program.

Funding for Additional, Compensatory, or Recovery Services

- Additional, compensatory, or recovery services are allowable expenses for state categorical aid and Individuals with Disabilities Education Act (IDEA) Part B flow-through grants.

- Federal Stimulus Funds may also be used.

- See information on the use of CRRSA funds.

Let's pause a few minutes to answer 1 or 2 questions before talking about Extended School Year and other considerations for when and how to provide additional, compensatory, or recovery services.

Extended School Year (ESY)

- ESY is an option for "when" to provide additional, compensatory, or recovery services.

- ESY are special education services provided outside the school term.

- IEP teams determine services are necessary for the provision of FAPE.

Extended School Year (ESY)

- ESY services may be provided during the normal school year, during school breaks, or vacations where appropriate to meet the student's needs.

- If there is a public health order that does not allow the LEA to conduct in-person learning, ESY services must be provided through virtual learning.

For more information, refer to: Extended School Year (ESY) Services for Children with Disabilities

Extended School Year (ESY)

- Purpose of ESY services is to address significant regression during an interruption in services and slow recoupment of skills after services resume.

- The ESY analysis has not changed due to COVID-19, and IEP teams should continue to use their professional judgement and predictive data to consider whether a student requires ESY services.

Extended School Year (ESY)

- Multi-factored determination of eligibility for ESY services, including the likelihood of regression, slow recoupment, and predictive data.

- Consider all appropriate factors in determining whether the benefits accrued to a student during the regular school year will be significantly jeopardized if the student is not provided ESY services.

Document determination using Form I-11.

EXTENDED SCHOOL YEAR
Form I-11 (Rev. 05/2018)

_____ SCHOOL DISTRICT

Name of Student_____

Does the child require extended school year (ESY) services to receive a free and appropriate public education (FAPE)?

☐ Yes   ☐ No   (If no, explain reasons rejected)

If yes, specify all needed services:

Describe	Frequency	Amount	Location	Duration (beginning and ending dates)	Address Goals(s) #_____	Address Need(s) #_____
I. Supplementary Aids and Services						
II. Special Education/Specially Designed Instruction						
III. Related Services Needed to Benefit from Special Education						
IV. Program modifications or Supports for School Personnel						

Extended School Year (ESY)

- Differs from summer school.

- ESY not limited to summer school schedule.

- ESY not limited to certain disability categories.

- May include related services.

- May differ from services during the regular school year.

- For more information, please see Information Update Bulletin 10.02

Considerations for Providing Services

For Students Requiring Additional, Compensatory, Recovery Services:

- Consider both academic and functional disability-related needs, goals, and services.

- Consider additional needs for students with medical fragility or difficulty with facial coverings or social distancing.

Considerations for Providing Services

- Consider use of teleservice for related services.

- Consider if in-person, virtual, or combination may work best (e.g. for ESY or additional services outside of school day).

- Consider best way to transition and support anxiety, mental health, sense of belonging, and relationships.

Considerations for Providing Services

- Be prepared to provide positive behavior interventions and supports matched to student needs.

- Pay attention and respond immediately to disciplinary removals or reduced access to services and support.

- Remember the goal is recoup, rebuild, and accelerate student's academic and functional skills so the student is meeting IEP goals and making progress in age or grade level general education.

Engaging Families in Discussions

How do we engage families in discussions about additional services, compensatory services, and ESY effectively.

- ❏ [What Families Need to Know About Additional Services](#)
- ❏ [Preparing for Discussions on Additional Services: What Families Can Do](#)
- ❏ [Information Update Bulletin 20.01](#)
- ❏ [Information Update Bulletin 10.02](#)

Action Steps to Engaging Families in Discussions

- ❏ Message to families that their participation is important
- ❏ Prepare families to participate
- ❏ Ensure families have the knowledge they need about ESY, compensatory services,and additional services
- ❏ Provide clear communication to families
- ❏ Ensure that you have shared student data in regard to regression in the past and/or emerging skills
- ❏ Help families to share their expertise which will inform the team

Tips and Strategies for Family Engagement

Considerations

❏ Use an Asset-based lens in regard to families

❏ Engage in effective 2-way communication with families

❏ Honor families as the experts on their child

❏ Intentionally engage and support families as partners in their child's education

❏ Be mindful of families' circumstances

❏ Listen to understand

What Resources do I Provide to Parents and Families?

Wisconsin Special Education
DISPUTE RESOLUTION OPTIONS

IEP Facilitation
This early conflict prevention option provides a neutral, trained facilitator to help the IEP team with the IEP process. The facilitator helps the IEP team maintain open, respectful, and productive communication and is provided by WSEMS.

Contact: Wisconsin Special Education Mediation System
608-298-3857
jane@wsems.us

Mediation
Mediation is available to resolve issues by providing a free professional mediator. The goal of mediation is to come to a mutual decision, in writing, which is binding in federal and state court. Discussions during mediation are confidential and can't be used in further legal proceedings.

Contact: Wisconsin Special Education Mediation System
608-298-3857
jane@wsems.us

IDEA State Complaint
Any individual or organization may file a complaint with the department if they believe a school district has violated state or federal special education requirements. The complaint must be filed within one year of the alleged violation. The department investigates the complaint and issues a decision.

Contact: DPI Special Education Team
608-266-1781
dpisped@dpi.wi.gov

Due Process Hearing Request
A written request for a hearing by an administrative hearing officer related to the identification, evaluation, placement, issues pertaining to the IEP, or the provision of a free and appropriate public education of a child with a disability.

Contact: DPI Special Education Team
608-266-1781
dpisped@dpi.wi.gov

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Tony Evers, PhD, State Superintendent

Communication Options for Families

Options Available if You Have Questions or Disagree with a Decision of the School

Families and schools have a "built-in" partnership with the child as the focus. This partnership will grow when parents and school staff work together. Disagreements may happen, but working together improves your child's education.

What can you do if questions or concerns arise?

◊ If concerns arise, families are encouraged to first talk directly with the people involved as soon as possible (see local contacts – ex: your child's teachers, principal, other school administrators)
◊ First, call to schedule an informal meeting to discuss the situation
◊ Then, prepare for the meeting by making a list of concerns and some possible solutions

What can you do in the meeting?

◊ Identify student strengths and acknowledge what is working
◊ Identify concerns of families and educators
◊ Use active listening in order to understand the other person's perspective
◊ Ask questions or restate ideas so the team has a clear understanding
◊ Work together to suggest some possible options to resolve the concerns
◊ Analyze all of the options to see if you can find areas of agreement
◊ Discuss what should happen next

What if concerns are not fully resolved in the meeting?

◊ Request a break or ask the IEP team to meet again and consider including additional team members.
◊ Call others for suggestions on possible future action (see Communication Options for Families chart).

Problem solving at the school level gives families and school districts more collaborative options on outcomes for children.

Dispute Resolution Options Resources

[Wisconsin DPI Dispute Resolution Options](#)

[Wisconsin Special Education Mediation System (WSEMS)](#)

[Communication Options for Families](#)

Additional Support and Resources

For additional questions, contact:

[Local Regional Special Education Network Director](#)

[Regional Transition Improvement Grant Coordinator](#)

[WI DPI Special Education Team](#)

Resources:

[COVID-19 Special Education Question and Answer Document](#)

[Additional Services Bulletin](#)

[What Families Need to Know About Additional Services](#)

[COVID Response and Relief Planning Recommendations](#)

Resources to Support Service Provision

Providing Related Services Via Teleservice

Considerations in Using Facial Coverings When Supporting Students during In-Person Instruction

Moving from In-Person to Virtual and Hybrid Learning Environments

Supplemental Resources for Supporting Students During COVID-19

Additional Learning Resources
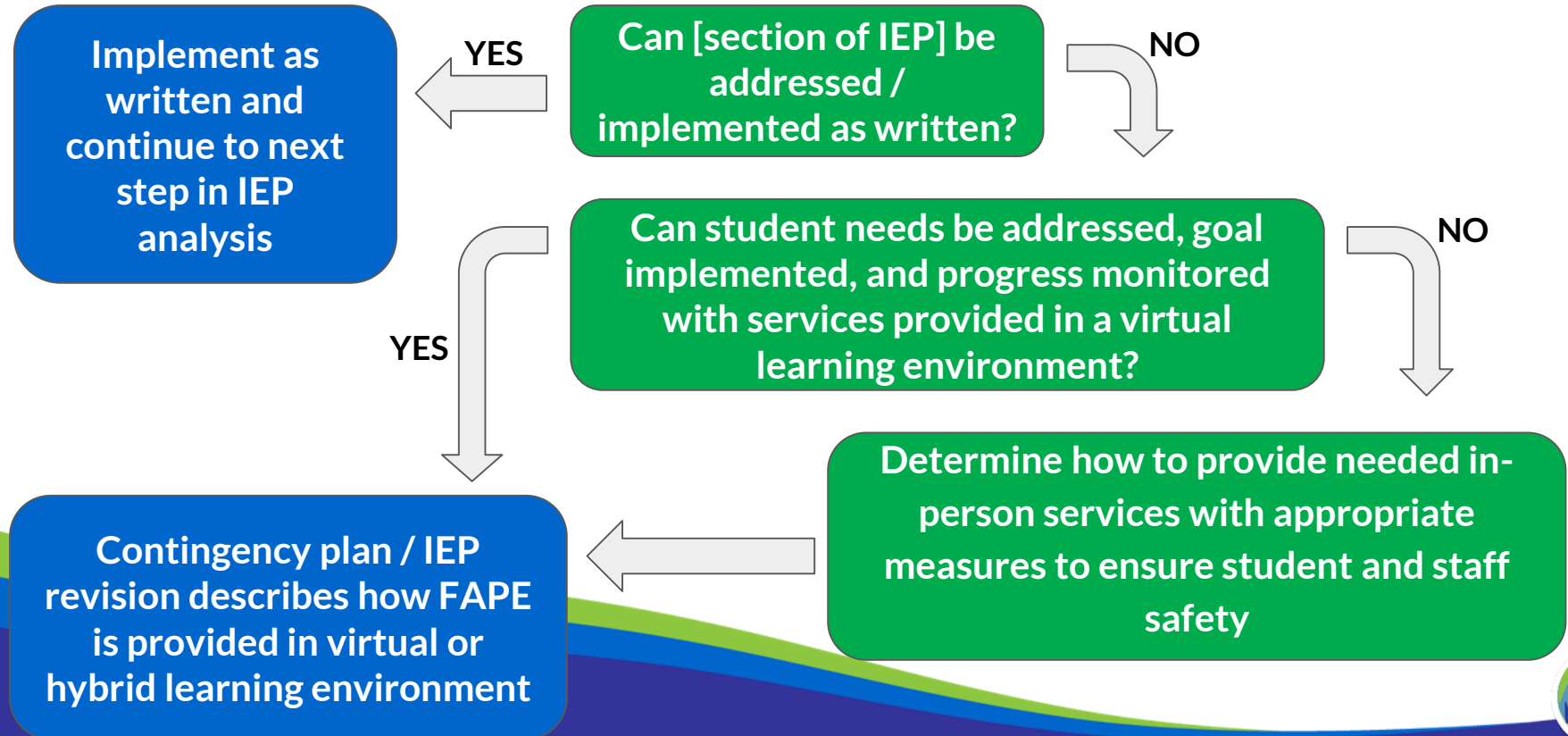

[UDL Forward!](#)
[Assistive Technology Forward](#)
[Transition Improvement Grant (TIG)](#)
[Related Service Providers Community of Practice](#)

Moving from In-Person to Virtual or Hybrid Learning Environments

Can [section of IEP] be addressed / implemented as written?

YES → **Implement as written and continue to next step in IEP analysis**

NO ↓

Can student needs be addressed, goal implemented, and progress monitored with services provided in a virtual learning environment?

YES ↓

NO ↓

Determine how to provide needed in-person services with appropriate measures to ensure student and staff safety

→ **Contingency plan / IEP revision describes how FAPE is provided in virtual or hybrid learning environment**

Additional Resources for Monitoring Progress of IEP Goals and School Building Closure as a Result of COVID 19

Additional Resources Helpful tips from the National Center on Intensive Intervention for educators to prepare for the administration of progress monitoring assessments virtually.

CDC Considerations for Schools Guidance from Centers for Disease Control and Protection offering considerations for ways in which schools can help protect students, teachers, administrators, and staff and slow the spread of COVID-19.

Introduction to Monitoring Progress of IEP Goals WI DPI web page with resources and tools to assist with creating IEP goals that can be reasonably monitored, identifying procedures for measuring progress appropriate to the target skills identified in IEP goals, and understanding the role of IEP goal progress data in Step 5 (Analyze Progress) of the CCR IEP process.

The Monitoring of Progress and Checklist for Developing Progress Monitoring Procedures and for IEP Team Reviews WI DPI resource that provides basic progress monitoring procedures that can be adapted for use in a virtual learning environment.

Additional Resources for Monitoring Progress of IEP Goals and School Building Closure as a Result of COVID 19

National Center on Intensive Intervention: Frequently Asked Questions on Collecting Progress Monitoring Data Virtually This webpage provides guiding questions on determining if the progress monitoring tool is appropriate for virtual use. It also includes information on specific vendors and tools that have resources on how to use their product in a virtual learning environment.

Planning for Successful Delivery of Progress Monitoring In Virtual Settings This resource accompanies the National Center on Intensive Intervention: Frequently Asked Questions on Collecting Progress Monitoring Data Virtually (see above) and provides helpful tips for educators to prepare for the administration of progress monitoring assessments virtually.

Removing Barriers to Effective Distance Learning by Applying the High-Leverage Practices Tips and Tools From the Collaboration for Effective Educator Development, Accountability, and Reform (CEEDAR Center) and the National Center for Systemic Improvement (NCSI), this document outlines how HLPs can be employed to strengthen distance learning instruction for a diverse range of students by providing strategies to address common challenges students experience.

Additional Resources for Monitoring Progress of IEP Goals and School Building Closure as a Result of COVID 19

Taking an Equitable Approach COVID-19 is highlighting and widening educational inequities previously existing in our school system and disproportionately impacting some communities and groups of students. This document provides educators with questions they should consider as they plan to return to school.

Telehealth: Virtual Service Delivery Updated Recommendations Recommendations from the National Association of School Psychologists for delivering services virtually. Includes important assessment and evaluation information.

Using Personal Protective Equipment (PPE) in Assessment A supplemental guide from Pearson Assessments and the use of PPE during Assessment.

Wisconsin Department of Public Instruction Considerations in Using Facial Coverings When Supporting Students during In-Person Instruction Recommendations on how to support students with various disability-related needs to support the safety of students and staff.

Additional Resources for Monitoring Progress of IEP Goals and School Building Closure as a Result of COVID 19

Wisconsin Department of Public Instruction COVID 19 Supplementary Resources This DPI special education team web page provides additional state and national resources that provide strategies and practices to support virtual and distance learning for students who receive special education through an Individualized Education Program. The page is sorted by topical resources such as supporting monitoring progress of IEP goals, early learners, students with neurodiverse and social and emotional needs, students participating in alternate standards, communication needs, transition aged students and others.

Wisconsin Department of Public Instruction CCR IEP 5 Step Process provides tips, guidance, online modules, and resources to identify effects of disability, disability-related needs, develop IEP goals, align IEP services, and analyze progress of IEP goals.

Wisconsin Department of Public Instruction Providing Related Services Via Teleservice Additional resources, tips, and requirements related to the provision of teleservice.

References

Nissman, Cara. 2021. "Dos and don'ts for providing recovery postsecondary transition services." Accessed March 25, 2021. https://www.specialedconnection.com.

Wisconsin Department of Public Instruction, Special Education Team. 2021. "COVID-19 Special Education Question and Answer Document." Accessed April 1, 2021. https://dpi.wi.gov/sites/default/files/imce/sped/pdf/Extended_School_Closure_due_to_COVID.pdf.

Wisconsin Department of Public Instruction, Division of Learning Support. 2021. "Considerations For Students Who Will Be Graduating With a Regular High School Diploma or Reached the Age of 21 During the 2020-21 School Year." Accessed March 31, 2021. https://dpi.wi.gov/sped/considerations-students-who-will-be-graduating-regular-high-school-diploma-or-reached-age-21.

Thank You

Thank you for your participation in today's presentation!

Using the College and Career Ready IEP
5 Step Process to Identify Needs, Goals, Services

- Understand Achievement
- Identify Effects of Disability (and disability-related needs)
- Develop Goals
- Align Services
- Analyze Progress