

DID YOUR CHILD'S EDUCATION SUFFER DUE TO COVID-19?



If you have a student who receives Special Education services and COVID-19 interfered with their education, they may be eligible for Compensatory Education Services.

Compensatory Education Services (also called simply “Compensatory Services”) are designed to bring a child’s education back to where they would have been had the pandemic not occurred, and if their plan had been followed as it was written.

A recent memo from the federal Office for Civil Rights confirms that the COVID-19 pandemic does not excuse schools from providing the services listed in the student’s Individualized Education Plan (IEP).

ELIGIBILITY

To determine if your child can be considered eligible for Compensatory Education Services:

- You will need to provide documentation of what services were listed in the IEP before the pandemic.
- You will need documentation of what services were actually provided.

ALSO: If the child had been referred for assessment for a disability but had not yet been formally assessed as having a disability, they may be eligible.

NEXT STEPS

- Request that the school assemble a team who knows the child to determine what, if any, Compensatory Services should be provided.
- If the school refuses to address your concerns, or you review the proposed plan for services and it does not provide appropriate relief, you can contact the Inclusive Education Lay Advocacy program for assistance.
- The Lay Advocate may assist you in pursuing the following option(s):
 - ▶ Filing a complaint with the state Department of Education or the federal Office for Civil Rights
 - ▶ Requesting a mediation process to negotiate the necessary compensatory services
 - ▶ Filing a due process complaint for a formal hearing before an administrative law judge

At any point in the process, feel free to contact Disability Rights Nebraska to be referred to the **Inclusive Education Lay Advocacy** program. A Lay Advocate can help you work your way through the process, or just answer your questions!

Disability Rights Nebraska
1-800-422-6691

www.disabilityrightsnebraska.org (Look for “Need Our Assistance?”)