

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 March 26, 2020 TEA provides a general approach for LEAs in planning Special Education 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.
- [Residential School Program Guidance](#) – Released March 22, 2020 To comply with Gov. Abbott’s Executive Order on 3/19/20 school services must close, however nonpublic residential and residential facilities can maintain the residential components of their programs.
- [School Finance FAQ](#) – Released March 20, 2020. This guidance from the school finance division clarifies what constitutes "Open" and "Closed" during the pandemic period. School systems will continue to receive funding if they are closed because of COVID-19 related concerns as long as the school system commits to supporting students instructionally while at home. The classifications of OPEN or CLOSED, INSTRUCTING both mean that FAPE must be provided to the most reasonable extent possible, and standard ARD/Evaluation timelines are in effect.
- 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](#).

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, at the expense of students, 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. A [FERPA & Virtual Learning Resources Document](#) was released in March 2020 to discuss provision of educational services online.

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 March 20, 2020. TEA provided [Notification to District Testing Coordinators](#) to return all shipped STAAR-Alt2 testing materials as soon as practicable.

[TELPAS & LPAC Guidance](#) was issued by TEA on March 22, 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). Neither state nor federal law provide flexibility to LEAs in times of emergency regarding their obligation to provide equitable access to the curriculum for English learners through bilingual education.

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.

Speech Services

- [Texas Department of Licensing and Regulation \(TDLR\)](#) announced on *March 23, 2020* some flexibilities for SLP and audiologist interns, which allows Speech-Language Pathologist (SLP) and Audiologist interns to receive credit for unlimited supervised hours when they have "tele-supervision." Allowing remote supervision will enable professional students to continue earning credits and allow their students to continue receiving important therapies.
- [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.

Related Services

- 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.

Early Childhood

- The [National Early Childhood Technical Assistance Center \(ECTA\)](#) has consolidated many telehealth resources for a variety of practitioners such as Occupational Therapists, Physical Therapists, and Speech Therapists.

Behavior

- The [Social Emotional Learning Alliance \(SELA\)](#) for Massachusetts has consolidated resources for emotional and behavioral support of children during the COVID-19 pandemic. These resources aim to support parents and educators as they discuss COVID-19 with students.

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.