



## **Expectations for Special Education Service Delivery During a Measles Outbreak**

### **Purpose**

This document provides guidance to Colorado schools and administrative units (AU) on ensuring continuity of learning for students with individualized education programs (IEPs) who are quarantined, excluded, or otherwise unable to attend school during a potential measles outbreak. Grounded in the Individuals with Disabilities Education Act (IDEA), Section 504, recent COVID -19 guidance, and long-standing federal interpretations of a free appropriate public education (FAPE), this document outlines expectations for service delivery and the use of contingency learning plans so districts can support the provision of special education services while supporting student and staff health.

### **1. How should schools provide services during a short-term quarantine?**

A short-term exclusion (10 consecutive school days or fewer) due to measles exposure is considered a temporary emergency measure, not a change in placement (OSEP, March 2020, **Q-A-4**).

#### **If the school is open:**

Schools must provide access to instruction and services to the greatest extent possible, using virtual instruction, instructional phone calls, or curriculum-based activities (OSEP, March 2020, **Q-A-1**). Schools must also ensure that students with disabilities have equal access to the same educational opportunities provided to all students during the exclusion (OSEP, March 2020, **Q-A-1**).

#### **If the school is closed and no students are receiving instruction:**

The school does not have to provide services to students with disabilities during the closure (OSEP, March 2020, **Q-A-1**). Once school reopens, the school must make every effort to resume services and IEP teams should decide whether compensatory services are needed (OSEP, March 2020, **Q-A-1**).

#### **If the school is closed but provides instruction to all students:**

The school must ensure students with disabilities have equal access to the same opportunities and receive FAPE to the greatest extent possible (OSEP, March 2020, **Q-A-1**).

### **2. What are the school's responsibilities during a long-term quarantine?**

Measles exposure may require 21 days or more of quarantine. When exclusion exceeds 10 consecutive school days, the AU must treat it as a potential change in placement and follow IDEA procedures (OSEP, March 2020, **Q-A-4**).

#### **If the school is open:**

The AU or school should convene the IEP team (or amend the IEP with parental agreement), determine whether homebound instruction or other alternative delivery is appropriate (OSEP, March 2020, **Q-A-2**), identify which services can be provided remotely, and begin services as soon as the student is medically able to take part in instruction (OSEP, March 2020, **Q-A-1**).

**If the school is closed and no students are receiving instruction:**

The school does not have to provide services during the closure (OSEP, March 2020, **Q-A-1**). When school reopens, the school must resume services and the IEP team should decide whether compensatory services are needed (OSEP, March 2020, **Q-A-2**).

**If the school is closed but provides instruction to all students:**

The school must ensure students with disabilities have equal access to the same opportunities and receive FAPE to the greatest extent possible (OSEP, March 2020, **Q-A-1**). The IEP team must figure out how services will be delivered during the closure (OSEP, March 2020, **Q-A-2**).

If services cannot be provided during the exclusion, the IEP team must later decide whether compensatory services are needed (OSEP, March 2020, **Q-A-2**).

**3. When should schools begin providing services during a measles-related quarantine?**

Schools should begin implementing services immediately once the student is excluded for more than a brief period and is available for instruction (OSEP, March 2020, **Q-A-2**). Services should not be delayed while waiting to see how long the exclusion will last.

**4. What is a contingency learning plan, and when should it be used?**

A contingency learning plan developed by the IEP team is a temporary, student-specific plan describing how FAPE will be provided when a student cannot attend school due to measles exposure, quarantine, or medical vulnerability.

Although not required by IDEA, OSEP has explicitly encouraged the use of contingency or distance-learning plans during public-health-related disruptions (OSEP, March 2020, **Q-A-5**; OSEP, Return to School Roadmap, 2021).

A contingency learning plan should address:

- Conditions that trigger implementation and return to normal services
- High-priority IEP goals
- Services that can be delivered remotely
- Adjustments to progress monitoring and data collection
- Technology and accessibility needs
- Parent training needs
- Documentation procedures
- Communication plan with families

**5. When is Prior Written Notice (PWN) required for changes related to quarantine or contingency learning plans?**

PWN is not needed when a contingency learning plan reflects temporary changes necessary to protect health and safety and does not alter the student's disability-related needs or placement (OSEP, June 2020, **Q-B-2**).

PWN is needed when:

- The IEP is revised due to changes in a student's needs, changes to services are made due to long-term quarantine, changes are made through a contingency learning plan, or any other changes are made that would constitute a change in placement;
- The IEP team proposes or refuses an action related to identification, evaluation, placement, or the provision of FAPE.