

## Provision of Related Services During Blended Learning for Students Attending Charter Schools

### Background

During the 2020-2021 school year, **related service IEP recommendations are expected to be offered in full to the greatest extent possible.** Many schools are offering blended learning, which is a combination of remote and in-person, on site education, and is sometimes referred to as “hybrid” learning. The purpose of this guidance is to describe how related services will be delivered to students enrolled in charter schools in a safe, effective, and compliant manner in a blended learning environment for SY 20-21. Under typical circumstances, related services are provided by a licensed provider in an in-person setting in either the classroom or a separate location according to the frequency, duration and group size specified in the student’s IEP as per NYSED Part 200.6(g).

While blended learning allows students to return to their school building for some portion of time, space allocated for provision of related services may be altered due to health and safety considerations. While in-person services may be appropriate for many students, social distancing guidelines, “podding”, and other health/safety considerations may preclude provision of classroom-based services. Spaces formerly used by related service providers may no longer be adequate or available. For these and other reasons, it is imperative that schools identify appropriate space for delivery of related services as they plan for reentry in the fall. Designated therapy spaces should:

- Account for the number of providers (and students receiving services during the session),
- Be physically appropriate, and safe for delivery of services,
- Comply with social distancing, health, and safety guidelines, and
- Ensure access to technology, including internet connectivity with sufficient bandwidth.

School space policies governing blended learning that categorically prevent the in-school provision of related services should be avoided to the greatest extent possible. Similarly, to the greatest extent possible, and consistent with health and safety guidelines and to meet students’ needs, schools should allow related service providers to provide services in person within the school building. **Where in-school provision is not possible, schools must attempt to arrange in-person services in other locations for students that require them pursuant to this policy.**

### Policy Overview and General Guidance

Upon return to school buildings, schools will be expected to plan for the delivery of related service IEP recommendations in full to the extent feasible. **In arranging services, schools should prioritize consideration of family preference and student need to the greatest possible extent consistent with health and safety guidelines.** The DOE has sent a survey to families of charter school students with IEP recommendations for related services, allowing them to express preference for services either in-person or via teletherapy. The DOE will share the results of the

## Provision of Related Services During Blended Learning for Students Attending Charter Schools

survey with charter schools and DOE contract agencies. The survey informs families that in-person services are not guaranteed. In situations in which families indicate a preference for in-person services, but it is not possible to provide in-person services, the family will be offered teletherapy services, and in-person services will be offered if additional capacity becomes available at the school, or in another location where appropriate as described below. **Note that families may revise these preferences; they are for planning purposes only and should always be discussed and confirmed with the family in conjunction with the scheduling and consent.**

To ensure provision of in-person services for students as much as feasible, schools and families will need to assess students' individual needs to make strong instructional decisions about how to best program and group students with disabilities in the blended learning environment. Related service providers and agencies, in collaboration with schools, will support this review process as needed. Charter schools should work with contract agencies and the DOE to prioritize placement of providers who are willing to work both in-person and remotely in order to maintain flexibility, particularly in schools where there are student(s) who may not benefit fully from remote service and/or where families prefer in-person service. **Schools should, to the greatest extent possible, facilitate in-person provision of related services for these students.**

When scheduling in-person related services for students, schools should consider prioritizing students who are less able to fully benefit from remote therapy. Some students have high frequency service recommendations due to significant needs. In scheduling services for these students, schools should consider the impact on a student's time participating in classroom instruction and whether it is feasible to integrate services with instructional activities. Schools may recommend, in consultation with families, that such students receive blended related services, with some related service sessions being delivered in person and others being delivered via teletherapy.

IEP determinations regarding location of service made prior to the COVID-19 pandemic did not consider the physical distancing requirements that will be in place in the fall. The location of the service may need to be changed to meet health and safety guidelines. For example, if a student's IEP recommends the service in the general education classroom, the school may determine that it should be provided in a separate location in the school in order to maintain social distancing requirements. If a school cannot accommodate a service in the school setting, the service may be provided through teletherapy where appropriate, or may be provided in other settings such as clinics or offices, subject to established DOE safety, consent, and other applicable protocols. In the event of a temporary school closure or the quarantine of the student and/or provider, services should be provided through teletherapy where appropriate and with the family's consent. Where a family opts to switch from in-person service to teletherapy or vice-versa or in

## **Provision of Related Services During Blended Learning for Students Attending Charter Schools**

the event of the long term illness or absence of a provider, if the agency is unable to accommodate the change, the charter school should request re-transmittal by the CSE's Special Education, Evaluation, Placement and Program Officer (SEEPPO) in accordance with the contractual "cascade".

Student specific IEP-recommended maximum group size, without exceeding mandated group size, should continue to be followed during blended learning, to the greatest extent possible and consistent with DOE policies governing provision of contracted services, unless the designated therapy space and the adherence to social distancing guidelines require fewer students in the group. However, recommendations for individual service may not be provided in a group.

While the current IEP recommendation should be the norm, shortened sessions may be appropriate for students who cannot benefit from or whose families cannot support the full duration of a teletherapy session in a remote or blended environment. In these situations, schools should consult with the student's family, related service providers, agencies, and CSEs to determine appropriate service delivery.

In consultation with the family, schools and agencies will complete individual schedules documenting when and how services will be provided in a blended environment. Subject to the considerations outlined in this guidance, the child's schedule should reflect the full provision of services, during school hours, to the greatest extent possible.