



Virtual Related Service Guidance & Resources for Related Service Providers in NC Public Schools
 North Carolina Department of Public Instruction
Exceptional Children Division, Supporting Teaching and Related Services Section and the Sensory Support and Assistive Technology Section

REVISED 6.3.2020

This revision now replaces previous iterations of this guidance document and will be updated as new information and guidance becomes available.

As a result of questions received from the field, this document has been streamlined to focus on resources and guidance applicable to virtual related services provided during COVID-19. All professional guidelines concerning ethical practices as well as requirements for the supervision of therapy assistants remain in effect and have not been changed due to COVID-19. Professional ethical standards and specific resources for each discipline are accessible via link at the end of the general resources included in this document.

In addition to adhering to discipline specific professional standards of practice guidelines, everyone must comply with LEA, state and federal regulations, policy and specific licensure directives. Professional guidance does not change whether providing services virtually or in-person. Related service providers must not initiate any practice without consideration of legal and ethical principles and approval from their local administration and supervisors. Resources included in this document are provided as information to support planning efforts at the local level. Related service providers should work within their LEA and administrative structures to ensure compliant, thoughtful, and reasonable action.

Each student, Individualized Education Program (IEP), situation and intervention must be thoughtfully considered with professional judgement. There is no single ‘answer’ which sufficiently addresses all situations. Please note that the terms telehealth, telepractice, teletherapy, telerehabilitation and the like are used throughout this document. The organizations supporting each related service discipline have adopted their own terminology. There is a misperception that these services are only used in health care or medical settings; however, any of these terms can and do represent services that are provided in educational settings. Virtual Related Service (VRS) is the term that the EC Division will use to encompass service delivery provided remotely by related service providers.

<p>CONSIDERATIONS & DECISION-MAKING</p>	<p><i>*Per guidance from the NCDPI EC Division, whether or not VRS is an appropriate service delivery option should be made on a case-by-case basis.</i></p> <p>Each student and context must be assessed through each related service provider’s professional judgement to decide if VRS would be appropriate for service delivery. Considerations may include but are not limited to:</p> <ul style="list-style-type: none"> ● Complexity of the student’s needs/disability ● Nature and complexity of the planned intervention ● Requirements of school-based practice ● Related service provider competence in providing VRS ● Appropriate qualification and/or training for on-site e-helper ● Consensus of IEP team, student, family and e-helper; ● Competence and fluidity with technology (student, parent/family, e-helper & related service provider) ● Student specific information, environment, context
--	---

	<ul style="list-style-type: none"> ● Compliance with laws, regulation, and policy at the federal, state, and local level
CONFIDENTIALITY & VIRTUAL LEARNING PLATFORMS	<p>Updated Joint Guidance on Privacy, Student Education & Health Records_Dec 2019</p> <p>FERPA and Virtual Learning</p> <p>Notification of Enforcement Discretion - Office for Civil Rights <i>Please note: Despite recent guidance from OCR, related service providers have an ethical obligation to ensure privacy and confidentiality and must consider potential legal/ethical implications if confidentiality and privacy are not maintained</i></p> <ul style="list-style-type: none"> ● Ensure all confidentiality standards are met (for machine, connection and storage) throughout the IEP process/service delivery ● Consult with your LEA administrator, supervisor, technology personnel and legal counsel prior to considering VRS service delivery ● Inform parents of privacy/confidentiality considerations and document accordingly ● Employ authentication and encryption technology ● Take reasonable steps to ensure both transmission and receiving locations are private, secure and appropriately set up <p>Related service providers should consult with local information technology personnel, legal counsel and administrators to examine software options and determine which features/supports will best meet VRS needs, privacy/confidentiality requirements and ethical standards.</p> <p>Guidance on remote communication products/platforms, can be found here US DHHS OCR's FAQ on telehealth.</p>
REMOTE LEARNING, SPECIAL EDUCATION & RELATED SERVICES	<p>All NC local education agencies (LEAs) and charter schools continue to engage students through remote learning opportunities to support continued student growth and well-being during this public health crisis.</p> <p>In NC K-12 public schools, remote learning is defined as learning that takes place outside of the traditional school setting using various media and formats, such as but not limited to video conference, telephone conference, print material, online material, or learning management systems.</p> <p>In this time of crisis, the manner in which ALL instruction is provided is likely to look very different.</p> <p>Schools must provide FAPE “consistent with the need to protect the health and safety of students with disabilities and those individuals providing education, specialized instruction, and related services to these students”. [OSEP Supplemental Fact Sheet-March 21, 2020] “However, federal disability law provides flexibility in determining how to meet the needs of students with disabilities. The determination of</p>

	<p>how FAPE is to be provided may need to be different in this time of unprecedented national emergency”. [OSEP Supplemental Fact Sheet, March 21, 2020]</p> <p>The provision of FAPE may “include, as appropriate, special education and related services provided through distance instruction provided virtually, online or telephonically”.</p> <p>Students with disabilities (SwD) are general education students first. SwD must be provided equal access to the same educational opportunities provided to non-disabled peers. (OSEP Q and A, Q A1, March 12, 2020) Additionally, SWD should have access to their specially designed instruction and related services outlined in their IEP “to the greatest extent possible”. [OSEP FAQ, March 12, 2020]</p> <ul style="list-style-type: none"> ● It will be important for Related Service Providers (RSPs) to collaborate with both EC teachers and General Education teachers in providing access to grade-level remote learning opportunities as well as appropriate accommodations/modifications based on the student’s unique needs and circumstances. ● EC teachers/RSPs are expected to make every reasonable effort to communicate and collaborate with the parents regarding the student’s accommodations/modifications and the provision of special education and related services. ● The ECD strongly recommends all EC service providers log remote learning and services provided or offered: date, time (beginning and end), mode of instruction (video conference, telephone conference, print material, online material, or learning management systems, etc.), IEP goals addressed, and progress monitoring data are important elements to include in the log. <p>It is understood that even when districts act in good faith to provide all students with meaningful access, the very nature of the student’s disability or other circumstances may impede their ability to meaningfully access their specially designed instruction during times of remote learning.</p> <p>If the LEA believes that it may not be possible to provide the IEP and related services as stated in the IEP, communication and collaboration with the parent is critical and should be documented.</p>
<p>EVALUATION</p>	<p>Regarding all timelines, according to a Supplemental Fact Sheet issued by the U.S. Department of Education, Office for Civil Rights:</p> <p><i>“As a general principle, during this unprecedented national emergency, public agencies are encouraged to work with parents to reach mutually agreeable extensions of time, as appropriate.”</i></p> <p>If related services providers are requested to provide individual evaluations prior to school opening or in an emergency context (school buildings are closed), it is recommended that professional judgement is applied to these requests. Related services providers should refer to discipline specific guidance and clarify concerns and options with LEA administration to navigate these decisions.</p>

<p>SERVICE DELIVERY</p>	<p>An e-helper is someone who assists during VRS sessions and assists with carry-over of goals. E-helpers are typically paraeducators, teachers, librarians, and other classroom personnel. If VRS will be received at home, e-helpers may be parents or other caregivers.</p> <p>Format</p> <ul style="list-style-type: none"> ● Synchronous = live, interactive (e.g., video conferencing, telephone) ● Asynchronous = store and forward (e.g., electronic communication, digital files, pre-recorded video, data sharing) <p>Mode</p> <ul style="list-style-type: none"> ● Teleintervention = interventions that are preventative, rehabilitative, or habilitative in nature ● Teleconsultation* = virtual consultation (for on-site e-helper, educational staff, parent or caregiver) which provides expertise (e.g., supplementary aid and service). *Teleconsultation should not be a substitute for the delivery of direct related services. ● Telemonitoring = monitoring functioning and goals
<p>INTERVENTION</p>	<ul style="list-style-type: none"> ● Employ professional judgement to determine need for and type of training required by 'on-site' e-helpers ● Provide or make recommendations for the materials used in a session ● Provide recommendations for space needed and set-up of environment/materials ● Reflect best practices and evidence-base ● Mirror services typically provided at school as much as possible ● Clearly communicate plans for the session, interventions, and carry over strategies; document in the plan of care and/or note from sessions <p>Intervention</p> <ul style="list-style-type: none"> ● Develop student skills ● Create healthy habits and routines ● Modify environments, materials, equipment ● Educate/train students on adaptive and assistive technology ● Model adaptive techniques <p>Supplemental aids and services</p> <ul style="list-style-type: none"> ● Model activities, how to promote independence and feedback to educational staff and parents ● Observe the student via live or recorded video and/or consult, coach, or collaborate with others (parents, family members, educational staff, etc.)

MEDICAID REIMBURSEMENT FOR VRS	<p>The NC Division of Health Benefits (DHB) has updated its COVID-19 Special Bulletin #34 adding telehealth services to the existing LEA Policy, as of April 7th, 2020. A summary of the LEA-specific contents of the bulletin, including requirements and allowable codes/telehealth modifiers, can be found here. Changes are retroactive to March 10, 2020. Please note Medicaid does not reimburse LEAs for consultative services (at any time) nor asynchronous teletherapy (approved temporarily during COVID-19 outbreak).</p>								
GENERAL RESOURCES	<p>US Department of Education</p> <ul style="list-style-type: none"> ● COVID-19 Information and Resources for Schools and School Personnel ● Supplemental Fact Sheet Addressing the Risk of COVID-19 in Preschool, Elementary and Secondary Schools While Serving Children with Disabilities ● Questions and Answers on Providing Services to Children with Disabilities During the Coronavirus Disease 2019 Outbreak March 2020 ● Student Privacy Policy Office FERPA & Coronavirus Disease 2019 FAQs March 2020 <p>Center for Disease Control (CDC)</p> <ul style="list-style-type: none"> ● CDC COVID-19 Guidance for Schools <p>National Association of School Psychologists</p> <ul style="list-style-type: none"> ● Talking to Children about COVID-19: A Parent Resource <p>NC Department of Health and Human Services</p> <ul style="list-style-type: none"> ● NC DHHS Guidance during COVID-19 Outbreak for Universities, K-12 Schools & Child Care Facilities <p>NC Council on Developmental Disabilities</p> <ul style="list-style-type: none"> ● COVID-19 Resources for People with Disabilities <p>NC Emergency Management</p> <ul style="list-style-type: none"> ● Guidance on considerations of people with disabilities, other access and functional needs for COVID-19 								
DISCIPLINE SPECIFIC GUIDANCE	<table border="0"> <tr> <td>Audiology</td> <td>Educational Interpreters and Transliterators</td> </tr> <tr> <td>Occupational Therapy</td> <td>Orientation and Mobility Specialists</td> </tr> <tr> <td>Physical Therapy</td> <td>School Psychology</td> </tr> <tr> <td>Speech Language Pathology</td> <td></td> </tr> </table>	Audiology	Educational Interpreters and Transliterators	Occupational Therapy	Orientation and Mobility Specialists	Physical Therapy	School Psychology	Speech Language Pathology	
Audiology	Educational Interpreters and Transliterators								
Occupational Therapy	Orientation and Mobility Specialists								
Physical Therapy	School Psychology								
Speech Language Pathology									