

From: [Strong, Jane](#)
To: [Duran, Francisco](#)
Subject: Re: VDOE
Date: Thursday, March 19, 2020 12:28:09 PM
Attachments: [image001.png](#)
[image002.png](#)

I got booted out of session somehow

Jane Strong, PhD
Director of Special Education
Procedural Support
Fairfax County Public Schools
Sent from my iPhone

On Mar 19, 2020, at 12:17 PM, Duran, Francisco <fdduran@fcps.edu> wrote:

Let them know we are meeting at 1pm as a DSS team to further

Dr. Francisco Durán
Chief Equity Officer
Fairfax County Public Schools
8270 Willow Oaks Corporate Drive, 5117
Fairfax, VA 22031
(571) 423-4010



From: Strong, Jane <jestrong@fcps.edu>
Sent: Thursday, March 19, 2020 12:15 PM
To: Johnson, Teresa L <TJohnson4@fcps.edu>; Bloom, Mike <msbloom@fcps.edu>;
Duran, Francisco <fdduran@fcps.edu>; Foster, John <jefoster@fcps.edu>
Subject: RE: VDOE
Importance: High

Just wondering if we could make sure that these decisions being discussed now about resuming Digital Learning will impact us Significantly in sped on compensatory service. Guidance received yesterday was that we have to do IEP addendums with all students first. That would mean 28K IEP meetings. I do not have a concept of how this is feasible.

Jane Strong, Ph.D.
Director of Special Education Procedural Support (OSEPS)
Fairfax County Public Schools
Willow Oaks Administrative Center

Please share guidance related to online or distance learning during an extended school closure. The impact to students during an extended school closure can be significant. The learning time and support students receive at school are not easily supplemented or replaced. Understanding the desire and responsibility of parents and educators alike to provide continuity for every student in their thinking and learning, many school divisions are assessing the feasibility of providing online learning in the event of extended school closures. In looking at this option, it is important to consider the practical steps necessary to appropriately serve every student equitably and the extent to which a traditional school environment can be quickly replicated online. It is not a simple task, nor is it one that should be attempted without serious consideration of equity and access. Schools should thoughtfully evaluate their approach, understand their legal obligations, and maintain the standards for delivery of instruction and student supports. Services, programs and activities online must be accessible to persons, including individuals with disabilities unless equally effective alternative access is provided in another manner (U. S. Department of Education, Office for Civil Rights, 2020). Divisions may have the capacity to explore expanding or offering online learning. Divisions should apply an equity lens and consider the impacts on underserved groups, including students of color, students with disabilities, emerging bilingual students, students experiencing poverty and homelessness, and students who belong to other protected classes. Consider whether the model will improve or worsen disparities between populations. Consider barriers to equitable implementation and unintended consequences. Shifting from a “brick and mortar” school environment to online learning that meets the regulations of holding “school” is a complex task that requires thoughtful planning, serious consideration of practicality, and assessment of risk. This assessment of risk should consider the impact of compensatory education and

exposure for local school divisions to dispute resolution. Additional guidance is also available from the U. S. Department of Education (USED) including a short webinar on online education and website accessibility and a fact sheet on addressing the risk of COVID-19 in schools while protecting the civil rights of students.

Teresa L. Johnson
Assistant Superintendent,
Special Services
Fairfax County Public Schools
Phone: 571-423-1300
Tljohnson4@fcps.edu

From: [Strong, Jane](#)
To: [Schaefer, Dawn M](#)
Cc: [Lorenzo, Debbie](#)
Subject: Re: VDOE
Date: Thursday, March 19, 2020 12:25:42 PM

On now. I raised alarm. Francisco had me tell the group this. I'm feeling panicked

Jane Strong, PhD
Director of Special Education
Procedural Support
Fairfax County Public Schools
Sent from my iPhone

On Mar 19, 2020, at 12:18 PM, Schaefer, Dawn M <DMSchaefer@fcps.edu> wrote:

What Teresa sent is basically what the OCR webinar said and what Kathy Mehfoud said yesterday. Any results from the board meeting?

Dawn M. Schaefer, M.Ed.
Coordinator, Due Process and Eligibility
Fairfax County Public Schools
8270 Willow Oaks Corporate Drive
Fairfax, VA 22031
dmschaefer@fcps.edu
571-423-4470

From: Lorenzo, Debbie <dalorenzo@fcps.edu>
Sent: Thursday, March 19, 2020 12:04 PM
To: Strong, Jane <jestrong@fcps.edu>
Cc: Schaefer, Dawn M <DMSchaefer@fcps.edu>
Subject: Re: VDOE

I agree with you. There are going to be long term ramifications. This is why they were saying IEPs needed to be completed before you begin so you have thoughtfully considered the needs of the student and made changes to the IEP. The fact that each teacher has varying levels of knowledge and comfort with online should be enough to say it is not going to be equitable across students.

Right now George Mason has left it up to the professor to determine the format of their class because not all professors have the capacity to run a blackboard collaborate. Nicolas has 2 professors who will have live sessions at their designated days starting

next week where the other 2 will be emailing assignments and then his last class is online so it will continue that way.

Sent from my iPhone

On Mar 19, 2020, at 11:55 AM, Strong, Jane <jestrong@fcps.edu> wrote:

I wish they would not go forward with Distance Learning.

Jane Strong, Ph.D.
Director of Special Education Procedural Support (OSEPS)
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President, Virginia Council of Administrators of Special Education

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From: Johnson, Teresa L
Sent: Thursday, March 19, 2020 11:01 AM
To: Strong, Jane <jestrong@fcps.edu>; Bloom, Mike
<msbloom@fcps.edu>; Duran, Francisco <fdduran@fcps.edu>
Subject: VDOE

This guidance is significant.

Please share guidance related to online or distance learning during an extended school closure. The impact to students during an extended school closure can be significant. The learning time and support students receive at school are not easily supplemented or replaced. Understanding the desire and responsibility of parents and educators alike to provide continuity for every student in their thinking and learning, many school

divisions are assessing the feasibility of providing online learning in the event of extended school closures. In looking at this option, it is important to consider the practical steps necessary to appropriately serve every student equitably and the extent to which a traditional school environment can be quickly replicated online. It is not a simple task, nor is it one that should be attempted without serious consideration of equity and access. Schools should thoughtfully evaluate their approach, understand their legal obligations, and maintain the standards for delivery of instruction and student supports. Services, programs and activities online must be accessible to persons, including individuals with disabilities unless equally effective alternative access is provided in another manner (U. S. Department of Education, Office for Civil Rights, 2020). Divisions may have the capacity to explore expanding or offering online learning. Divisions should apply an equity lens and consider the impacts on underserved groups, including students of color, students with disabilities, emerging bilingual students, students experiencing poverty and homelessness, and students who belong to other protected classes. Consider whether the model will improve or worsen disparities between populations. Consider barriers to equitable implementation and unintended consequences. Shifting from a “brick and mortar” school environment to online learning that meets the regulations of holding “school” is a complex task that requires thoughtful planning, serious consideration of practicality, and assessment of risk. This assessment of risk should consider the impact of compensatory education and exposure for local school divisions to dispute resolution. Additional guidance is also available from the U. S. Department of Education (USED) including a short webinar on online education and website accessibility and a fact sheet on addressing the risk of COVID-19 in schools while protecting the civil rights of students.

Teresa L. Johnson
Assistant Superintendent,
Special Services
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Phone: 571-423-1300
Tljohnson4@fcps.edu

From: [Strong, Jane](#)
To: [Lorenzo, Debbie](#)
Cc: [Schaefer, Dawn M](#)
Subject: RE: Here ya go!!
Date: Thursday, March 19, 2020 9:11:00 AM

So true that we document decisions based on student needs. Thank you.

Jane Strong, Ph.D.
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From: Lorenzo, Debbie
Sent: Wednesday, March 18, 2020 5:11 PM
To: Strong, Jane <jestrong@fcps.edu>
Cc: Schaefer, Dawn M <DMSchaefer@fcps.edu>
Subject: Re: Here ya go!!

We just need to make sure that students are able to access the platform where the instruction is being delivered. We will need to make sure that case managers make sure students have what they need. My concern would be is that teachers may not have the resources available at home to make sure this happens. A lot of unknowns. We will just need to do our best and demonstrate that decisions were made based on the student's individualized needs.

Sent from my iPhone

On Mar 18, 2020, at 4:57 PM, Strong, Jane <jestrong@fcps.edu> wrote:

The School Board is hearing ISD report now. I'm not participating, it is closed session.
I don't think anyone thinks IEPs can be amended BEFORE instruction resumes.
I was hoping we just do IEPs when we return to physical school.

Jane Strong, Ph.D.
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From: Lorenzo, Debbie
Sent: Wednesday, March 18, 2020 4:53 PM
To: Schaefer, Dawn M <DMSchaefer@fcps.edu>; Strong, Jane <jestrong@fcps.edu>
Subject: RE: Here ya go!!

If we follow there advise, we should not be starting any new alternative learning or platforms that involve new content and graded assignments until we have held IEPs for students. This is going to take a lot of discussion and messaging to schools.

Debbie Lorenzo
Coordinator, Office of Special Education Procedural Support
Willow Oaks Corporate Drive
571-423-4290 (Office)

From: Schaefer, Dawn M <DMSchaefer@fcps.edu>
Sent: Wednesday, March 18, 2020 4:36 PM
To: Lorenzo, Debbie <dalorenzo@fcps.edu>; Strong, Jane <jestrong@fcps.edu>
Subject: RE: Here ya go!!

Me too.

Second big concern is not new—that we have to do IEPs (or addendums) for each kid to consider compensatory services.

Dawn M. Schaefer, M.Ed.

Coordinator, Due Process and Eligibility
Fairfax County Public Schools
8270 Willow Oaks Corporate Drive
Fairfax, VA 22031
dmschaefer@fcps.edu
571-423-4470

From: Lorenzo, Debbie <dalorenzo@fcps.edu>
Sent: Wednesday, March 18, 2020 3:39 PM
To: Strong, Jane <jestrong@fcps.edu>
Cc: Schaefer, Dawn M <DMSchaefer@fcps.edu>
Subject: RE: Here ya go!!

As we are listening to this, I am the most concerned about Question 3 about COVID-19 on page 6.

Debbie Lorenzo
Coordinator, Office of Special Education Procedural Support
Willow Oaks Corporate Drive
571-423-4290 (Office)

From: Strong, Jane <jestrong@fcps.edu>
Sent: Wednesday, March 18, 2020 2:15 PM
To: Lorenzo, Debbie <dalorenzo@fcps.edu>; Schaefer, Dawn M <DMSchaefer@fcps.edu>
Subject: FW: Here ya go!!

Jane Strong, Ph.D.
Director of Special Education Procedural Support (OSEPS)
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From: Harley, Kathleen B. [mailto:kharley@reedsmith.com]

Sent: Wednesday, March 18, 2020 2:12 PM

To: Strong, Jane <jestrong@fcps.edu>

Subject: Here ya go!!

I am providing the dial in information to you and this number is NOT to be shared with others, unless you were approved in advance by Kathy Harley for a maximum of 1-2 additional lines. Please be considerate as this limitation is necessary to accommodate a large number of participants. You may conference in individuals or groups on your own lines or may have additional personnel present at your site as health standards permit. Please respect this process as this audioconference is highly subscribed and we want to make sure there are sufficient lines for those who have registered. The dial in number is 866-997-0852.

We are also happy to present this audioconference just for your school division via a conference line established by the school division or by Reed Smith LLP where the number of dial ins is expanded for the school division and your individual questions may be

From: Strong, Jane <jestrong@fcps.edu>

Sent: Wednesday, March 18, 2020 2:10 PM

To: Harley, Kathleen B. <kharley@reedsmith.com>

Subject: RE: [External] FW: UPDATED AUDIO CONFERENCE INFORMATION

EXTERNAL E-MAIL - From jestrong@fcps.edu

Did not receive.

Jane Strong, Ph.D.
Director of Special Education Procedural Support (OSEPS)
Fairfax County Public Schools
Willow Oaks Administrative Center
8270 Willow Oaks Corporate Drive
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From: Harley, Kathleen B. [<mailto:kharley@reedsmith.com>]
Sent: Wednesday, March 18, 2020 2:03 PM
To: Strong, Jane <jestrong@fcps.edu>
Subject: RE: [External] FW: UPDATED AUDIO CONFERENCE INFORMATION

Hi Jane,

The outlines were sent out this morning. Dial-in was sent just a few minutes ago. Let me know if you didn't get the outlines.

From: Strong, Jane <jestrong@fcps.edu>
Sent: Wednesday, March 18, 2020 1:51 PM
To: Harley, Kathleen B. <kharley@reedsmith.com>
Subject: RE: [External] FW: UPDATED AUDIO CONFERENCE INFORMATION
Importance: High

EXTERNAL E-MAIL - From jestrong@fcps.edu

Hi Kathy, I have not received anything for log in or outline yet?

Jane Strong, Ph.D.
Director of Special Education Procedural Support (OSEPS)
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From: Harley, Kathleen B. [<mailto:kharley@reedsmith.com>]
Sent: Tuesday, March 17, 2020 9:44 AM
To: Strong, Jane <jestrong@fcps.edu>
Subject: RE: [External] FW: UPDATED AUDIO CONFERENCE INFORMATION

Good morning Jane,

Thank you! I'll put you as my main contact and will leave it up to you to send the dial-in information to the other person.

Hope you're doing well!

Kathy

From: Strong, Jane <jestrong@fcps.edu>
Sent: Tuesday, March 17, 2020 9:11 AM
To: Harley, Kathleen B. <kharley@reedsmith.com>
Cc: Knox, Lisa <lfknox@fcps.edu>
Subject: RE: [External] FW: UPDATED AUDIO CONFERENCE INFORMATION

EXTERNAL E-MAIL - From jestrong@fcps.edu

Hi Kathy,
Fairfax would like to have two call ins for two participants.
Thank you!

Jane Strong, Ph.D.
Director of Special Education Procedural Support (OSEPS)
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8270 Willow Oaks Corporate Drive
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From: Harley, Kathleen B. [<mailto:kharley@reedsmith.com>]

Sent: Tuesday, March 17, 2020 8:56 AM

Subject: [External] FW: UPDATED AUDIO CONFERENCE INFORMATION

Importance: High

Good morning everyone,

In light of the increasing number of people that are calling into the call tomorrow, please let me know by **NOON TODAY** whether you will be calling in and whether you will need to take advantage of the two additional lines we're offering to make sure that we have enough lines for everyone. Also, if you have previously signed up to dial into the call, please let me know if you will not be doing so in order to make room for additional participants if need be.

Additionally, I just found out this morning that the CD won't be available for me to send out until we are back in the office working. I might see if there's some way to work around this, but at this time the CD will be delayed.

Thank you and hopefully things will be back to "normal" next month! We apologize for all the changes, etc. that have come up because of the chaos in the world today.

Kathy

From: Harley, Kathleen B. <kharley@reedsmith.com>

Sent: Monday, March 16, 2020 10:49 AM

Subject: UPDATED AUDIO CONFERENCE INFORMATION

Importance: High

CONFIRMATION OF AUDIO CONFERENCE ON MARCH 18, 2020 AND EXPANDED TIME

THE AUDIOCONFERENCE WILL TAKE
PLACE AS SCHEDULED AT 3 PM ON
MARCH 18, 2020, BUT THE TIMEFRAME
WILL BE EXPANDED TO 4:30 PM TO

ADDRESS THE COVID-19 SITUATION.
PROVISIONS MAY BE MADE UPON
ADVANCE REQUEST FOR TWO
ADDITIONAL DIAL-IN LINES FROM THE
SAME SCHOOL DIVISION PER
REGISTRATION FEE.

**CONSIDERATIONS FOR
STUDENTS WITH DISABILITIES
DURING SCHOOL CLOSURES
RESULTING FROM COVID-19
&**

**AN ATTORNEY'S PERSPECTIVE
ON DRAFTING
LEGALLY COMPLIANT AND
EFFECTIVE IEPs**

DATE: Wednesday, March 18, 2020

TIME: 3:00 p.m. to 4:30 p.m.

PRESENTERS: Kathleen S. Mehfoud and Anne E.

Mickey

TOPICS COVERED: Kathy and Anne will address first a suggested approach for the handling of any IEP and timeline disruption caused by school closures due to the coronavirus. Submit questions in advance of the audioconference if possible. Secondly, they will address the regularly-scheduled IEP topic as the IEP is the hallmark document for determining and delineating special education services for students with disabilities. The ability of a school division to show that it provided FAPE will likely depend on the strength of the IEP that is developed. Based on their collective experience reviewing thousands of IEPs and representing school divisions in special education litigation, Kathy and Anne will share their process for evaluating whether an IEP complies with the requirements of the IDEA and ensures the provision of FAPE to students with disabilities. Both new and experienced special education personnel will benefit from this important and practical presentation.

Please submit any questions that you have in advance of the presentation so that Kathy and Anne can incorporate the pertinent information in the audio conference and outline. Of course, there will be time reserved for questions at the end of the audio conference.

PRICE:	Audio Conference only:	\$285
	CD only:	\$285
	Audio Conference & CD:	\$310

NOTE: Due to schools being closed on Wednesday, March 18, 2020, please contact Kathy Harley immediately if you need to request an additional telephone conference line.

Otherwise, the dial-in number is not to be shared with additional members from your school division without

incurring an additional charge.

**KATHY HARLEY WILL PROVIDE A DIAL-IN NUMBER
AND THE WRITTEN MATERIALS THE MORNING OF THE
AUDIO CONFERENCE**

**PLEASE RESPOND
DIRECTLY TO KATHY HARLEY
AT KHARLEY@REEDSMITH.COM
TO SIGN UP OR IF YOU HAVE ANY QUESTIONS**

**DISCLAIMER: THIS AUDIO CONFERENCE IS DESIGNED
TO PROVIDE AUTHORITATIVE INFORMATION ABOUT A
SPECIAL EDUCATION TOPIC AND IS NOT PROVIDED AS
LEGAL ADVICE. THE AUDIO CONFERENCE WILL FOCUS
ON VIRGINIA'S REQUIREMENTS. THE LISTENER IS
ENCOURAGED TO CONTACT LEGAL COUNSEL IF LEGAL
ADVICE IS NEEDED.**

**If you wish to unsubscribe from this mailing list, please e-
mail Kathy Harley at kharley@reedsmith.com, put
"unsubscribe" in the subject line and your name will be
removed.**

**Kathleen B. Harley
Education Team Practice Assistant
Reed Smith LLP**

Riverfront Plaza, West Tower
901 East Byrd Street, Suite 1900
Richmond, VA 23219
804.344.3480
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From: [Schaefer, Dawn M](#)
To: [Krempasky, Jennifer](#)
Cc: [Guillen, Andrew A](#); [Strong, Jane](#)
Subject: FW: Dr. Duran request
Date: Monday, March 16, 2020 1:47:31 PM

Jen,

Could you begin working on the highlighted item below? Happy to talk through any questions you have.

Many thanks,

Dawn

Dawn M. Schaefer, M.Ed.
Coordinator, Due Process and Eligibility
Fairfax County Public Schools
8270 Willow Oaks Corporate Drive
Fairfax, VA 22031
dmschaefer@fcps.edu
571-423-4470

From: Strong, Jane <jestrong@fcps.edu>
Sent: Monday, March 16, 2020 12:37 PM
To: Bloom, Mike <msbloom@fcps.edu>; Stack, Ellie P. <EPStack@fcps.edu>; Schaefer, Dawn M <DMSchaefer@fcps.edu>; Lorenzo, Debbie <dalorenzo@fcps.edu>
Subject: Dr. Duran request
Importance: High

Hello Colleagues:

Dr. Duran gave me a call because he had a question and concern. Apparently, Sloan has been moving ahead verbalizing plans for ISD to provide "instruction" to students following the two weeks (approx. on 3/30/20). Francisco wanted to review what we've said about responsibility for SWD. We chatted that OSEI has posted Continuity of Learning suggestions for parents.

He wants us to begin brainstorming how we would guide our spec ed teachers to provide services for our students. High incidence students probably can manage with the online instruction. We need to probably develop a plan for low incidence students. Things like: sped teacher office hours, video or recorded lessons, materials pick up and small equipment (?) ESY? should be thought about. (not a full list, you may have other ideas)

Is it possible for Ellie (and who she assigns) and Debbie (and who you assign) to get on the phone to begin this task? It may be that OSEI already has done some of this.

Dawn's team would want to outline scripts and messages we could give teachers and admins about how we will potentially guide on holding IEP meetings when we return to work. It may not be for 8

weeks or more? What are our guiding thoughts about compensatory service?

Dr. Duran will be checking with me and Mike tomorrow on early thoughts. Thank you!

Jane Strong, Ph.D.
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