

## **ATTACHMENT 1:**

Statement of Jane Strong, Ph.D., director, Office of  
Special Education Procedural Support, Department of  
Special Services (DSS)

## STATEMENT OF JANE STRONG

I, Jane Strong, state as follows based on my personal knowledge:

1. I am currently employed as the director of the Office of Special Education Procedural Support (OSEPS), for Fairfax County Public Schools (FCPS). I have been the director for OSEPS for seven years. I have been in special education for thirty-seven years. I hold a Doctor of Philosophy (PhD) in Special Education and Disability Policy from Virginia Commonwealth University; a Master's in Administration and Supervision from the University of Virginia; and a Bachelor's of Science in Special Education and General Education from Radford University. I am currently licensed in the state of Virginia in the following areas: NK-4 early education; K-12 intellectual disabilities, K-12 emotional disturbance, Supervisor of Special Education, Elementary School Supervisor, and Elementary School Principal.
2. FCPS schools were closed, effective March 13, 2020, in response to concerns regarding the coronavirus outbreak in the Northern Virginia region.
3. On March 13, 2020, Virginia Governor Ralph Northam directed that all Virginia schools close for at least the following two weeks. FCPS Superintendent Scott Brabrand announced that all FCPS schools would be closed for four weeks, through April 10, 2020. The announcement further set forth that, while FCPS would be promoting digital and online resources to FCPS students to provide continuity of learning programming during that time, such work would neither be required nor graded.
4. On March 15, 2020, Dr. Brabrand announced the closure of all FCPS school buildings and administrative offices until further notice.
5. Over the next two weeks, FCPS personnel began distance learning training for teachers, gave teachers the opportunity to plan and prepare for distance instruction, and there was an expectation teachers would reconnect with their students.
6. On March 23, 2020, Virginia's Governor announced that all Virginia K-12 schools would be closed for the remainder of the 2019-20 academic year.
7. On that same day, Dr. Brabrand announced to the FCPS community that, although the Virginia Department of Education (VDOE) would be providing school districts additional guidance, FCPS' goal was to proceed with continuity of learning for its students.
8. On March 26, 2020, Dr. Brabrand announced that FCPS intended to launch a distance learning plan on April 14, 2020 to reach its approximately 189,000 students.

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9. Dr. Brabrand's announcement included an overview of the distance learning plan for all levels (elementary, middle and high school), and included FCPS' resources for students with disabilities, including students with Individualized Education Programs (IEPs) and 504 Plans.
10. On April 14, 2020, FCPS launched the distance learning plan. Teachers and staff were expected to work with students using a variety of methods, including online platforms (Blackboard Collaborate Ultra and Google Classroom/Google Meet) for instruction, conduct office hours and individual student meetings, provide weekly learning packets, email and phone calls.
11. On April 16, 2020, FCPS' then-Assistant Superintendent for Special Services, Ms. Teresa Johnson, wrote to families to provide an overview of distance learning plans for students with disabilities. In that correspondence, FCPS advised families that it would be implementing "Temporary Learning Plans" (TLPs) for students with IEPs. TLPs were documents that outlined special education and related services during the school closure through a collaborative process, where special education case managers and other related service providers would consult with and gather input from each student's parents/guardians to outline prioritized goals, accommodations and services from the IEP.
12. Given the fact that FCPS had over 28,000 students with IEPs at the time of the pandemic school closure, as a practical matter, FCPS determined (consistent with VDOE's guidance) that it could not feasibly amend all student IEPs for a temporary period during the state-mandated school closures. Families were advised that the TLP would be a letter identifying the continuity of learning services to be provided to individual students based on their unique circumstances for the remainder of the school year.
13. On April 16, 2020, FCPS published a "COVID-19 Special Education Frequently Asked Questions for Families" (FAQs for Families), providing answers to over thirty questions concerning the following topics: Child Find, Evaluations, Reevaluations, Eligibility, IEPs/504 Plans, and TLPs. These FAQs also clarified that if parents were not in agreement with, or had concerns about, a TLP, they could contact their child's case manager or procedural support liaison (PSL) to discuss next steps and/or to request an IEP meeting.
14. A second set of FAQs for Staff was published on April 28, 2020. This resource provided answers to questions pertaining to TLPs, data collection, meetings, counseling, extended school year (ESY) and requests for compensatory services. In this resource, FCPS confirmed that all students with disabilities who were being served on an IEP required a TLP during the school closure. Administrators and staff members were advised to confirm with students' parents that a TLP was not an IEP and it was not a waiver of rights under IDEA. All students' IEPs would be implemented when school resumed following the mandated closure.

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15. FCPS has complied with all federal and state-level special education laws and regulations governing IEP implementation and development, review, and revision, as well as with procedural safeguards.
16. FCPS' issuance of TLPs was consistent with guidance set forth in the May 1, 2020 VDOE Superintendent's Memo 112-20, in that: (1) the TLPs provided students with services required by their respective IEPs, so as to ensure that each student was provided FAPE within the constraints of distance learning and (2) student TLPs were the result of the collaboration of school officials and parents, and therefore, parents were properly informed of and involved in decisions related to the provision of services to their child, per their child's TLP.
17. FCPS discontinued the use of TLPs following the end of the state-mandated school closure during spring 2020. Beginning September 8, 2020, when the new school year began and schools had re-opened, IEPs were implemented as written.
18. VDOE published guidance on school reopening, and specifically, regarding the provision of recovery services, in a July 28, 2020 guidance document entitled: **Virginia Department of Education Considerations for COVID Recovery Services for Students with Disabilities.**
19. FCPS based much of its guidance regarding the definition and provision of "recovery services" on VDOE's guidance, along with additional legal guidance provided to special education administrators by the Council of Administrators of Special Education (CASE) as well as guidance from the USDOE.
20. In addition to my role in FCPS as a special services director, I am the current president of the Virginia Council of Administrators of Special Education (VCASE).
21. During August and September 2020, central office leadership in the offices of special education procedural support and special education instruction collaborated to develop guidance and professional development to staff regarding recovery services for students with disabilities.
22. On September 28, 2020, I recorded an online training (on behalf of the OSEPS office) entitled **Recovery Services: An Overview for Special Education Lead Teachers.** The information shared during this presentation was adapted from VDOE's guidance document, **Considerations for COVID Recovery Services for Students with Disabilities.** The learning objectives for this presentation included helping special education case managers learn how to identify the circumstances in which IEP meetings would need to be held to determine recovery services, and assistance for special education teachers to determine the data sources needed to make sound COVID recovery service decisions.
23. As stated in this training, recovery services are additional, temporary services required for a student to regain lost skills and to fill in gaps where expected progress

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was not evident, due to the nature and restrictions of the pandemic (school closures, distance learning) on student learning. The presentation emphasized that the decision-making for whether a student might require recovery services is an individualized determination made by the knowledgeable committee.

24. Additionally, the following Important guidelines regarding the provision of recovery services were included in this presentation: 1. Recovery services, like all services for students with disabilities, need to be provided in the least restrictive environment (LRE); 2. Recovery services can be provided over an extended period of time; 3. The recovery services are not a "minute-for-minute" replacement of services not provided during the school closure; 4. All decisions regarding the selection and provision of recovery services should be data-driven, and not all students will require recovery services; and 5. Parent participation and input is critical in this process.
25. The September 28 presentation also addressed the differences between recovery services and compensatory services. Compensatory services are provided as a remedy for when a school division fails to provide a free appropriate public education (FAPE) to a student with a disability. FCPS agrees that during the pandemic, students with disabilities have not lost the right to receive compensatory services in those cases in which the division has failed to provide a FAPE. However, VDOE and FCPS have focused on recovery service provision as a mechanism for helping impacted students recoup from the COVID-19 related effects of school system closures and distance learning.
26. The presentation concluded by reminding staff of the resources available to them when making these decisions, as well as noting that an FCPS guidance document would be coming out soon to support staff in the documentation of recovery services for students with disabilities.
27. On November 5, 2020, **the FCPS Guidance Document for IEP Teams for COVID Recovery Services** was published. This guidance document was adapted from the guidance provided by VDOE and included more specific guidance around the decision-making and documentation of recovery services in FCPS.
28. On November 6, 2020, OSEPS leadership recorded part 2 of its recovery services guidance to special education staff: **Recovery Services: IEP Guidance Document Review**. The recorded presentation was forwarded to special education chairs/leads, and reviewed the information included in the November 5 guidance document.
29. Throughout the fall of 2020, procedural support liaisons (PSLs) and other central office specialists were available to provide consultation and guidance to school-based personnel regarding recovery service decisions.
30. Meanwhile, although FCPS began the school year with virtual learning for all students, the division made concerted efforts to deliver in-person instruction to

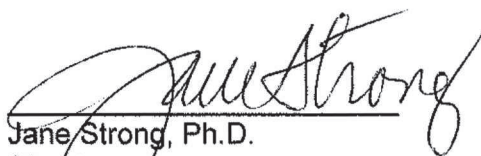
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students who were considered to be the most vulnerable and in need of in-person instruction. Among the students who were considered to be the most in need of in-person learning were students with disabilities. The School Board, in concert with the division Superintendent and the Assistant Superintendent of Special Services, created a plan of return to in-person learning for student cohorts, focusing on specific student needs and acknowledging that the ultimate goal – when health conditions permitted – would be to offer in-person learning to all students whose families chose this manner of instruction.

31. While small groups of students were brought in for in-person learning for 2 – 4 days per week, the health metrics which continued to support the need to socially distance, along with building space limitations, did not support a wholesale return to in-person learning for all students.
32. As school staff were in the process of observing and collecting data on student progress, it was recognized that it would be beneficial to staff to provide additional professional development regarding recovery services. In that vein, staff from the due process and eligibility (DPE) section of OSEPS developed training materials and facilitated a total of 25 virtual discussions during the month of February 2021, with groups of staff representing each of FCPS' 24 pyramids of schools. Procedural support liaisons collaborated with the DPE office for their respective school pyramids. School based participants in these discussions included special education leads and 504 school-based coordinators.
33. Schools were encouraged, to the greatest extent possible, to arrange for the provision of appropriate, necessary recovery services to students utilizing their own staff. Staff were reminded that recovery services could be provided in-person or virtually, depending upon student needs. For schools that determined there was not available staff on-site to provide required recovery services to a student, the OSEPS central office leaders determine available hourly staff to assist in service implementation. A Recovery Academy will be held during summer 2021.
34. Currently, there is no "end date" by which recovery services could be provided to a student. Therefore, if an eligible student was not available or desirous of recovery services during the current school year, FCPS can continue to offer those services during the summer or into the next, 2021-2022 school year.

I hereby certify that the above information is true and accurate to the best of my ability.



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Fairfax County Public Schools

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