



School Re-Opening and COVID

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First... A Word from Our Partner

IDEA Rights and COVID-19 (1 hour training) -

<https://register.gotowebinar.com/register/3420843865858356752>

[Mississippi Parent Training and Information Center](#)





Today's Goals

- Participants will be able to name at least two concepts that have not changed as a result of COVID
- Participants will be able to describe the relationship between school re-opening plans and the rights of children with disabilities
- Participants will be able to identify recommendations made by other relevant groups and possible ways to respond to them
- Participants will be able to list two formal methods of addressing concerns related to special education



Families as Allies Overview

We are the only statewide organization run by and for families of children with behavioral health challenges. We support each other and work together to make things better for our children

Mission: To make sure families are partners in their children's care

Vision: All children will have the opportunity to succeed and reach their potential

We Value: Every child and family, excellence, partnership and accountability

Pillars of our work: Families, Community, Positive Change





What We Believe

- Families know their children better than anyone else.
- Families are their children's strongest advocates.
- Systems should follow laws and policies about families' and children's rights.





**The more things
change the more the
stay the same**



What Hasn't Changed

- That you know your child better than anyone
- That you are your child's strongest advocate
- That systems should follow laws and policies about families' and children's rights
- The purpose of school
- The rights of children with disabilities and their families



What Has Changed

The World

Probably Us

The Way Education is Delivered

- Traditional
- Virtual
- Hybrid



Hang on to These Thoughts

The things that haven't changed really are true, even when it doesn't feel that way.

The things that haven't changed are bigger than they things that have.





You Know Your Child Better than Anyone

What return option works best for them

How they are currently functioning

What might help them the most



You Are Your Child's Strongest Advocate

You likely have some of the most creative ideas of what might work for your child

If your child has an IEP, keep compensatory education in mind

Remember the concept of “Nothing about us without us”





Systems Should Follow
Laws and Policies about
Children's and Families'
Rights

Response to Intervention

The Three Tier Instructional Model is designed to meet the needs of every student and consists of three tiers of instruction:

Tier 1: Quality classroom instruction based on Mississippi standards.

Tier 2: Focused supplemental instruction.

Tier 3: Intensive interventions specifically designed to meet the individual needs of students. The Teacher Support Team is the local team responsible for interventions developed at Tier 3. Each school must have a TST
<https://www.mdek12.org/OAE/OEER/InterventionServices>

REMEMBER: The Tier process CANNOT be used to delay a parent's request for an evaluation for special education.

Resources:

Parent Guide to RTI:

<https://www.mdek12.org/sites/default/files/Offices/MDE/OAE/OEER/Intervention/familyguiderti.pdf>

Family Guides for Student Success:

<https://www.mdek12.org/OAE/OEER/FamilyGuidesEnglish>





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Section 504

Section 504 is an anti-discrimination, civil rights statute that requires the needs of students with disabilities to be met as adequately as the needs of the non-disabled are met. To be covered under Section 504, a student must be “qualified” (which roughly equates to being between 3 and 22 years of age, depending on the program, as well as state and federal law, and must have a disability. An individual with a disability means any person who: (i) has a mental or physical impairment that substantially limits one or more major life activity; (ii) has a record of such an impairment; or (iii) is regarded as having such an impairment. An impairment as used in Section 504 may include any disability, long-term illness, or various disorder that “substantially” reduces or lessens a student’s ability to access learning in the educational setting because of a learning-, behavior- or health-related condition(<http://www.greatschools.org/gk/articles/section-504-2/>)



Individuals with Disabilities Education Act (IDEA)

“The Individuals with Disabilities Education Act (IDEA) is a law ensuring services to children with disabilities throughout the nation. IDEA governs how states and public agencies provide early intervention, special education and related services to more than 6.5 million eligible infants, toddlers, children and youth with disabilities.

Infants and toddlers with disabilities (birth-2) and their families receive early intervention services under IDEA Part C. Children and youth (ages 3-21) receive special education and related services under IDEA Part B.” (<http://idea.ed.gov/>)

Children receiving special education services should be treated the same way as children receiving regular education services





The Purpose of School



The Purpose of School

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The purpose of school is for children, ALL children, to learn.



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The Rights of Children with Disabilities and their Families

IDEA is a Complicated Law, BUT.....



What it says about families is simple.....

- Your child has the right to a Free and Appropriate Public Education (FAPE)
 - Individualized to them
 - Same opportunities to learn as their non-disabled peers
- You are a member of the team (and remember you know your child better than anyone so you have valuable insight into what is appropriate for them.)

*It is about what the district, the school and State Department of Education are required to do, **not** what families could or should do*

*The power of the law is in the law itself and the rights and options it gives to families, **not** in what an advocate says or does*

The Procedural Safeguards can be a family's best friend, but it's OK if you don't know or remember everything. Keep them handy! <https://www.mdek12.org/OSE/parents>

*Using the law to help your child **is not stigmatizing**, but districts not following the law in response to what your child needs **is discrimination**.*

Where to Begin

Source: U.S. Department of Education



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Information from Other Groups

[United States Department of Education Declines to Seek Waivers to IDEA](#)

[Mississippi Department of Education COVID and Special Education](#)

[Mississippi State Department of Health School Re-Opening Guidance](#)

[Joint Statement from the AAP MS Chapter and MSMA](#) Delayed re-entry until at least September 1, Mandatory masks, Virtual option for all Mississippi children regardless of medical need, Consideration of all possible options for providing in-person education services to children with IEPs and 504 Plans

[The School Superintendents Association, the National School Boards Association and the Association of Educational Service Agencies Report to Congress](#)



Council of Parent Attorneys and Advocate Documents

[Recommendations on the Provision of FAPE
to Students with Disabilities When a Parent
Opts to Keep Their Child Home During the
2020-2021 School Year](#)

[Position Statement on Provision of
Compensatory Education In Response to Lost
Education as a Result of COVID-19](#)



If You Have Concerns

Start with IEP team, in writing

Mississippi Department of Education Parent Hotline [601-359-3498](tel:601-359-3498)

[Formal Resolutions, including complaints](#)







How Did We Do?

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Thank You for Joining Us Today

Our website: www.faams.org

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Text family19 to 228-28 to join our email list

