

## Special Education and Pandemic Instruction Loss in Virginia

**The Issue:** Your child's IEP team should talk about missed services and instruction, learning loss, and recovery. School systems have been obligated to provide appropriate educational and IEP services throughout the pandemic. Remote learning, rules about distancing, not enough staff, and other factors may have caused your child not to receive these legally required educational services. If they haven't done so already, your child's IEP team should talk about what was missed and what is needed going forward.

### Parent To Dos:

- Ask for an IEP meeting to talk about recovery and compensatory services.
- Make a list of the school services and opportunities your child has missed because of the pandemic and the set-backs you've seen in your child's education, and think about what your child needs going forward.
- At the IEP meeting, ask questions about your child's progress:
  - What services is my child receiving and what services have been missed?
  - How is my child performing, and how does this compare to where they would be if school were open continuously? How does this compare to their peers?
- Any requests you make at the IEP meeting, as well as the school's response, should be in writing and sent to you in the "prior written notice."

### Types of Services Available:

**COVID Recovery Services:** If your child lost skills during COVID and is delayed in recouping (relearning) those skills as compared to typically developing children, the school should provide "recovery services."

Example: Your first-grade child with a developmental delay has forgotten how to correctly write most letters while doing remote learning. The other children in the class do not seem to have this problem. Your child should receive recovery services to recoup writing skills.

**Compensatory Services:** If your child missed services and/or the school could not implement the IEP during COVID, then the school should provide "compensatory services."

Example: Your first-grade child with a developmental delay did not receive occupational therapy services as indicated in the IEP due to the pandemic closures. Your child should receive compensatory services to compensate for the sessions missed.

**Extended School Year (ESY) Services:** Similar to COVID recovery services, children with IEPs are eligible for ESY services (services over breaks from school) when such services are needed to help the child maintain the skills they've acquired and progress they've made toward their goals. While all children experience some regression over school breaks, ESY services are for children who could not relearn these skills within a typical period of time after the disruption in school.

**If your child's IEP team will not discuss or grant additional services, you should complain to VDOE. VDOE is obligated to ensure local school systems are providing FAPE. Make sure they hear from you.** You can use the complaint form on VDOE's website and found [here](#). Be sure to include specific examples and how the school responded. If want help doing completing this form or have questions, contact LAJC at 434-529-1871.