



Prior Written Notice Re School Closure to Prevent/Contain the Spread of COVID19 (Coronavirus)

April 1, 2020

Dear Parent(s)/Guardian(s),

This letter serves as prior written notice by Ararat Charter School (School) pursuant to 34 CFR § 300.503, regarding the closure of your student's school beginning March 16, 2020, that was recently extended through the end of the 2019-2020 school year.

As was previously explained in school notices, Ararat Charter School determined that it is necessary to close to prevent/contain the spread of COVID-19, in consultation with the Center for Disease Control (CDC), the Los Angeles County Office of Education (LACOE), and the Department of Public Health (DPH), as well as Governor Newsom's Executive Orders, including the shelter-in-place order. In addition, the Governor has indicated through an Executive Order that school districts take steps to continue student learning while schools are closed by developing distance learning educational programs that take into the account the needs of students with disabilities. We know that school closure is concerning, especially for our families with students with disabilities.

In making these determinations, the School reviewed and considered the following:

- Recommendation from the Centers for Disease Control (CDC)
- Recommendation from the California Department of Education (CDE)
- Recommendation from Department of Public Health (DPH)
- All other relevant information available to the School.

This letter is meant to serve as notice regarding the instructional options currently being planned for students with disabilities during the school closure ordered by the District and is provided in accordance with 34 CFR 300.503. At this time, during the school closure due to COVID-19, there will be no direct in-person contact with teachers or providers or home-based services provided. The School has begun providing continued instructional opportunities, available to all students and to support students in special education during this period, which may include but not be limited to:

- web based instruction
- internet-based curriculum, links, and videos within the teacher's online platform
- sending lists of work to be completed at home
- access to audio-learning at home
- consultation with teachers and support staff
- communication with parents about student work and learning
- collaboration with general education teachers regarding appropriate accommodations and supports for students within the general education online learning environment
- telephonic or virtual services for related services
- virtual office hours, scheduled virtual appointments, and/or instructional phone conferences for the provision of specialized academic supports

We recognize that this unexpected school closure may negatively impact some students more than others. The impacts of the closure on each student will be considered on an individualized basis after school reopens. At that time, to the extent appropriate and necessary, IEP meetings will be held to discuss the impacts of the school closure to your child, if any, and determine whether compensatory education would be appropriate. Service providers will track communication, work completion, and services provided during the closure to monitor student progress.



Under SB 117, certain timelines for special education were extended; however, timelines that exist under the federal IDEA laws and regulations were not waived or extended. The timelines that were not changed include several that are related to your child's IEP. Nevertheless, the U.S. Department of Education ("USDOE") recognizes the practical problems schools face in attempting to comply with the IDEA's procedural requirements during the current crisis. The USDOE has stated that: "School districts and postsecondary schools have significant latitude and authority to take necessary actions to protect the health, safety, and welfare of students and school staff. School officials have discretion to make educational decisions based on local health needs and concerns, and [the Office for Civil Rights] recognizes this decision-making authority." (OCR Fact Sheet, March 16, 2020.)

To this end, Ararat Charter has issued guidance that special education teams are not required to meet in-person while schools are closed. It has also acknowledged that "if an evaluation of a student with a disability requires a face-to-face assessment or observation, the evaluation would need to be delayed until school reopens. Evaluations and re-evaluations that do not require face-to-face assessments or observations may take place while schools are closed, so long as a student's parent or legal guardian consents." (Id.) The California Department of Education has also stated that: "LEAs should do their best in adhering to IDEA requirements, including federally mandated timelines, to the maximum extent possible." (CDE Special Education Guidance for COVID-19, March 23, 2020.)

Thus, while federal requirements for convening special education meetings still exist, both the federal and state governments have expressed their intent to evaluate a school's compliance liberally, in light of the need to ensure the health, safety and welfare of students and staff and abide by all health and safety restrictions that may be in effect.

The School understands that certain federal timelines and requirements apply to the development of your student's IEP, such as evaluations, annual reviews, and transition meetings. The School will, to the maximum extent possible, make efforts to hold required IEP meetings through alternate means such as telephone or video conferencing provided you agree with proceeding in this manner. Any face-to-face assessments or observations will be delayed until school reopens.

We encourage you to contact us directly regarding specific requests, concerns, and questions during this difficult time. Questions regarding special education services, programming and access can be sent to Mrs. Caroline Bullock at cbullock@araratcharterschool.com. Additionally, as new information becomes available, we will update you as promptly as possible; please visit our website www.araratcharterschool.com.

Finally, please be advised that the parents of a child with a disability have protection under the Individuals with Disabilities Education Act and the procedural safeguards set forth in 34 CFR Part 300. We have posted the procedural safeguards along with this prior written notice at the above mention website. Should you be unable to access the website or wish for an additional copy of your parental rights and safeguards, please inform the School's office and we will provide you with a printed copy for your review.

Thank you for all that you do and for facing these challenges with us. We are doing the best we can to provide equitable access to all students, including students with disabilities, and we appreciate your patience during this shelter-in-place order. Together we can and will succeed in supporting our students through this difficult time.

Sincerely,

Marie Stuart
Interim Principal