



COVID-19 Resource Planning: Balancing Legal Obligations and Available Resources to Maintain Student Progress

May 20, 2020

NCSI at-a- Glance



NCSI provides TA that builds capacity for lasting impact through a focus on four high-impact transformation priorities and the complementary knowledge and skills needed to achieve them.

HIGH-IMPACT TRANSFORMATION PRIORITIES

1

Maximize leadership to align general and special education systems to close equity gaps

3

Operationalize evidence-based practices for teaching and learning

2

Optimize general supervision, accountability and support systems to improve results

4

Actualize improvement for students with disabilities in low-performing schools

FOUNDATIONAL KNOWLEDGE AND SKILLS TO ACHIEVE TRANSFORMATION PRIORITIES

NCSI helps states to develop and deepen the foundational knowledge and skills required for sustaining impact in each priority:

- | | |
|---|---|
| <p>a. Data Literacy: Collecting necessary data and determining quality, understanding what the data mean, and deriving sensible data-based conclusions to guide decision-making.</p> | <p>c. Stakeholder & Family Engagement: Meaningfully engaging diverse stakeholders and strengthening the role of family members in shaping educational systems and decisions.</p> |
| <p>b. Research-Informed Practice: Providing effective TA&PD on using high-leverage evidence-based practices (EBPs) for students with disabilities and supporting implementation of EBP frameworks.</p> | <p>d. Systems Coherence: Designing interconnected policies and allocating resources to enable efficiency and effectiveness in developing and implementing strategic improvement plans.</p> |

COVID-19 Webinar Series

- NCSI is OSEP's designated COVID-19 Resources Hub for Supporting Students with Disabilities
- ncsi.wested.org
- Strategic resource management webinars:
 - Last week: Managing Education Resources in Response to COVID-19
 - Today: COVID 10 Resource Planning : Balancing Legal Obligations and Available Resources to Maintain Student Progress
 - Next week: Blending and Braiding Funds to Mitigate the Impact of COVID-19 on the Most Vulnerable Students

COVID-19 Webinar Series



- Recordings and slides posted on ncsi.wested.org
 - News and Events, NCSI Webinar Series

Managing Resources Effectively in Response to COVID-19

Wednesday, May 13, 4pm ET/1pm PT

- [PowerPoint Slides](#)
- [Link to Recording](#)
- [Chat Transcript](#)

The first of the three webinars provided an overview of the economic and fiscal impact of COVID-19 on education budgets and of the allowable uses of CARES Act funding. It also highlighted key fiscal considerations for education resources, including ensuring continuity of service and directing funds to students with the greatest need. The Presenters were Rorie Fitzpatrick, Director, National Center for Systemic Improvement, Jason Willis, Director of Strategy and Performance, WestEd, and Kelsey Krausen, Senior Engagement Manager, WestEd.

Presenters



Sara Doutre

Fiscal Support Team

**Results Based
Accountability and
Supports**

NCSI



Jana Rosborough

Fiscal Support Team

**Low Performing
School Systems**

NCSI



Jason Willis

**Director of Strategy
& Performance**

WestEd

Agenda

1. Refresh: Grounding assumptions and planning framework
2. Digging into the details: Stabilization strategies
 - Assessment, remediation, and progress monitoring
 - Lessons learned and improvements to bring forward
3. Questions and Answers

Warm-Up

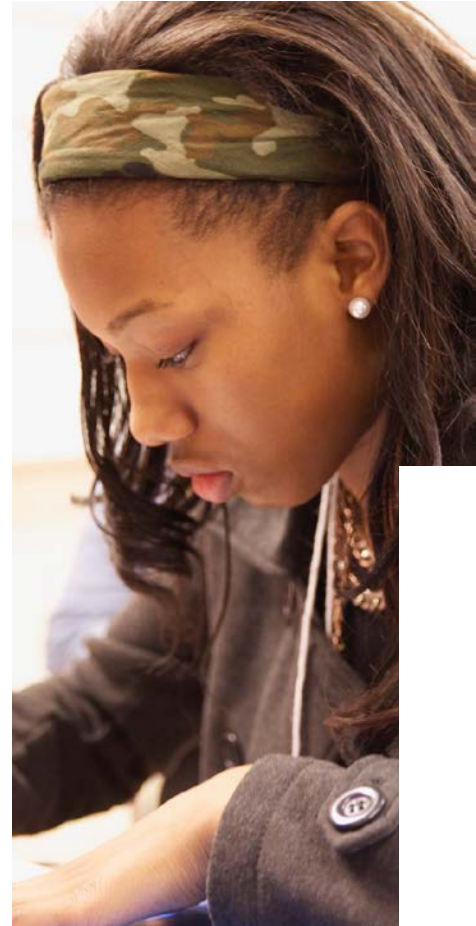
- Takeaways from these past weeks:
 - New things we will keep
 - New things we will cease
 - Old things we will reinstate
 - Old things we will drop
- Share something old you're looking forward to reinstating or dropping in the chat.

Refresh: Grounding Assumptions and Planning Framework for Special Education Resource Allocation



Forecasted Impacts to State Education Budgets

- Multiple *revisions to state budgets* throughout the year.
- *Increased competition* for state revenue.
- *State reserve* build-up will provide some cushion.
- *Federal one-time assistance* is much needed but is: (a) short-term and (b) small in impact.



Implications for School District Budgets:

Focus on Special Education

Highly unlikely that school districts can capture 'low hanging' expenses to get through this downturn









MOE may help protect special education; however, expectations for those dollars will rise dramatically

Bifurcation in layoffs between general and special ed

- Higher reductions to classified staff and gen'l ed teachers
- Shortages will remain in special education

Lessons from the Great Recession:

*What ARRA **Did** and **Did Not Do***

 <p>Stabilized state and local education employment</p>	 <p>Sharp declines in state revenue for high-need districts exacerbated funding inequities.</p>
 <p>Generated GDP growth that was between 0.5 and 2.4x the investment</p>	 <p>Did not restructure major, long-term obligations in state education budgets</p>
 <p>Accelerated common reform agenda</p>	 <p>Did not prepare public education for making rapid transitions from in-person to virtual</p>
 <p>States built reserves over subsequent decade to protect against a future recession.</p>	 <p>Did not spur cross-agency collaboration for child-serving agencies</p>

Source: Congressional Budget Office. February 2015. *Estimated Impact of the American Recovery and Reinvestment Act on Employment and Economic Output in 2014*. Washington, DC.

Source: Center on Education Policy. July 2012. *What Impact Did Education Stimulus Funds Have on States and School Districts?* George Washington University.

Source: Evans, W., Schwab, R.M., & Wagner, K.L. October 2014. *The Great Recession and Public Education*. Russell Sage Foundation. Chicago, IL.

Grounding Assumptions

**Special education
students are general
education students first**

**More data is needed
to inform special
education decisions**

This is not temporary

**Despite many
unknowns,
plan now**

WestEd COVID-19 Special Education Resource Planning Framework

Phase I: Urgent (0-3 Months)

Objective: Address essentials; maintain FAPE to the extent possible in learning environments that uphold orders to mitigate the spread of COVID-19

Phase II: Stabilization (2-8 Months)

Objective: Assess gaps and inequities; lay foundation for effective remediation and re-opening of schools, maximize coordination across programs

Phase III: Recovery (6-18 Months)

Objective: Prioritize recovery for most vulnerable student populations; continuously improve alternative delivery of instruction and FAPE

Phase II: Stabilization (2 – 8 months)

Objective: Assess gaps and inequities; lay foundation for effective remediation and re-opening of schools, maximize coordination across programs

Resource allocation strategies

- **Plan for distance screening, progress monitoring, and differentiated supports for all students to avoid an influx of referrals for special education**
- **Implement summer instruction for high need students**
- Professional development for teachers, staff, and other support services
- Prepare for coordinated services provided in new ways
- Reflect on lessons learned and improvements to bring forward



Poll

What percentage of LEAs in your state have a plan in place for assessing student progress when school starts and through the next year?

Are you planning to issue SEA guidance on use of special education funds for progress monitoring and remediation services?

Digging into the Details

Stabilization Strategies



Q&As about local educational agency maintenance of effort (MOE)

Question:

- Will an LEA increase its MOE obligation for future years if it uses CARES Act funding to provide special education services?

Answer:

- No. Only state and local funds are included when calculating LEA MOE. Because CARES Act funds are federal funds, LEAs may use them to provide special education and related services without increasing their MOE threshold.

Question:

- May an LEA use CARES Act funds to reduce its MOE spending threshold?

Answer:

- No. Because these recovery funds do not represent an increase to an LEA's IDEA allocation, they cannot be used to reduce the LEA's MOE threshold. If future stimulus funds are made available through the IDEA allocation formula, this may be an option.

Q&As about local educational agency maintenance of effort (MOE) (cont.)

Questions:

- Will there be MOE waivers if an LEA does not spend enough this year to meet its MOE threshold?
- If an LEA spends more this year and raises its MOE threshold, will there be waivers in future years if it does not spend that amount?
- Will there be MOE waivers granted to LEAs given the economic downturn?

Answers:

- There have been no waivers or safe harbor flexibilities announced. States do not have authority to waive this requirement, but do have flexibility to pay an MOE penalty on behalf of an LEA and not require repayment from the LEA.
- LEAs who are concerned they may not meet their MOE threshold should consider whether any of the available exceptions apply:
 - Voluntary or for-cause departure of special education staff; decrease in enrollment of IDEA eligible children; termination of an exceptionally costly program for a particular child, under certain circumstances; termination of costly expenditures for long-term purchases

Assessment, Remediation and Progress Monitoring

Stabilization Strategies



Assessment, Remediation and Progress Monitoring continued

- What is the SEA's role?
- What resources can the SEA allocate to ensure positive outcomes?
- What guidelines can the SEA give LEAs for resource allocation?
 - What flexibilities can the SEA provide to the LEA to encourage equity and innovation?

Assessment and Progress Monitoring: SEA Role

- Establish expectations that tools used to assess gaps and progress for all students are used for students with disabilities
- Reinforce and incentivize comprehensive systems for differentiated support (MTSS, etc.)
- Assess need for and provide guidance (guard rails) and flexibility when needed and allowed
- Ensure compliance with child find and eligibility determination requirements

Assessment and Progress Monitoring: SEA Resources

- Which SEA resources are flexible?
 - Professional development funds
 - State set-aside
 - State discretionary grant funds
 - CARES Act and other federal funds
 - Resources for compliance monitoring
 - Resources for data collection
- Are you coordinating any of those resources with general education partners at the SEA level?

Assessment and Progress Monitoring: Guidelines for LEAs

- What are LEAs considering in planning resources for now and next year?
 - Needed data for general and IEP decision-making
 - Increased demands for differentiation on general education teachers
 - Potential for increased referrals due to lack of instruction (resources for child find and evaluations, professional development)
- What flexibilities can the SEA provide?





Questions?

Summer Instruction including Remediation and ESY

Stabilization Strategies



Summer Instruction including Remediation and ESY

- What is the SEA's role?
- What resources can the SEA allocate to ensure positive outcomes?
- What guidelines can the SEA give LEAs for resource allocation?
 - What flexibilities can the SEA provide to the LEA to encourage equity and innovation?

Remediation and ESY: SEA Role

- Establish expectations that all students with disabilities have access to remediation offered to all students
- Guide conversations about provision of ESY virtually or onsite and cautions for expanding ESY
- Reinforce inclusion in comprehensive systems for support (MTSS, etc.)
- Assess need for and provide guidance (guard rails) and flexibility when needed and allowed
- Ensure compliance with ESY requirements

Remediation and ESY: SEA Resources

- Which SEA resources are flexible?
 - State set-aside
 - CARES Act and other federal funds
- What resources does the SEA have for overlapping groups with similar needs?
 - English language learners
 - Students experiencing poverty, homelessness, migrancy
- What additional resources is the SEA providing for remediation?

Remediation and ESY: Guidelines for LEAs

- What are LEAs considering in planning resources for now and next year?
 - What are the ways to provide remediation for students who do not qualify for ESY?
 - How can that remediation continue through the 20-21 school year if needed?
- What flexibilities can the SEA provide?



We Appreciate your Feedback

- Evaluation link posted in the chat box.
- Please submit any questions for next week's call through the evaluation.
- https://meadowscenter.ca1.qualtrics.com/jfe/form/SV_7VPUL9kvFIInyPPv



Final Questions?

Join us next week for the last of our series!

- Blending and Braiding Funds to Mitigate the Impact of COVID-19 on the Most Vulnerable Students
- Wednesday, May 27th at 1 pm PT / 4 pm ET



Thank you!

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