

Recovery Services Special Education Considerations Related to COVID-19

What Are COVID-19 Recovery Services

Recovery Services are services that are provided in addition to the supports and services documented on a student's IEP. They are designed to address skills and/or content that was not taught, as well as the impact of this loss of instructional time. Provision of Recovery Services related to COVID-19, is not an admission that the school district violated IDEA, but rather they are intended to recoup lost skills or regain progress.

What is the difference between ESY and Recovery Services?

ESY services are provided to eligible students beyond the normal school year, based on certain circumstances. The decisions that IEP teams make related to ESY are different than the decisions regarding Recovery Services. Recovery Services are provided to address skills and content that were not taught, as well as the compounding effects of those skills not being taught during the pandemic. ESY services are provided to address significant concerns regarding skill acquisition or maintenance during an anticipated break in services.

How are Recovery Services different than compensatory services?

Compensatory services are awarded based on a violation of IDEA and must be provided within a specified time period following the identified violation. COVID Recovery Services are determined on a "no fault" basis due to the extraordinary nature of the pandemic and health/safety limitations, of which districts had no control, and are not subject to specific timing requirements.

How do you determine the need for Recovery Services?

IEP teams will need to consider the need for recovery services for students. Please utilize the flow chart to consider if Recovery Services are warranted. Recovery Services are designed to meet the needs of students who did not make progress on their IEP goals due to the school closure period from March – June 2020, and due to COVID-19 limitations on service delivery during the 2020-21 school year. Teachers and therapists should consider the following:

- Compare the data describing the student's performance from the last reporting period prior to school closure to data describing the student's current performance
- Identify the gap between where the student was and where they are at the time you are assessing the potential need for Recovery Services
- Review the provision of current special education services and supports, and the effect of those services on closing the gap
- Identify any additional recovery services that will be reasonably needed in order to close the gap

Is an IEP meeting required to consider Recovery Services?

Recovery services must be considered for all students with IEPs. If there is evidence of student regression or lack of progress on IEP goals, and/or someone on the IEP team expresses concern (including parents), you should have an IEP meeting to consider the need for Recovery Services.

What do Recovery Services look like?

Recovery Services can be accessed any time up to one year, following a child's return to school. Recovery Services can be provided before or after school, on days the student is not typically in school, or in the summer, as needed. Recovery Services are focused on the areas of the IEP where the student regressed or did not make progress. They should align to IEP goals and objectives, as determined by the district staff with input from the parent. **Recovery Services are designed to help the student bridge the learning gap and are not required to be a 1:1 replacement of IEP services that were not provided during school closure or the 2020-21 school year due to COVID-19.**

Is a student eligible for Recovery Services if they refused/declined instruction during COVID-19?

The fact that a student did not participate in offered services is one factor to consider in reviewing a student's individual circumstances. It does not exclude a student from accessing Recovery Services but may impact the amount of Recovery Services. The IEP team should still consider if there is a learning gap as they review the considerations on *Recovery Services Flowchart* (end of this document).

Is a student eligible for Recovery Services for any learning gaps that occurred during the 2020-21 school year?

Yes, a student can be considered for recovery services if they failed to make progress. Even if services were provided, there may still be a gap related to the pandemic. For example, if a child's IEP calls for 60 minutes of reading and they received that time – there could still be a gap in learning that may be caused from their inability or difficulty to use or practice this learning within a general education learning environment. Teams should also consider any loss of instructional time during transitions, such as the return to school for K-1 students.

How do you document Recovery Services on the IEP?

Indicate the need for Recovery Services within the Present Levels of Performance section of the IEP and document the proposed hours and services in the Prior Written Notice section.

What data should you review for consideration for Recovery Services?

- Present levels of performance on IEPs
- Assessments (CBM, FastBridge, Re-Evaluations, Benchmark Assessments, Unit Assessments)
- Observations
- Progress notes and data
- Therapy notes and data
- Rate of progress
- Work samples, point sheets, checklists
- Parent input
- Student input
- Attendance
- Grades

Recovery Services Flowchart

