

- 1. When we are providing remote instruction or implementing a contingency plan do we need to change PEIMS reporting code if those services represent a temporary change? *Posted August 27, 2020***

No, TEA understands that LEAs may at times have to implement contingency plans for a limited duration due to circumstances like COVID-19 or other severe weather events. LEAs should list instructional codes in PEIMS as the code in which the student would be served as defined by the IEP under normal circumstances. LEAs do not need to change coding in PEIMS while providing services defined in contingency plans.

- 2. How should LEAs count contact hours for virtual instruction for ESY reimbursement submissions? *Posted August 27, 2020***

Only hours of synchronous communication between school staff and eligible students may be counted as ESY contact hours for purposes of reimbursement.

- 3. Do we need to submit Homebound waivers for students during the 4-week period of remote instruction? *Posted August 27, 2020***

Please refer to our specific guidance [here](#) on homebound waivers.

- 4. Can we use IDEA funds to purchase personal protective equipment (PPE) or other pandemic related specialty equipment for students served by special education? *Posted August 27, 2020***

IDEA funds may be used for expenditures directly tied to specific needs identified an individual student's Individual Education Program (IEP).

- 5. Will the timeline for the emergency rule requiring rising first grade students to participate in the required reading assessment within the first 20 school days be extended due to issues related to at home learning in the 20-21 school year? *Posted August 27, 2020***

No. Incoming 1st graders in the school year 2020-2021, who were not assessed for dyslexia at the end of the 2019-2020 school year as kindergartners, must be assessed with a literacy assessment tool (not a full dyslexia screener), as per TEC 28.006, within the first 20 school days. Administering a literacy assessment within this crucial window will ensure that teachers have accurate, timely information to inform and individualize instruction. This data will be used to determine the Early Reading Indicator Code for Fall Submission. Information about assessments LEAs may use to fulfill this requirement is [linked here](#). The assessments listed here include remote administration options for students receiving instruction virtually.

6. **If my school system chooses not to offer remote instruction to the general student population, how should my school system address COVID-19-related remote instruction needs for a special education student or a student subject to Section 504?** *Posted October 15, 2020*

If a district chooses not to offer remote instruction to its students generally, it does not have to do so for an individual student, such as a special education student, unless, after a request by the parent/guardian or another member of the special education student's admission, review and dismissal (ARD) committee, the committee determines as part of the student's individualized education program (IEP) that remote instruction is required to receive a free and appropriate public education (FAPE). The same general considerations would apply to a student receiving accommodations under Section 504. (Please see the Remote Attendance Requirements section of the SY 20-21 Attendance and Enrollment FAQ on the TEA COVID-19 Support and Guidance site for more information on providing remote instruction for students generally.)

7. **When considering requiring students being served with special education services to return to campus, how should an LEA support families who assert they have high-risk medical conditions that would prevent their student from returning to on-campus learning, but are unable to provide a medical certification?** *UPDATED January 14, 2021*

The ARD committee would make determinations to ensure FAPE is provided to the individual child. Please keep in mind that remote instruction may be required for individual students if it is determined necessary for the provision of FAPE and their IEP requires it.

8. **If a student who receives special education services is required to return to campus, can we deny a request for transportation?** *Posted December 10, 2020*

If a student's ARD committee determines and documents in the IEP that the student requires transportation in order to receive FAPE, the LEA must provide it. Transportation as a related service includes specialized equipment, if required to provide special transportation for a student with a disability. It should be noted that the ARD committee is not required to convene when the student return to on campus learning unless it is to make a change to the IEP, which, may also be accomplished through amendment by agreement.

9. **May LEAs provide credit recovery and/or accelerated credit programs to students served by special education to help close the learning gaps created by the pandemic or remote learning?** *Posted December 10, 2020*

The ARD committee makes determinations regarding the services and supports necessary for the provision of FAPE and any compensatory services that may be necessary to address the impact of services not provided during the pandemic or remote learning. As a part of this determination, an ARD committee could choose to consider the appropriateness of credit recovery and /or accelerated credit programs as well as any modifications or accommodations that might be necessary based on the individual student's circumstances.

UPDATED  
1/21/21