

# Joint Statement on Serving Students with Disabilities during the COVID-19 Outbreak

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The West Virginia Department of Education (WVDE), West Virginia Parent Training and Information (WVPTI), and the West Virginia Advisory Council for the Education of Exceptional Children (WVACEEC) remain committed to meeting the provisions of the Individuals with Disabilities Education Act (IDEA). All students with disabilities have a right to a Free Appropriate Public Education (FAPE) in the least restrictive environment. We continue to fully support this right in our actions.

With school buildings closed due to the COVID-19 pandemic, remote learning has become a safe alternative for all students. Families and educators are collaborating more than ever to provide engaging opportunities for remote learning while meeting provisions of FAPE. Services and remote learning plans will not be perfect. This is not a replacement for the Individualized Education Program (IEP). Instead, this is a temporary continuity plan that is reasonable considering each child and family circumstance.

The U.S. Department of Education has requested IDEA flexibilities, not waivers, from Congress. These flexibilities are temporary and necessary for the safety of children, families, and educators. The most requested flexibilities are for timeline extensions (initial evaluations, IEP Team meetings, etc.), procedures (e.g., remote learning plans), and fiscal responsibilities (financial extensions and assistance). These flexibilities will help to relieve the uncertainty of educators and families trying to fully implement IDEA regulations in the absence of regulatory guidance. During the COVID-19 pandemic, we agree that providing the best possible services and opportunities is a priority. Communication and collaboration are paramount to accomplish these unified goals.

Thank you for your continued efforts to make remote learning possible for all students. There is hope of a new and improved relationship between families and educators that will take learning to the most rewarding levels. We see this as an opportunity to build resiliency, be creative, and make forward-thinking changes.

During this time of crisis, partnerships between WVDE, WVPTI, and WVACEEC are more important than ever. We are working together to support effective programs for students with disabilities and listen to your needs and concerns. We welcome the opportunity to work as partners with you and support collaborative efforts. We encourage you to share information, ideas, suggestions, and concerns regarding remote learning for students with disabilities so that we can better understand your challenges and successes. We encourage you to visit the WVDE COVID-19 website at [wvde.us/covid19](http://wvde.us/covid19) and the WVPTI website at [www.wvpti-inc.org](http://www.wvpti-inc.org) for ongoing updated information and resources.

We hope you stay safe and healthy while finding positive experiences and opportunities to enjoy with your families. By working together in good faith and communicating openly, our students will grow in knowledge and skills through our creative partnerships and we will overcome the crisis.

For further assistance or information, you may contact Susan Beck, Executive Director, in the Office of Special Education and Student Support at [sbeck@k12.wv.us](mailto:sbeck@k12.wv.us); Brenda Lamkin, Executive Director, West Virginia Parent Training and Information at [brendalwvpti@aol.com](mailto:brendalwvpti@aol.com); Susan White, Executive Director, West Virginia Advisory Council for the Education of Exceptional Children at [sawhite2012@gmail.com](mailto:sawhite2012@gmail.com).

