



January  
2022

## The Digital Divide and Nevada's Special Education Population

# Special Education Instruction During the Pandemic: Experiences of Nevada's Students, Parents, and Educators

## Introduction

Federal legislation, through the Individuals with Disabilities Education Act (IDEA), mandates that special education services must be tailored to the individual needs of each student.<sup>1</sup> Federal law also requires local education agencies to provide Free Appropriate Public Education (FAPE) to students with disabilities, regardless of the cost.<sup>2</sup> Additionally, services provided to students with disabilities must be based upon the student's Individualized Education Program (IEP). These IEPs are created in collaboration with the student, parents/guardians, teachers, school staff, and others (e.g., transition coordinators) to determine the learner's unique needs. The output is an IEP, embodied in a document that outlines the programs, services, and/or curricula that will help the student achieve his/her goals.<sup>3</sup>

An unfortunate reality of the coronavirus (COVID-19) pandemic is that many Nevada school districts were required to transition to a universal method of education (virtual or distance instruction) without first evaluating how the shift in the delivery of instruction would affect the individualized nature of special education services. While the public health decision to transition to distance education illuminated many equity issues surrounding education – specifically as they relate to device and internet availability, it also laid bare the varied and multi-faceted needs of students receiving special education services. Unsurprisingly, virtual instruction was a positive experience for some students and families, and, in other cases, it appeared an unmitigated disaster.

The IEP is critically important to FAPE during virtual instruction, as highlighted by two court cases filed in May 2020. *Brennan and James v. Wolf, Rivera, and the Pennsylvania Department of Education* was a class-action lawsuit brought on behalf of students with autism. The case charged that the Governor of Pennsylvania, Pennsylvania Secretary of Education, and the Pennsylvania Department of Education failed to provide the plaintiffs with a Free Appropriate Public Education, as outlined in the students' IEP.

*Chicago Teachers Union v. Betsy DeVos*; United States Department of Education; the Board of Education of the City of Chicago argued that Chicago Public School teachers did not have time to transition to remote learning and revise all IEPs to reflect these changes. In both cases, the IEP was argued to be the cornerstone of FAPE.<sup>4</sup>

Admittedly, the “individualized” piece of the “individualized education program” presents barriers to generalizing one student's experience to the general population. This is something we noted in our conversations with parents and educators for this policy brief. But the “individualized” component also suggests that a course of action applied to an entire school district – such as the district-wide implementation of virtual instruction - has a strong possibility of conflicting with various aspects of many students' individualized education programs.

Amidst these national concerns, this policy brief intends to examine the impact of the pandemic on the educational experiences of Nevada's students with IEPs, with a specific focus on how well digital technologies were incorporated into instructional practices and the students' education experience.

Our team conducted this analysis through an examination of state and national data, and by drawing on qualitative data derived from focus groups with teachers and families and a survey instrument.

Specifically, to examine how the pandemic affected Nevada's student population that receives special education services, the Guinn Center surveyed parents and educators across Nevada in the Spring/Summer of 2021. In total, 103 individuals responded to the surveys, with 85 parents/ guardians (83 percent) and 18 educators (17 percent) responding. The parents represented districts across the state – Clark County (65 respondents or 76 percent), Washoe County (9 respondents or 11 percent), State Charter School Authority Schools (6 respondents or 7 percent), Elko County (3 respondents or 3 percent), and Carson City (2 respondents or 3 percent). Similarly, educators represented many districts – Clark County (14 respondents or 78 percent), Washoe County (3 respondents or 17 percent), and Lyon County (1 respondent or 5 percent).

Additionally, the Guinn Center hosted a series of focus groups with parents and educators. Our team organized one for educators, with representatives from the Clark and Nye County School Districts, and two focus groups for families – one in English and another in Spanish.

This policy brief proceeds as follows. First, our team reviews national and statewide data and trends regarding special education during the COVID-19 pandemic.

Section Two presents information on the digital divide and its likely impact on students with IEPs in Nevada.

Section Three summarizes the results of the focus groups with educators and families and survey results that solicit input on how Nevada's special education students, families, and educators managed virtual instruction. Section Four discusses best practices and offers recommendations that decision makers may want to take under advisement.

This study was supported in part by the Nevada Governor's Council on Developmental Disabilities (NGCDD). While the scope of the report seeks to identify the specific educational challenges faced by students with intellectual and/or developmental disabilities (I/DD) during the pandemic (as they relate to the digital divide), it was challenging to isolate the quantitative and qualitative data to students with I/DD exclusively. National studies reported on the experiences of students with disabilities, without distinguishing between types of disabilities. Individuals who participated in our survey and focus groups indicated their children had a wide range of disabilities including but not limited to intellectual and/or developmental disabilities (I/DD). That said, our team distributed marketing materials to groups that provide services and outreach to individuals with I/DD.<sup>a</sup>



<sup>a</sup> This report was supported by NGCDD through grant funds from the U.S. Department of Health and Human Services; Administration on Community Living grant #2001NVSCDD-01 and 25 percent matching funds appropriated by the Nevada State Legislature under NRS 232.320 administered through the State of Nevada Department of Health and Human Services. The contents are solely the responsibility of the authors and do not necessarily represent the official views of the NGCDD or any other associated or supporting agency.

# SECTION I: Special Education During the Pandemic

Nevada's first COVID-19 case was reported on March 4, 2020.<sup>5</sup> Eleven days later, on March 15, 2020, Nevada Governor Steve Sisolak issued the "COVID-19 Declaration of Emergency Directive," mandating that all Nevada K-12 schools close until April 6, 2020.<sup>6</sup> On March 20, the governor extended school closures through April 16, 2020. Additionally, the directive ordered school districts to submit plans of distance education to the Nevada Department of Education.<sup>7</sup> The school closure directive was extended again on April 14, 2020, pushing the closures to April 30.<sup>8</sup> Finally, on April 21, 2020, it was announced that schools would remain closed for the remainder of the 2019-2020 school year.<sup>9</sup> Prior to the beginning of the 2020-2021 school year, Governor Sisolak delegated school re-opening decisions to individual school districts (in consultation with local public health professionals). However, to re-open schools so that they could provide in-person instruction, the directive required that schools follow minimum social distancing protocols and mandate face-coverings.<sup>10</sup>

Schools and districts across the nation struggled to understand what special education provisions were required during the pandemic – specifically in a virtual setting. There was no explicit mention in these state directives about special considerations for students receiving special education services. The Nevada Department of Education (NDE) simply affirmed that all curricular decisions would continue to be made at the district level.

*Nevada has a long-standing tradition of local control and, as such, district and school leaders make decisions regarding the specific content of distance education, curriculum, grades, etc. This is the case during the COVID-19-related school building closures as well as under ordinary circumstances.<sup>11</sup>*

While Nevada's directives regarding the transition to virtual education did not include guidance regarding special education services, that may have been due, in part, to guidance provided by the United States Department of Education on March 12, 2020.

The guidance clarified what Free Appropriate Public Education constituted during the pandemic and affirmed the duty of state and local education agencies and schools to continue to provide the special education services identified in the student's IEP.

*If an LEA [Local Educational Agency – generally a school district] continues to provide educational opportunities to the general student population during a school closure, the school must ensure that students with disabilities also have equal access to the same opportunities, including the provision of FAPE. (34 CFR §§ 104.4, 104.33 (Section 504) and 28 CFR § 35.130 (Title II of the ADA)). SEAs [State Educational Agencies], LEAs, and schools must ensure that, to the greatest extent possible, each student with a disability can be provided the special education and related services identified in the student's IEP developed under IDEA, or a plan developed under Section 504. [Emphasis Added] (34 CFR §§ 300.101 and 300.201 (IDEA), and 34 CFR § 104.33 (Section 504)).<sup>12</sup>*





Additionally, the U.S. Department of Education provided suggestions for what accommodations might benefit students receiving special education services in a virtual setting. These included assignment extensions, videos with accurate captioning or sign-language interpreting, accessible materials, and additional speech and language services through video conferencing.<sup>13</sup>

Even with the state and federal guidance, the delivery of virtual instruction was uneven and feelings about its use were mixed. By the end of March 2020, a nationwide survey of school districts suggested that less than 50 percent of districts provided online resources to students receiving special education services and their parents.<sup>14</sup> A different 2020 national survey of school district leaders reported that approximately 75 percent of respondents believed it was more challenging to provide appropriate instructional accommodations to students with disabilities during the pandemic.

Those challenges were wide-ranging, including the disruption of schedules, service delivery challenges for items included in a student's IEP – like occupational or physical therapy, or ensuring that IEPs were in compliance and updated timely.<sup>15</sup>



**50%**  
**of districts provided online  
resources to students receiving  
special education services and  
their parents, by the end of  
March 2020.**

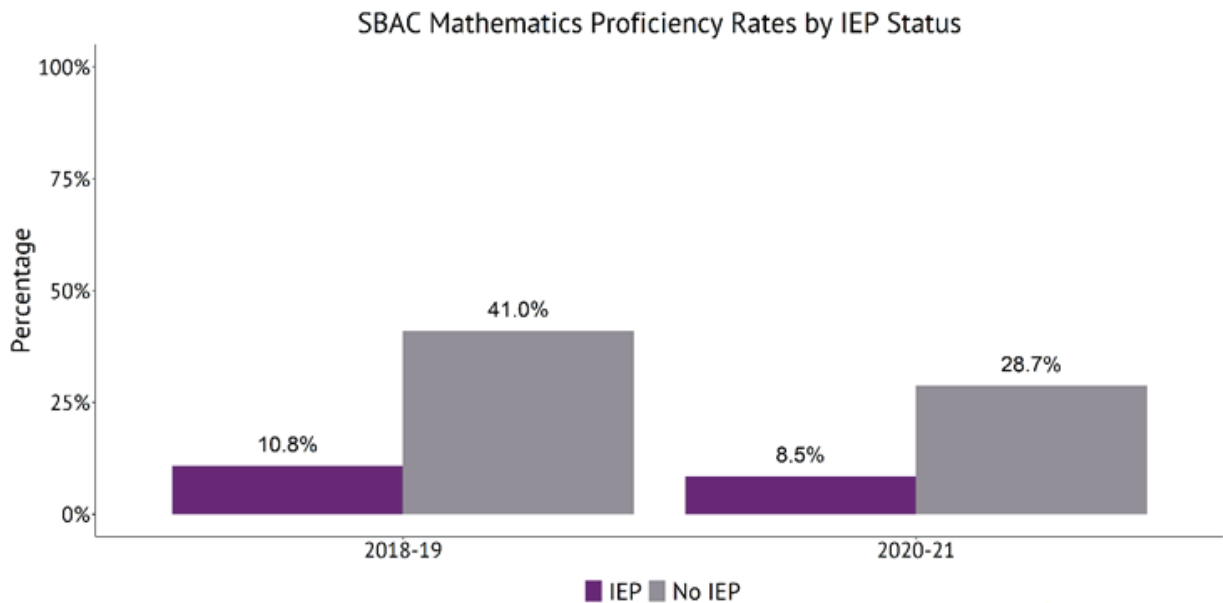
Locally, Nevada parents protested the use of virtual instruction.<sup>16</sup> Many cited concerns over learning loss and the difficulties navigating virtual instruction and the associated electronic platforms (e.g., Zoom, Google).

Concerns regarding the impact of virtual instruction on student learning appear warranted. In September 2021, the Nevada Department of Education released assessment results for the 2020-2021 school year. These results highlighted the difficulties all students encountered during virtual learning and the pandemic.

Briefly, all third to eighth-grade students in Nevada are given the SBAC (Smarter Balanced Assessment Consortium) to test the student's proficiency based upon grade-level standards. Figure 1 displays the SBAC mathematics proficiency rates by IEP status for the 2018-19 and 2020-2021 school years.<sup>b</sup> Figure 2 depicts the same data for English Language Arts (ELA). As noted in the figures, students with an IEP significantly lagged their non-IEP counterparts. And while the decrease in non-IEP

<sup>b</sup> Schools were not required to provide the assessment during the 2019-2020 school year. As such, there is no data to report.

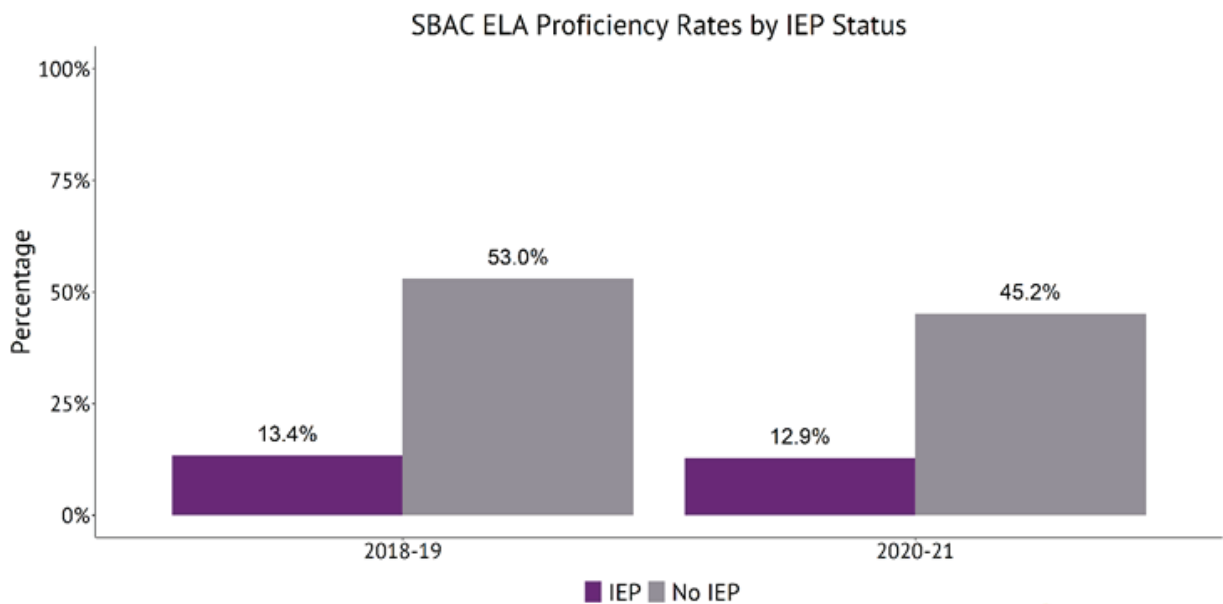
**Figure 1: SBAC Mathematics Proficiency Rates by IEP Status**



Source: Nevada Department of Education

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**Figure 2: SBAC ELA Proficiency Rates by IEP Status**



Source: Nevada Department of Education

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## SECTION II. Digital Divide

In the early months of the COVID-19 pandemic, as schools considered virtual instruction, significant questions arose regarding whether it was even feasible to provide education in such a manner. A nationwide survey of school districts in March 2020 suggested that only 40 percent of districts offered technology devices (e.g., Chromebooks, computers, etc.) to students, and only 15 percent of districts provided internet (e.g., wi-fi) services to students in need.<sup>17</sup>

Locally, as noted previously, state mandates required virtual instruction for schools at the beginning of the pandemic. Similar to the national trends, many questioned the extent to which Nevada students had computers so as to access instruction offered virtually. These concerns multiplied as policymakers, district officials, and community members realized that hardware (e.g., computers) alone would be ineffective if students and their families did not also have access to reliable internet services. As noted by the Nevada Office of Science and Technology (OSIT), “there are still many areas that are underserved and unserved” with broadband, especially in rural Nevada. OSIT is working to “help rural Nevada students of all ages and levels attain higher levels of education and access specialized online training in needed skill areas.”<sup>18</sup>

To help identify the possible need for technology and internet services, the Guinn Center published a policy brief analyzing the “double” digital divide in Nevada – defined as both the access to computers and the internet.<sup>19</sup> Our team found that access to both internet and computers varied across the state, with students living in higher poverty areas more likely to be affected by the digital divide than in more affluent areas.

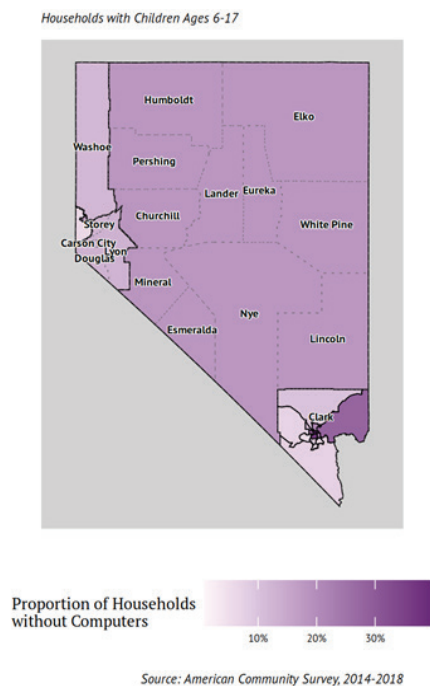
As shown in Figure 3, approximately 15 percent of Nevada’s households outside of Clark and Washoe Counties with children ages 6 to 17 do not have access to a desktop/laptop computer. However, there may be more variation within and across these counties than the figure suggests, but limitations in the American Community Survey PUMS data (e.g., nearly all of rural Nevada is represented in a single reporting segment) preclude such an assessment.

Figure 4 displays the percentage of households in the Las Vegas metropolitan area with children ages 6 to 17 without access to a desktop/laptop computer. Figure 4 reveals that computer access varies by location in Las Vegas. Device availability in North Las Vegas, as well as in central and West Las Vegas, is more limited than in Henderson or Summerlin (which are generally considered to be more affluent). However, it is important to note there are households across the entire valley that have technological device needs.

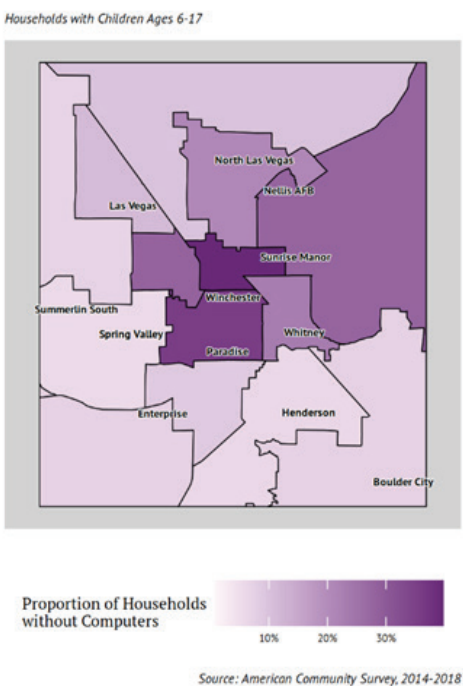
Figure 5 displays the percentage of households in the Reno metro area with children ages 6 to 17 that do not have access to a laptop/desktop computer. The figure suggests the need is greatest in downtown and southern Reno. But, again, there are device access needs in the entire Reno metropolitan area.



**Figure 3 – Proportion of Households in Nevada without Laptop/Desktop Computers**



**Figure 4. Proportion of Households in the Las Vegas Metro Area without Laptop/Desktop Computers**



**Figure 5. Proportion of Households in the Reno/Carson City Metro Area without Laptop/Desktop**

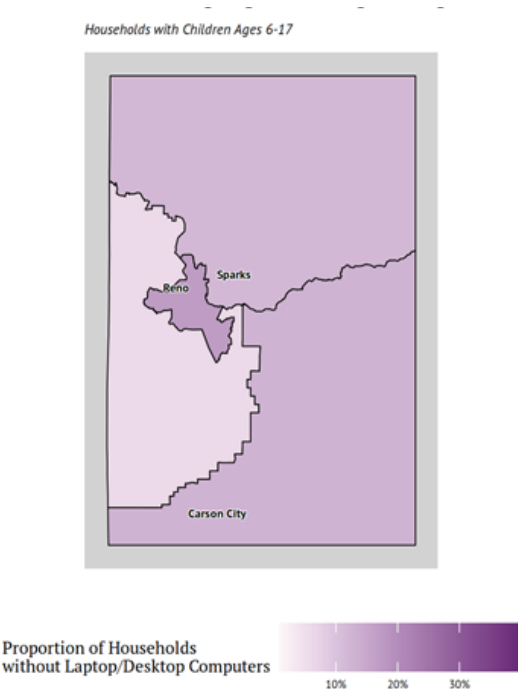




Table 1 displays the percentage of households with children ages 6 to 17 that did not have access to a laptop/desktop computer as of 2018, households that only had a smartphone as their sole computing device, and households with children that had no computing device at all. As Table 1 shows, approximately 16.1 percent of Nevada’s households with children ages 6 to 17 did not have access to a laptop/desktop computer as of 2018. And 3.6 percent of Nevada’s households with children ages 6 to 17 did not have any sort of computing device. In Clark County, there were 32,351 households with children ages 6 to 17 that did not have access to a laptop/desktop computer.

**Table 1. Device Availability in Nevada**

| Variable   | Nevada    |            | Clark County |            | Washoe County |            | Nevada Excluding Clark and Washoe Counties |            |
|--|-----------|------------|--------------|------------|---------------|------------|--|------------|
|  | Number    | Percentage | Number       | Percentage | Number        | Percentage | Number                                     | Percentage |
| Number of Occupied Households  | 1,075,930 | -          | 767,954      | -          | 177,632       | -          | 130,344                                    | -          |
| Occupied Households with Children ages 6-17  | 258,267   | 24.0%      | 189,473      | 24.7%      | 40,943        | 23.1%      | 27,851                                     | 21.4%      |
| Occupied Households with Children ages 6-17 without Internet Access  | 25,916    | 10.0%      | 21,072       | 11.1%      | 2,799         | 6.8%       | 2,045                                      | 7.3%       |
| Occupied Households with Children ages 6-17 without a laptop/desktop computer  | 41,692    | 16.1%      | 32,351       | 17.1%      | 5,029         | 12.3%      | 4,312                                      | 15.5%      |
| Occupied Households with Children ages 6-17 with smartphone as sole computing device   | 14,829    | 5.7%       | 11,648       | 6.2%       | 1,832         | 4.5%       | 1,349                                      | 4.8%       |
| Occupied Households with Children ages 6-17 with no computing device (smartphone/tablet/laptop/desktop)                                  | 9,264     | 3.6%       | 7,406        | 3.9%       | 861           | 2.1%       | 997  | 3.6%       |
| Occupied Households in Nevada with Children ages 6-17 with a computing device (smartphone/tablet/laptop/desktop) without Internet access | 17,946    | 7.0%       | 14,622       | 7.7%       | 2,096         | 5.1%       | 1,228                                      | 4.6%       |

*Data source: 2014-2018 American Community Survey (ACS) 5-year Public Use Microdata Sample (PUMS). Though not as recent as the 1-year ACS data, the 5-year estimates have greater statistical reliability (smaller margins of error). This is particularly important given the small numbers of households in some of the subgroups considered.*

National data on device and internet availability suggest a gap in both internet and computer availability in households with an individual with a disability (see Figure 6).<sup>20</sup> Unfortunately, obtaining disaggregated device/internet availability, based upon whether a student in the household has a disability, is not readily available. However, while data is not available for the state of Nevada specifically, we acknowledge that state level trends often mirror national trends.

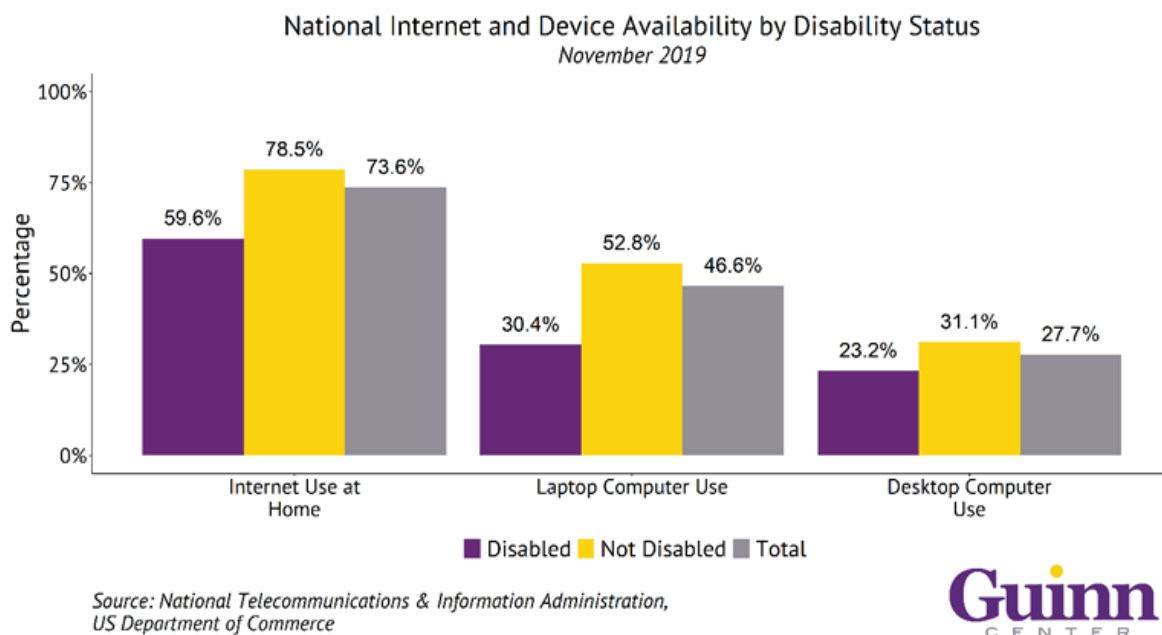
After acknowledging the significant digital divide among students, some districts began offering students paper assignment packets to address computer and internet availability concerns.<sup>21</sup> And shortly after the pandemic began, several community groups launched public-private partnerships to address the digital divide and ensure all Nevada public school students who were required to participate in distance learning (i.e., virtual instruction) had a computer and access to the internet.<sup>c</sup>

<sup>c</sup> Students who attended school in person were not given a computer. This was problematic given that some classrooms had to move to distance learning (virtual instruction) when a teacher or student tested positive for COVID-19.

These efforts helped reduce the digital divide faced by many families in Nevada. However, these initiatives did not eliminate the digital divide entirely or in perpetuity. This is due, in part, to the fact that school districts may choose to collect wi-fi

hotspots and computers from students and their families. Some districts have indicated that they will not replace devices damaged during the period of virtual instruction until families pay for repairs – leaving those students without a computer.

**Figure 6: National Internet and Device Availability by Disability Status**



Additionally, our research team acknowledges that the possession of a computer should not be equated with the ability to learn effectively from virtual instruction.

In a later section, our team explores the extent to which students were adequately prepared to engage with and learn from the digital delivery of instructional materials. Preliminary data suggests that, unfortunately, many students (and educators) were unprepared for the transition to a virtual learning environment.

A nationwide survey of school districts in March 2020 revealed serious concerns raised about the quality of education being delivered through virtual instruction: only about 5 percent of the districts responding provided a formal curriculum via an online platform that included a student progress monitoring component.<sup>22</sup> The same survey also revealed that at the onset of the pandemic, most districts were only providing general resources to students or providing the curriculum without instruction.

**5%**

**of the districts responding provided a formal curriculum via an online platform that included a student progress monitoring component.**

## Section III. Challenges of Online Learning During the Pandemic: Survey Results and Focus Group Findings

In late spring 2021, the Guinn Center designed and administered a survey for families whose student has an IEP and special education instructors. The goal of the survey was to examine how the pandemic affected Nevada's student population that receives special education services. In total, 103 individuals responded to the surveys during April-June 2021: 83 percent of survey respondents were parents/guardians and 17 percent were educators. About 76 percent of parents/guardians were from Clark County, 11 percent were from Washoe County, 7 percent were from the State Charter School Authority Schools, and 6 percent were from rural districts.

Additionally, the Guinn Center hosted a series of focus groups with parents and educators. Our team organized one for educators, with representatives from the Clark and Nye County School Districts. The Guinn Center hosted two focus groups with families – one in English and another in Spanish. This section provides other comments from parents of students with IEPs and special education educators. The comments have been grouped into common themes that were conveyed to our research team by multiple individuals. These themes include:

- Access to technology prior to the pandemic
- Use of technology in instruction prior to the pandemic
- Challenges with the transition to a virtual learning environment including the lack of one-on-one instructional assistance, parental engagement, and adherence to the student's Individualized Education Program (IEP)

When pondering the results, it is important to remember that the comments reflected in this brief reflect the attitudes and opinions of a relatively small proportion of special education students, families, and educators in the state.



In the 2019-2020 school year, there were approximately 500,000 K-12 public school students in Nevada, and 63,018 of those students (12.7 percent) had an IEP.<sup>23</sup> Given the total population of students with IEPs, the survey and focus group data illuminate possible trends, but may not reflect the actual statewide averages. However, this is not to diminish the findings presented. The data collected and presented reflect the educational experiences of students with IEPs during the pandemic. Additionally, our research team held informal conversations with families and educators that helped inform the survey and focus group questions.

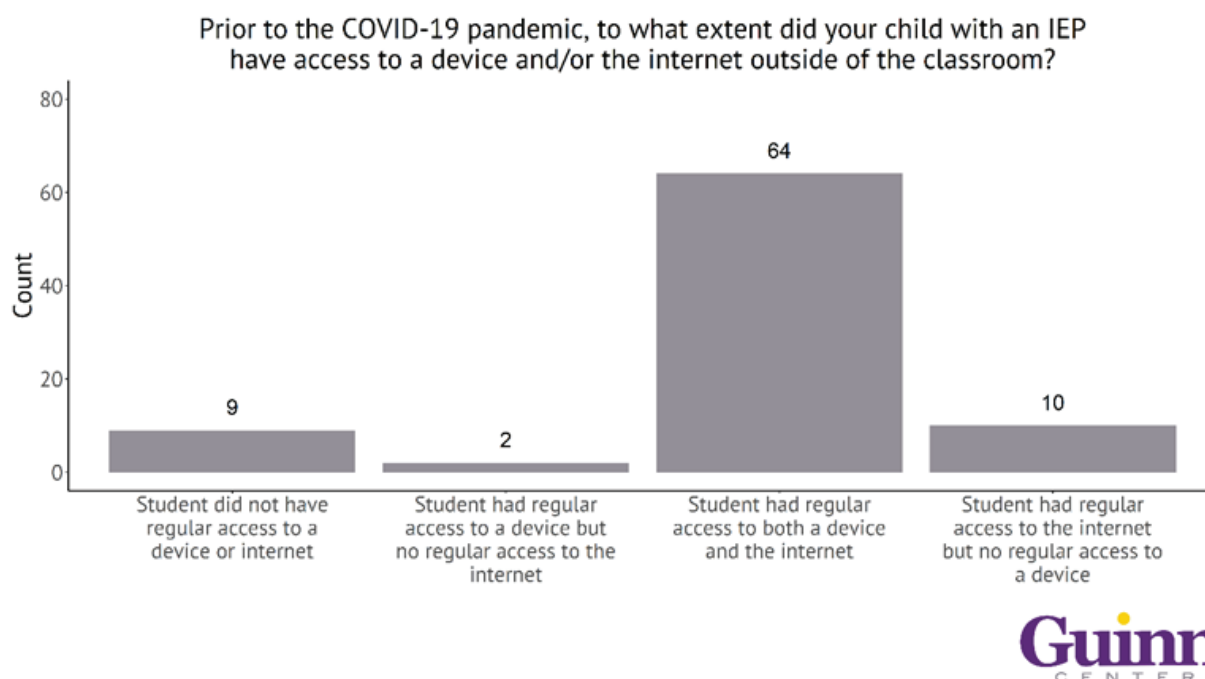
# 75%

**of parents who participated in the survey and/or focus groups indicated that their student with an IEP had “regular access to both a device and the Internet” prior to the pandemic.**

## A. Access to Technology

Three-fourths (75 percent) (or 64 parents) of the individuals who participated in the survey and/or focus groups indicated that their student with an IEP had “regular access to both a device and the Internet” prior to the pandemic. Any gaps that existed prior to the pandemic may have been addressed with efforts during the pandemic. For example, the public-private partnership called “Connecting Kids” sought to ensure every public school scholar enrolled full-time in virtual learning had access to a device and the internet.<sup>d</sup>

**Figure 7: Student Access to a Device or the Internet Before the Pandemic**



## B. Use of Technology

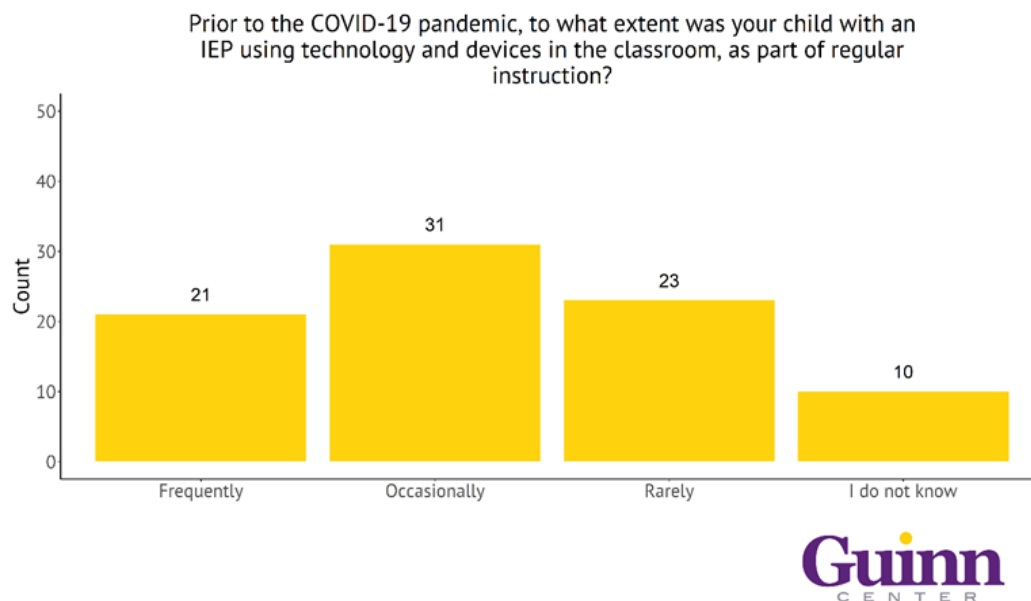
Survey and focus group participants shared that one of the biggest challenges they faced during the pandemic was the transition to virtual instruction. This is due in large part to the fact that prior to the pandemic, very little instruction for students with IEPs was offered using technology and devices in the classroom.

Figure 8 displays information regarding the extent to which students with IEPs used technology prior to the pandemic. As indicated, almost 25 percent (21 parents) of the parent respondents indicated that technology was used frequently in their students education prior to the pandemic. And 27 percent (23 parents) said that technology was rarely used prior to moving to virtual instruction.

<sup>d</sup> Connecting Kids is a public-private coalition formed in late July 2020, when a group of leaders in business and education recognized that an untold number of Nevada’s nearly half-million students would be excluded from effectively participating in virtual education because they lacked internet or a computer. In just four months, partners in Connecting Kids tracked down every student in the state utilizing digital learning and ensured each had a connection to a device and reliable internet at home. [Note: Students who attended school in person were not guaranteed a device. This meant that when students who were attending school had to subsequently move to remote learning due to a COVID-19 case in the classroom, they often did not have access to a device. In other words, only those students who were enrolled fully in distance learning were provided with a device and internet access.]



**Figure 8: Use of Technology Before the Pandemic**



Challenges related to the move to virtual instruction were varied. Among these were challenges in accessing technology, lack of reliability of internet access, and a lack of knowledge of how to access and navigate instructional platforms. Some parents commented that the numerous educational platforms and programs students and parents were required to navigate were overwhelming – given that each had its own rules of operation. One parent noted that her student’s teachers all used different instructional programs, causing confusion and difficulty for both the student and parent. Virtual instruction was additionally challenging for younger scholars who did not yet know how to read or navigate computers.

*The students) had to be able to navigate multiple platforms and teachers were not all the same. One teacher would keep things in one format and others in another.*  
– Clark County School District Parent

*The iPad was difficult for my 3- and 4-year-old to navigate. They were both in Pre-k but had different teachers. Their teachers were PHENOMENAL and let us combine my kids when needed to keep our sanity since both classes were basically learning the same thing.*

*Both teachers were in constant contact with us and each other to make sure we were all learning at the same pace. [T]hey were both given iPads to use by the school. The iPads created a challenge with having to type in the class code each day, and sometimes it didn’t work. It was very frustrating. And when you did get logged on, sometimes you couldn’t see the teacher or what she was doing because of the screen setup on iPads.*  
– Clark County School District Parent

Other parents struggled to manipulate the technology and the internet, which was not always reliable. One Nye County School District educator noted vandals toppled a cell phone tower in Pahrump that provided internet access to many students – resulting in many students not being able to connect to the internet for a period of time.<sup>24</sup> Perhaps unsurprisingly, given that significant areas of rural Nevada lack broadband, parents and educators in rural school districts cited concerns over internet reliability.

*The internet was sometimes unreliable. I would have to have everything geared up for them because they could not run the device by themselves.*  
– Elko County School District Parent

*We were given instruction and support but found the technology didn't always work. It would freeze and not do as it should. It was very frustrating as a student and a parent trying to navigate while keeping my student from losing interest while we got the technology working correctly.*

– Washoe County School District Parent

Some heads of household faced information barriers, particularly around securing technology devices and access to the internet. For example, one family was not aware of the Connecting Kids initiative and purchased a computer for the child. Additionally, the same family wanted to participate in a discounted internet rate available to many families. However, the parents had difficulties navigating the program, so instead they decided to pay for one of the other non-promotional internet service plans. Both the computer and the internet service were significant expenditures for the family, but as one parent noted, the student needed both to continue to learn.

Overall, parents of students with IEPs identified a range of challenges faced during the pandemic related to the move to online instruction.

*For me, it was very difficult to get internet service. I tried to get the one promoted at \$10, but we could not get it. My daughter had to get the service for us because we could not get that cheap one. We ended up paying the regular price of \$70 or something like that per month. It was very expensive, but we needed it for my kid to attend school; therefore, we had to get it. The electronic devices, they had them since a very young age, but my husband and I got them, not the school. I did not know the school could provide them. I was advised by the school to get him one because he needed it for distraction, but they did not explain anything else to me. I did not ask about it, and just now I am discovering that they could have gotten them through the school; I had no idea!*

– Clark County School District Parent

# 44%

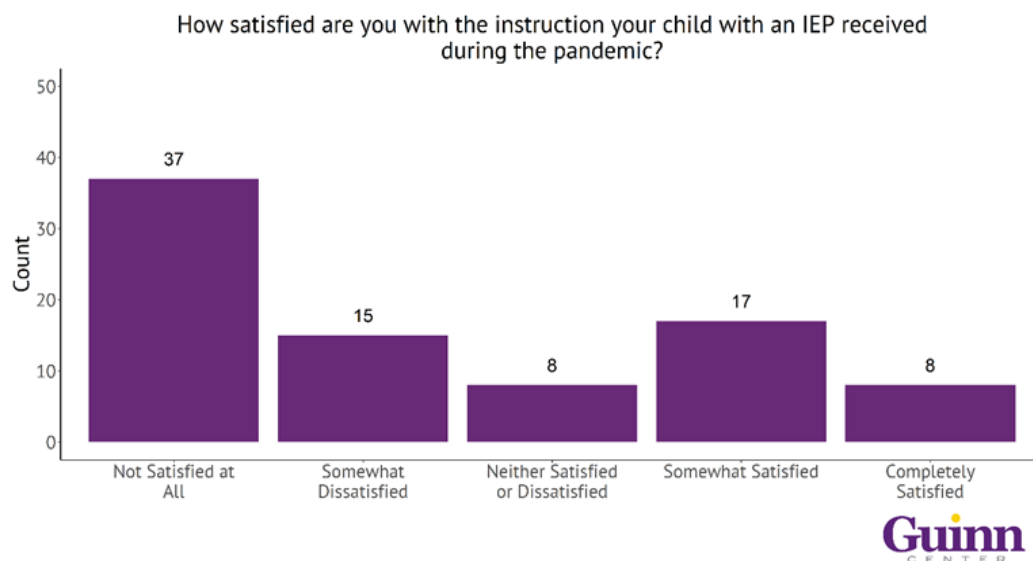
**of parents who participated in the survey and/or focus groups stated that they were largely “not satisfied” with the instruction their students receiving special education services received during the pandemic.**

## C. Challenges with Virtual Educational Instruction

Overall, parents of students with IEPs identified a range of concerns related to the delivery of instruction. Overall, about 44 percent (37 parents) who participated in the survey and/or focus groups, stated that they were largely “not satisfied” with the instruction their students receiving special education services received during the pandemic (see Figure 9).

More than 60 percent (52 parents) indicated that they were “not satisfied at all” or “somewhat dissatisfied” compared to 29 percent (25 parents) who said they were “completely satisfied” or “somewhat satisfied” with the instruction their child with an IEP received during the pandemic.

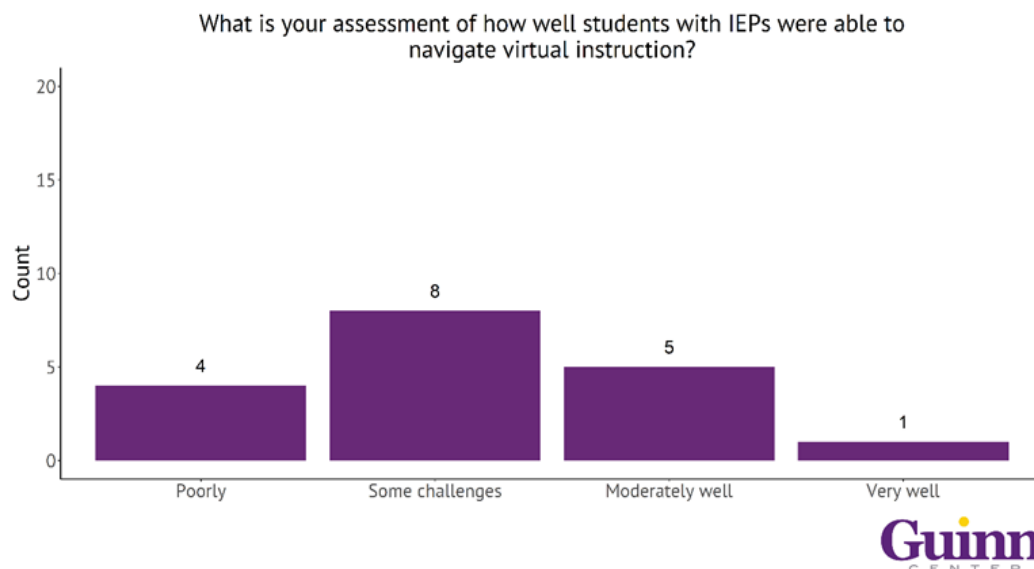
**Figure 9: Parent Satisfaction with the Education their Student Received during the Pandemic**



Interestingly, educators tended to agree with this assessment (see Figure 10). More than 40 percent of educators that participated in the survey indicated that their students with IEPs faced “some challenges” when trying to navigate virtual instruction. However, the reasons for these similar conclusions between parents and educators diverge. Parents cited issues with the educational platforms, the lack of individualized instruction, and the disruption to routine.

Educators, while in no way blaming parents, acknowledged that virtual education during the pandemic did require significant parental involvement – and that the level of parent engagement was sometimes lacking. Some also believed that virtual instruction was not a viable method of educational delivery for some students. The remainder of this section presents statements from parents and educators regarding the areas of concerns identified in both the survey and the focus group discussions.

**Figure 10: Educator Opinions of Virtual Instruction Efficacy**



### Use of Computers and Lack of Routine

A frequent area of concern that parents repeatedly noted was the disruption to their student's routine due to the transition to virtual education. According to special education experts, "Generally speaking, in special education, one of the strategies that works the best is a structured routine" and with the pandemic, "that's gone."<sup>25</sup> One educator noted that even the change from entirely virtual instruction to hybrid instruction caused a disruption in routine for the students. Often, parents noted that in pre-pandemic times, they limited the time their students spent using electronic devices. However, the transition to online learning upended that, forcing the students (and families) to adapt. Educators also expressed similar concerns.

*My student used a computer for 15-20 minutes a day in a regular class setting. She always told me it was her least favorite part of the day. When the pandemic hit, and school was all online, it was overstimulating for her and very overwhelming. There was lots of anxiety, and she stopped sleeping in her room. She would never leave my side. There were lots of meltdowns.*

*She has fine and gross motor issues and using a mouse and touchpad was incredibly hard for her. Having her camera on caused a lot of anxiety. She had a hard time focusing.*

– Clark County School District Parent

*Before the district was shut down, my student was only allowed to be on a computer a certain amount a time a day. Now he is always on [the computer] due to online school and having no other outlet. He is now obsessed with the computer. He lost so much. He missed school a lot. I feel he lost out on a year and a half of learning.*

– Clark County School District Parent

*My son struggled the most with staying on task while doing his virtual school. He would often mute his microphone or turn the camera off and play games in another tab. When redirected, it would cause a meltdown, and it would be downhill from there. Despite the structure we tried to put into place at home, it was still home, and he would get too comfortable. He also craved the social interaction that was difficult to obtain virtually.*

– Clark County School District Parent



**“Before the pandemic, my son only got screen time as a reward or for entertainment. Now that he must take all his education online, it has been a very difficult transition - he has been struggling to stay focused...”**



*Before the pandemic, my son only got screen time as a reward or for entertainment. Now that he must take all his education online, it has been a very difficult transition - he has been struggling to stay focused, he is now supposed to be paying attention for long periods of time (15 to 20 minutes each, all day long), and it's very difficult for him. The change has been hard, and we have been struggling with this change; it had a negative effect on him.*

– Clark County School District Parent

*I'll be honest, our routine was much better before we went to hybrid. When we were 100% online, we had a great routine - the kids knew [what we were going to do] before I even remembered. It was like, “oh, we're doing this now.” And now, with hybrid and testing as well, oh my Lord. Everything's just been upside down. And at the beginning of virtual instruction, I had a lot of behaviors - a lot of acting out, you know, aggression towards their parents because their routine has been changed. So that was a pain.*

– Clark County School District Educator

Additionally, many parents noted their students were unable to focus when presented with a computer. For some parents, the age of the scholar was a factor – with parents questioning whether four- and five-year-old students should be expected to sit attentively in front of a computer screen.

A Center on Reinventing Public Education study, “How Has the Pandemic Affected Students with Disabilities? A Review of the Evidence to Date” offered a similar finding: “The negative impacts [of virtual learning among students with disabilities] may be especially large for the youngest and oldest students— preschoolers aged three and up, in the earliest grades, and young adults nearing the age of twenty-one, when they transition out of special education and need new, community-based supports.”<sup>26</sup> For other parents, it was the significant amount of time their students needed to spend in front of a computer. While these complaints may not be unique to special education programming, many comments from parents noted the conditions their students with IEPs have that exacerbated these challenges.

*My student is in speech therapy. It's hard for a 5-year-old boy with ADHD [attention deficit hyperactivity disorder] to sit still and hear the instructor correctly.*

– Clark County School District Parent

*It was hard for my child to sit in front of a computer screen for 3 hours or more. He would get up and leave, missing instructions.*

– State Public Charter School Authority Parent

## Lack of Educational Supports

Recent research reveals that both educators and families who have students with disabilities reported a lack of adequate educational supports to facilitate online instruction during the pandemic. One national survey of teachers found that one-third of all respondents reported they did not have adequate support or guidance to address the educational needs of students with disabilities during the pandemic. (It may be worth mentioning that even in pre-pandemic times, only 25 percent of educators reported having adequate supports to address the educational needs of students with disabilities.)<sup>27</sup>

Unfortunately, the lack of educational supports was not limited to educators. When schools transitioned to online learning, students with intellectual and/or developmental disabilities (and others) and their families needed to learn new educational systems – like Google Meet, Microsoft Teams, Zoom, or even new curricular programs like Canvas. Parents shared that students and families did not receive those supports. As reported in the Center on Reinventing Public Education national study, “Districts struggled most notably when trying to meet the needs of students who require more supports, including students with complex communication and learning disabilities.”<sup>28</sup> Locally, parents confirmed that these supports were completely lacking, or they had to find appropriate training independently. Most of the teachers we surveyed agreed that parents and students with an IEP needed additional training or supports to manage virtual instruction successfully.

*There was zero school assistance or training. My son required one-on-one supervision, and my husband and I learned how to navigate Canvas and other applications on our own to help him.*

– Clark County School District Parent



*When the Chromebooks were assigned, when we started using Canvas, there was no help in Spanish. I speak both languages, and I could not understand how to work that out! I did not know how to navigate the system. There were many issues because of that, and the students had lots of absences (even when they were there). When I asked for help, they sent me some links to watch videos that never loaded or were not helpful. I repeatedly asked for help in Spanish, for some videos or a workshop in Spanish, and they did not have it. It was a disaster for all the parents that do not speak English. There was no help for them.*

– Clark County School District Parent

*I searched for help myself. I ended up finding a distance-learning hub in the form of a former director of a nonprofit preschool who had decided to open up her home to 8-10 children around my son's age. She assisted the children in fulfilling the CCSD curriculum but also allowed the children to interact with one another, have an extended Christian curriculum, and be able to express their feelings about COVID and their changing world. It was amazingly helpful for my son, and he thrived.*

– Clark County School District Parent

*YouTube videos were very helpful to go back and refer to. For math, these were needed for me to be able to help.*

– Clark County School District Parent

A U.S. Department of Education report concluded, “For many elementary and secondary school students with disabilities, COVID-19 has significantly disrupted the education and related aids and services needed to support their academic progress and prevent regression.”<sup>29</sup> Among the impacts – referenced by one Clark County School District parent—were increased absences. A national study found that “students with disabilities experienced higher rates of absenteeism, incomplete assignments, and course failures compared to their typical peers, and the effect is more significant in mathematics than reading.”<sup>30</sup>

### **Lack of One-on-One Assistance**

A related challenge identified by many parents or caregivers was the lack of one-on-one instructional assistance provided to their students. For many, the one-on-one instructional time is a critical component of the student’s learning and is often included in their IEP. Unfortunately for many students receiving special education services, this one-on-one instruction appeared to be a casualty in the transition to a virtual learning environment. This finding was not unique to Nevada.

As the U.S. Department of Education wrote, in its report *Education in a Pandemic: The Disparate Impacts of COVID-19 on America’s Students* citing a 2020 Government Accountability Report, many school districts reported encountering “a variety of logistical and instructional factors [that] made it more difficult to deliver special education services during distance learning. And for students whose needs require hands-on, face-to-face interaction—like occupational or physical therapy—COVID-19, in some cases, brought services to a stand-still.”<sup>31</sup> For some parents, the lack of one-on-one instruction “hid” the student’s struggles from their instructors.

**“For many elementary and secondary school students with disabilities, COVID-19 has significantly disrupted the education and related aids and services needed to support their academic progress and prevent regression.”**

For others, the absence of one-on-one instruction left a void and fueled a further decline in student learning.

*My child had trouble with transitions and getting online at various times. She needed constant supervision. Also, she was perpetually off-task, but the teachers could not see that because she looked compliant on screen. She had trouble doing her assignments and turning them in, so I had to help her. But then, when I helped her, the teachers kept saying she was doing great. They couldn’t see her struggles because there was always a parent behind the scenes, helping her turn things in and complete her work. My daughter was in 5th grade. She has high-functioning autism and is in a general education classroom. All year the teachers kept saying how great she was doing and kept pressuring us to remove services. Then she went back to the classroom for in-person school for the last seven weeks of school. All of a sudden, the school wanted to move her to a more restrictive placement. The technology basically made her disability invisible. She made no academic progress because of this.*

– Clark County School District Parent

*It was extremely difficult. Part of my son's struggle with having autism spectrum disorder and ADHD [attention deficit hyperactivity disorder] is that he needs one-on-one in-person education. My son is distracted easily and is bored quickly. We had additional issues because I also have health disabilities and could not assist my seven-year-old son with his learning, and he quickly fell behind. My son's autism presents most prominently socially and emotionally, not as much academically. So, not being able to practice being social has been very difficult. Needless to say, our household was challenged greatly during the 2020-2021 school year.*

*– Clark County School District Parent*

*My 7-year-old could not engage in distance learning without one-on-one full-time assistance. This made learning very difficult as I have five children: one with an IEP, one with a 504 plan, and a special needs toddler. It made it almost impossible to help anyone else, having to be devoted to her learning.*

*– State Public Charter School Authority Parent*

*My children need one-on-one (support) to be able to complete nearly all material. Yes, schedules were modified for them to give them additional support, but it was not enough for them to be completely successful.*

*– Clark County School District Parent*



*[My child] needed one on one support to complete classes and schoolwork. He struggled with navigation and engagement. When the schools went back to hybrid schedules and the teachers were teaching students on campus at the same time that they were teaching online students – that's when it went downhill. He was used to the teacher being on the screen "looking" at him and being able to hear her clearly. When the students were in the classroom, she would move around the classroom, and it was hard to hear. The engagement with online students when hands were raised, etc., suffered as they were frequently ignored when having difficulty navigating or locating content for the class.*

*– Clark County School District Parent*

Fortunately, there were instances of schools were able to provide one-on-one instruction. But, as one educator noted, this was "a conscious and deliberate decision." And, at least according to the report from the educator, students and families were better off because of it.

*The way that the majority of schools conducted self-contained instruction appears to have had poor results, according to anecdotal information shared with me from teachers, parents, and administrators at other sites. At our location, all the self-contained classes followed the same structure: begin the day as a whole group for age- and level-appropriate calendar, social stories, etc., for approximately 30 minutes. The entire rest of the day was dedicated to one-on-one instruction that was differentiated for every child. Students were able to learn as much or more as in a typical year due to ongoing, uninterrupted learning sessions. Another bonus was that all the parents were with them, so they learned how they implement ABA, token boards, address and reinforce behaviors, coach learners through new*



skills, etc. Our parents are significantly better equipped to support their children now!

– Clark County School District Special Education Teacher

## Lack of Parental Engagement

As the Silver State transitioned to online education, the Guinn Center noted parental involvement would be key to student success.<sup>32</sup> Unfortunately, this is not an option for many parents who work or are away from home throughout the day. Even with these parental constraints, both parents and teachers on our team spoke with acknowledged the importance of parental engagement in ensuring students transitioned between classes and stayed on task.

*I am a single working parent, so I was not always able to help him log in to his classes at the right times or make sure he was listening. My child has ADHD [attention deficit hyperactivity disorder], and his executive functioning skills are lacking. At times, I also had to go into the office, so he was with the Boys & Girls Club on those days, with nobody to get him to log in to classes - most of the time, he did not log in, so there was no learning happening. Besides being young in general, he just doesn't have the planning skills and discipline to be able to work independently, and it was impossible for him to access the classroom for virtual learning.*

– Clark County School District Parent

The increased parental engagement was a welcomed occurrence for some families. One respondent noted they had a positive experience during the pandemic, primarily due to the increased time with their child.

*My son works very well at home, and he is happier working here. He was very familiar with the Chromebook because he had it at school before the pandemic, and then we just had to bring it home. He worked ten times better at home than at face-to-face school. He is happier working from home. I love having him home and being able to teach him. Working with him is something I love and even brings back memories of my school years. He didn't have any trouble with the transition. We both enjoy it a lot.*

– Clark County School District Parent

The frequent challenge with parental engagement created challenges for special education professionals. While many parents struggled to receive the necessary supports from the districts, one teacher noted the lack of parental or family engagement as a significant barrier to the education of their students. Another educator provided a similar sentiment – they tried reaching out to parents to discuss a student's attendance issues, but the teacher was unable to connect with the family.<sup>e</sup> Our team presents the following statements from educators to highlight the enormous stress and strain many felt during the pandemic.

The issue was not a lack of ability or access. It was a lack of willingness to do that prevented some students and families from being successful.

**As the Silver State transitioned to online education, the Guinn Center noted parental involvement would be key to student success. Unfortunately, this is not an option for many parents who work or are away from home throughout the day.**

<sup>e</sup> In one conversation our team had with a school administrator around the time schools were beginning to re-open for hybrid education, the individual noted that a large percentage of students were going to remain in full-time, virtual education. When asked if they had an idea why so many families chose to remain in full-time, virtual education, the individual responded that families did not choose – highlighting this parental involvement barrier. Instead, after numerous unanswered attempts to obtain the families' learning preference for their students, each of those students remained virtual learners.

*Those families would say things like we are going away for three to five weeks and be gone on vacation, or they would just choose not to engage in learning. Ironically, when offered face-to-face instruction, those families who opted not to participate also chose to remain distance [learners] more often than not.*

– Clark County School District Educator

*A hurdle we've had...is attendance, and that accountability piece with parents and students and not having that contact between everyone. The accountability is missing, and so the attendance is really poor. I think that is our biggest hurdle, getting the parents on board – calling and e-mailing them multiple [times], contacting everyone and their uncle to try to get kids to show up to class or do some work.*

– Clark County School District Educator



## Virtual Learning Challenged Adherence to Student's IEP

For some students with intellectual disabilities, online instruction was not the most effective system for offering instruction. One community advocate with whom our team spoke asserted that there is widespread acknowledgement that the delivery of

special education services suffered during the pandemic, and all students fell further behind. The comments below from parents of students with IEPs highlight the difficulty of transitioning a special education model based on a student's individual needs to a universally virtual environment. While moving to an online model was motivated by student safety concerns, creating an entirely virtual environment removes at least part of the individualized instruction component of the IEP.

*Online learning was NOT an appropriate placement for my child. He is in a DHH [deaf/hard of hearing] self-contained class. He also has ADHD [attention deficit hyperactivity disorder], intellectual disability, language disorder, and developmental coordination disorder. Focusing for extended periods of time in an online format is not appropriate for him. He struggled with school a lot during online learning. His principal did not approve for his class to resume in-person learning, so I had no choice but to keep him home the entire year despite his struggles. I do not feel that he received [Free Appropriate Public Education] the entire school year. CCSD and the Nevada Department of Education really did a huge disservice to all special education students by mandating online learning.*

– Clark County School District Parent

*There was no socialization, which is the key to his IEP. Teachers did not call him on his misbehaviors when he was at home and did not give him the opportunity to talk with and learn from his peers. No special classes or programming were provided due to his IEP concerns. Once he returned to school, he was given a new teacher who was not aware he had an IEP.*

– Clark County School District Parent

parental involvement barrier. Instead, after numerous unanswered attempts to obtain the families learning preference for their students, each of those students remained virtual learners.

The challenges identified here were not unique to Nevada. As was noted by the U.S. Department of Education in its 2021 report, “Many of the 15 [...] school districts [surveyed] shortened their school day during distance learning for all students sometimes to only a few hours, and often had limited live communication time with the teacher, according to our review of district plans. Officials [...] noted that the shorter school days made it especially difficult to find time to provide the specialized instruction and related services detailed in students’ IEPs on top of regular general education.”<sup>33</sup> The report also wrote:

*Parents and families of students with disabilities also reported disruptions in their children’s services. In a survey widely cited by major media outlets, conducted in May 2020 with 1,594 parents contacted through Facebook by the advocacy group ParentsTogether, only 20% of respondents said their children were receiving the services called for by their IEP and 39% reported receiving no services at all.*<sup>34</sup>

In short, one widely recognized impact of moving to virtual instruction in response to COVID-19 is that schools had a difficult time offering many of the in-person services and one-on-one instruction time that was part of a student’s IEP.

## Positive Comments from Parents and Educators

As presented in Figure 9, more than half (52 percent) of the parents indicated that they were “not satisfied at all” or “somewhat dissatisfied” with the instruction their child with an IEP received during the pandemic. However, a few parents and educators did report positive interactions during the pandemic and virtual learning. Positive comments seemed to fall into two categories: (1) more positive communication between educators and families and (2) new opportunities to exercise more creativity and flexibility in meeting the educational needs of students with IEPs.

Among families, one of the common themes that emerged from the positive comments was the improved communication between the teacher and the families. The inherent challenges of virtual instruction required that parents and teachers work more closely together to help the student (and their family) navigate the new system. Families stated that the increased interaction with their student’s teachers beneficial. Additionally, some parents reported their students learned time management skills. Others implied the educational experience afforded in a virtual environment was more conducive for the student.

*I received support from the teachers when I was faced with helping my son stay focused. The teachers were extremely supportive with questions and concerns. They also gave a lot of positive reinforcement to both my son and me.*

– Clark County School District Parent

*Our school was fantastic and diligent with constant communication.*

– State Public Charter School Authority Parent

*We had to have a printed schedule for the meet times (of classes), and while I thought my student may need some type of alarm to go off as reminders to join Google Meet, he only needed a clock and for the most part, was able to follow the schedule, keep track of the time, and be where he needed to be. This was a huge achievement for my son and one of the great things that happened during distance learning.*

– Clark County School District Parent

*My son has ADHD [attention deficit hyperactivity disorder], and it has been better. His grades improved during the pandemic. I think that the fact that he can wake up later, he can stand up, move, and go to the restroom when he needs it - that just helped him a lot. I think that the fact that*

# 52%

**of the parents indicated that they were “not satisfied at all” or “somewhat dissatisfied” with the instruction their child with an IEP received during the pandemic.**

*his situation is more flexible, and he has more opportunity to stand up helped him because at school, he had to be sitting a long time, and he didn't function very well. He struggled having to be seated or paying attention for long periods of time [before the transition to virtual education].*

– Clark County School District Parent

Educators also offered positive comments. These are largely related to the increased opportunities available to special education teachers to exercise more creativity in reaching students in a virtual environment and the significant number of new educational tools/programs they had positive experiences using.

*With online teaching, I wasn't required to constantly “police” behaviors (cell phones, talking out, etc.). I was able to focus on positively reinforcing their learning. Additionally, I saw one group of students take charge of their own learning; I was able to step back, just observe their interactions in the chat, and course-correct if they were heading in the wrong direction.*

– Clark County School District Educator

*I definitely think that I'll be a better teacher going forward. I have so many more things that I've learned this year. I learned that I was in a rut with some things. I feel refreshed about some new things that I've learned, and now I have different skills to share with my students. I also think that at this point, many teachers probably feel this way, that we could teach under any circumstances at this point. We never really felt like we'd be here, but we were given what felt like an insurmountable task, and I've watched my colleagues through the district and across the country step up to a task that we never saw coming. And now, we are all the better for it. It hasn't been easy - the paperwork part of it has been terrible. There's been a lot of stress, a lot of crying, and a lot of tears. But I think that we've learned more about ourselves as educators.*

– Clark County School District Educator





## Section IV. Best Practices for Special Education During Virtual Learning

The challenges identified here were not unique to Nevada. As was noted by the U.S. Department of Education in its 2021 report, “Many of the 15 [...] school districts [surveyed] shortened their school day during distance learning for all students some-times to only a few hours, and often had limited live communication time with the teacher,

Unfortunately, few “best practices” guides are currently available to provide special education instruction in remote learning environments. However, this is understandable given that special education services are predicated on a student’s IEP, not on the location where the student is receiving instruction or how that instruction is delivered. In short, the best practice when it comes to providing educational services for students with intellectual and/or developmental disabilities can be summarized as, “Follow the Student’s IEP.” That said, given the feedback our team received from parents and educators, it may be worth reiterating several points that special education teachers, schools, and districts may want to take under advisement as schools districts evaluate virtual instruction during COVID-19 (or any other public health emergency).

### Understand the Student’s and Family’s Needs and Develop a Partnership Based on those Needs

In a virtual learning environment, not all student and family needs will be identical. One student may need a technology device (e.g., computer) but may need access to internet services. Another student may require both a device and wi-fi. Understanding the specific needs of each student and family will allow for better delivery of educational programs. Additionally, understanding the circumstances of the student and family, like preferred communication styles or language fluency or health and wellness needs, will allow for more clarity and open conversations regarding how to best serve the student’s educational needs based upon his IEP.

Families are instrumental in their student’s education and should be partners in planning how best to provide educational services. However, the pandemic also highlighted the many challenges families faced that may limit their ability to provide the appropriate amount of attention to their student’s education. Among these are employment challenges and care-taking responsibilities of other family members (e.g., young children or sick/elderly parents).<sup>35</sup>

Additionally, while parents and families need to be partners in the education process, it is crucial that families are not taking the place of the educator. In the early stages of the pandemic, many distance learning plans across the nation required an individual at home to plan lessons, execute them, and monitor the student’s progress. As one scholar noted, “Teachers go through years of training and certification, and COVID-19 has thrust parents overnight into a role that expects the same level of sophistication to work effectively.”<sup>36</sup>

Ultimately, families must be partners in the educational process, but they should not be the student’s primary instructor. By understanding the student’s and family’s needs at the outset, schools and educators can better tailor the delivery of education services to each student in ways that effectively address her needs.



## Connect Families to Resources and Establish Partnerships Between Community Providers and Families<sup>37</sup>

As noted in the previous recommendation, students and families will have specific needs as they relate to the effective virtual delivery of educational services. The pandemic exposed the critical role schools play in the overall social service ecosystem. Often, in addition to being a hub of learning, schools serve as food distribution centers, de facto daycare centers while parents work, and mental health support systems, etc. While schools can and should provide critical services, many community organizations fill that need as well. Developing a list of community resources available to families and then assisting families with the initial connection between the organization and the family could positively impact students' educational outcomes. One parent we spoke with even suggested a resource guide to assist parents and families transition to virtual education would be beneficial.

*There should be some kind of guide coming from [the district] that could help those parents who want to have their kids at home, where everything is explained step by step, in a clear way - how to access [class activities] so we are able to help our kids. Because, after a year, we still have parents who struggle with these processes.*

– Clark County School District Parent

As an example of what this might look like: soon after schools transitioned to virtual education, Jefferson County Public Schools in Kentucky provided a “parent toolkit” that included instructional support training and a hotline for families that needed additional supports.<sup>38</sup> The district provided the toolkit in five languages. A similar toolkit for Nevada families to navigate the transition to virtual education could prove beneficial. It could also mitigate the challenge, identified by parents, of being asked to learn new educational platforms without additional resources or assistance.

Furthermore, these resource guides should not be limited to parents. Training and technical assistance guides for educators will ensure they can quickly and efficiently navigate the new technological resources available to facilitate virtual instruction.<sup>39</sup>

## Use Data and Evidenced-Based Practices to Inform Instruction

This recommendation is both broad and critically important. Many of the teachers with whom our research team spoke identified several programs they believed promoted student success. However, they never spoke of vetting those programs to assess the extent to which a program might positively affect student learning. While educators do not have time (or resources) to ensure the educational programs adhere to statewide, grade-level content standards, a centralized team of support staff could provide that service and release grade-appropriate learning resources for students. Using resources available from What Works Clearinghouse, the National Center for Intensive Intervention, and the National Center for Learning Disabilities could save a significant amount of time when searching out these evidence-based practices.<sup>40</sup>

Another crucial component of virtual (and in-person) education is continuous monitoring and tracking of student progress. Tracking progress through regular assessments is critical to ensuring that students are understanding the relevant material. Unfortunately, according to national data, these processes were largely lacking in district-level distance learning plans.<sup>41</sup> As shown in Figure 9, many families do not believe their student made academic progress during the period of virtual instruction.

While all students would benefit from increased data collection during virtual learning to individualize instruction, the need is even greater for students with IEPs. Families can be integrated into the data collection process if agreed upon by the entire IEP team.

This is critical in tracking how the student is performing while learning in the virtual environment. This also could strengthen the bonds between the educators and the families, allowing for increased opportunities for meaningful communication.

The types of data to collect could include information to determine if the student is making educational progress. More specifically, data should be collected regarding how the pandemic and related stressors impact the student's ability to learn. Some experts have recommended that behavior and trauma screeners would assist in identifying students that would benefit from additional social-emotional supports.<sup>42</sup>

One Nevada educator asserted that the most significant barrier to education during the pandemic was not the digital divide. Instead, it was the social-emotional effect on the students. According to the U.S. Department of Education 2021 report, "By summer 2020, evidence emerged from [...] another larger-scale online survey of more than 80,000 secondary and upper elementary students that students with disabilities may have been facing more mental health challenges than their peers and more generally having less positive experiences with schoolwork than other students."<sup>43</sup> This aspect of the well-being among students with intellectual and/or developmental disabilities may have been unaddressed, particularly given the challenges of offering one-on-one instruction time and/or services.

*We focused a lot on eliminating the technology barriers, but we did not see the social-emotional [effect]; we all guessed about the social-emotional effect, but there's a huge component where students are sitting at home in front of a computer all day long. And teachers, myself included, not realizing it, but not saying, 'good morning, Tiffany' – students not hearing their name. There's a depression that went along with it, so to me, that was the biggest barrier - a social-emotional connection.*  
– Nye County School District Educator

## Determine the Appropriate Level of Centralized vs. Decentralized Service Delivery

While students requiring special education services require varying levels of individual support ensuring a district-wide implementation of certain programs or interventions for meeting those students' needs could prove beneficial. These district-level supports could include levels of effort regarding IEP review and revision, or minimum levels of family contacts. The supports could be identified in the "parent toolkit" noted in the previous subsection.

Nationally, as schools began to transition to virtual education, some districts delegated distance-learning decisions to individual schools. As one scholar noted, this "may give schools and teachers more flexibility to customize learning plans, but it also creates the potential for greater variability in quality and raises the concern that schools serving students with less stable housing or lower broadband connectivity will face greater difficulty executing meaningful distance learning plans."<sup>44</sup>

This best practice is especially salient in Southern Nevada, as it continues to struggle with implementing the reorganization law - Assembly Bill 469 from Nevada's 2017 Legislative Session.<sup>45</sup> This legislation attempted to decentralize much of the Clark County School District's decision-making authority to the schools. And, as noted in the previous paragraph, this may allow more flexibility for schools and educators to customize learning plans; it also risks creating a system of 'haves and have-nots.' Clear expectations around the roles of district-level staff versus school staff and appropriate articulation of outcomes will help ensure consistent virtual delivery of special education instruction and services.

## Recommendations

The recommendations presented below are based on the input our team received from parents and educators in Nevada about their experience with special education services during the pandemic. Many of the challenges faced by families in the Silver State were identified in national studies that examined the experiences of students across the country.

### Communicate, Communicate, Communicate

The common theme shared by the vast majority of parents who expressed satisfaction with their experience is the importance of communication from the school and educators. Parents and students appreciated communication aimed at providing assistance and support to the students and their parents (guardians). However, communication that was limited to reporting absences or inappropriate behavior was deemed less helpful. Parents also believed some of the behavior challenges arose from the difficulties of virtual instruction.

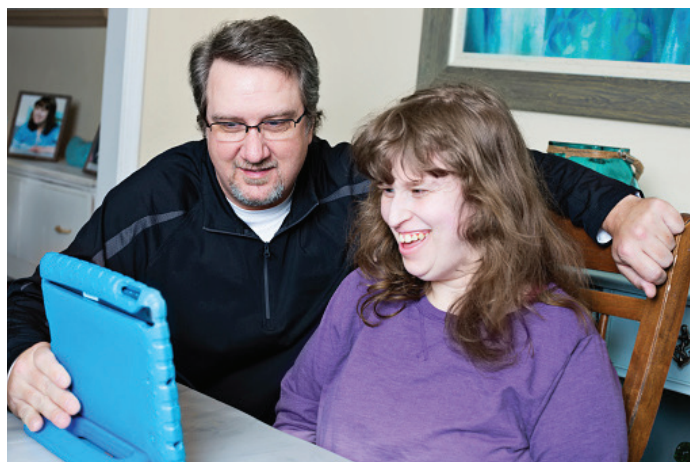
### Evaluate Student Academic Progress and Use this Information to Inform Future Instruction

Few parents believed their student with IEPs had made any academic progress during virtual instruction. Many schools were not consistently providing assessments. While data suggests that proficiency rates did not drop significantly between the 2018-2019 and 2020-2021 school years for students with IEPs, the most recent SBAC mathematics and English Language Arts proficiency rates were less than 9 and 13 percent, respectively. Left unaddressed, a significant proportion of Nevada's student population will continue to struggle academically. As local education agencies return to in-person instruction, school leadership teams and IEP teams must take care to assess how each student is doing against grade-level standards and then revise existing IEP plans to address any identified gaps.

To address the failure to provide assessments, Maryland passed a bill in 2021 that would mandate that local school systems pay parents with special needs children for educational assessments offered outside of school if the school system itself cannot provide one in a timely matter. More specifically, if the school district does not respond to a request for a special needs evaluation within 30 days or approves the request but does not complete an assessment within 60 days of receiving the request, the school system must pay parents for a third-party evaluator.<sup>46</sup>

### Address Behavioral Health of Students with Intellectual Disabilities

Often overlooked in discussions about the challenges of virtual instruction on students with intellectual and/or developmental disabilities were the non-academic impacts. As noted by several studies, students with disabilities may have faced more mental health challenges than their peers during virtual instruction.<sup>47</sup> Local education agencies and schools should ensure that students with intellectual disabilities are afforded the opportunity to access social workers and behavioral health specialists offered at school and/or through community partners. School leaders may want to consider prioritizing the ability of students with intellectual disabilities to access social workers and behavioral health services.





## **Increase Broadband Access in Rural School Districts**

Many rural school districts in Nevada lack access to internet service.<sup>48</sup> Even where present, the internet service may not be reliable. The State of Nevada has recognized the importance of extending broadband access throughout Nevada and its 17 rural counties. State leaders have indicated that it may be possible to leverage and use federal recovery funds (e.g., American Recovery Plan funds, Build Back Better funds) to extend broadband across the state. Decision makers should prioritize the complete expansion of broadband to Nevada's rural counties. This effort will help students with IEPs in rural counties participate in virtual instruction.

## **Ensure Long-term Access to Devices and Broadband**

Many families received technology devices (e.g., Chromebooks) and access to internet services through Nevada's Connecting Kids Initiative during the pandemic. Decision makers should explore and consider ways to ensure that families who have students with intellectual and/or developmental disabilities are able to maintain access to a technology device and broadband access over the long term.

## **Ensure Compliance with Student IEPs**

This final recommendation addresses the overarching concern of parents who participated in our survey and/or focus group. According to many parents with whom we spoke, virtual education was not conducive to their student's learning goals. For some, virtual education itself was at fault. For others, it was the way instruction was delivered during the pandemic that was troublesome. And for others still, various services included in their student's IEP were not provided during the pandemic due to the challenges presented by not being present at a physical location.

The IEP is at the heart of a student's educational journey for those receiving special education services. As noted in the introduction, two lawsuits filed as schools transitioned to a distance education model reinforced this fact. Among the parents with whom we spoke, a majority believed the way virtual instruction was implemented did not honor their student's IEP.

Teachers also shared this concern. A national survey of educators found that nearly two-thirds of the respondents did not believe they would meet the requirements of their students' IEPs compared to teaching in person.<sup>49</sup> In Nevada, while many of the educators with whom we spoke commented that they had a favorable experience – citing new ways to reach their students and innovative educational programs they would not have otherwise tried – several discussed difficulties and objections to revising student IEPs. They reasoned that it was too time-intensive to revise the IEPs to reflect the virtual learning environment. For the special education students affected by the pandemic, acknowledgement of the revisions and the identification of different arrangements and/or services are critical to ensuring educators continue to address the educational needs of each student – even in emergency conditions. Without ensuring a student's IEP reflects how education is delivered – and can be individualized to that delivery method, it is difficult to argue the student is receiving a Free Appropriate Public Education.

At least two states have passed laws that would address the failure of districts to adhere to the student's IEP. First, a new California law now requires all IEPs to "specify how services will be provided under emergency conditions, such as when a student cannot physically attend school for more than ten consecutive days."<sup>50</sup> Nevada may want to explore the feasibility of a similar measure. In Maryland, a bill was passed that requires IEPs to include a learning continuity plan that allows for parent feedback during emergency prolonged school closures.



The measure requires IEP teams to confer with parents and guardians and figure out a learning continuity plan, detailing ways to deliver special education services and extended school year services as needed during emergency situations (defined as 10 or more missing school days). The learning continuity plan must also include internet access, behavior health support and daily or frequent synchronous interaction with peers and certified employees and should be ready within 10 days of the school closure.<sup>51</sup>

Several states have responded to the pandemic by allowing students with disabilities to receive instructional services at least one year beyond their 21<sup>st</sup> birthday. Under current federal law, local education agencies are required to provide specialized services to students with IEPs at least through the school year in which they turn 21. Illinois, New Jersey, and Pennsylvania passed legislation that allows 21-year-old students with disabilities to receive another year of instruction.<sup>52</sup> New York is allowing students with disabilities to finish their education plans up until their 23<sup>rd</sup> birthday.<sup>53</sup>

Other states have established funds to help parents of students with disabilities pay for needed services.

In 2020, Texas launched the Supplemental Special Education Services (SSES) program which provides one-time grants (up to \$1,500) for eligible parents/caregivers of eligible students served by special education that have been impacted by COVID-19 school closures.<sup>54</sup> Families with students who have “a low incidence disability – like an intellectual disability, significant physical disability or who are deaf and or blind – and are enrolled in a public school” are eligible. In October 2020, Nevada established a similar program, Transforming Opportunities for Toddlers and Students (TOTS) Grant Program. This initiative provides grants to Nevadans with disabilities to help them recover from the COVID-19 pandemic. Eligible students with disabilities can receive one-time grants (up to \$5,000) to use for expenses such as school tuition, tutoring expenses, transportation, assistive technology, and other disability-related expenses.

In sum Nevada’s decision-makers may want to take these recommendations under advisement and explore the feasibility of adopting similar measures enacted elsewhere to ensure that every student with an intellectual (or other) disability is receiving a Free Appropriate Public Education that meets the student’s educational needs.

**Several states have responded to the pandemic by allowing students with disabilities to receive instructional services at least one year beyond their 21st birthday.**

## Appendix A: Survey Instruments

To complete this analysis, the Guinn Center completed focus groups and surveys for both parents and educators. As a reference, this appendix presents the survey questions.

### Parent Survey

1. What school district does your child/children with an IEP attend?

2. Prior to the COVID-19 pandemic, to what extent did your child with an IEP have access to a device and/or the internet outside of the classroom?

- Student had regular access to both a device and the internet.
- Student had regular access to a device but no regular access to the internet.
- Student had regular access to the internet but no regular access to a device.
- Student did not have regular access to a device or internet.

3. Prior to the COVID-19 pandemic, to what extent was your child with an IEP using technology and devices in the classroom, as part of regular instruction?

- Rarely
- Occasionally
- Frequently
- I do not know

4. During the pandemic, which of the following describes your situation?

- Your child/children with an IEP stayed home 100%.
- Your child/children with an IEP went to school full-time.
- Your child/children with an IEP attended school in a hybrid format (both online and in-person).

5. During the pandemic, while schools were offering fully virtual and/or hybrid instruction, what were the greatest challenges or barriers faced by your child with an IEP accessing digital technology and managing remote learning?

6. During the pandemic, while schools were offering fully virtual and/or hybrid instruction, what additional supports did your child with an IEP (and you as a parent/guardian) need to be able to access (and master) the material? Did they receive that assistance/training?

7. What challenges, if any, did you encounter during the pandemic regarding the use of technology and virtual learning?

- My child with an IEP did not know how to navigate the programs and curriculum.
- I did not know how to navigate the classes and educational platform
- My child with an IEP did not receive adequate training on how to navigate educational programs and the curriculum.
- I did not receive adequate training on how to navigate educational programs and the curriculum.
- Other (write in option)

8. How satisfied are you with the instruction your child with an IEP received during the pandemic?

- Not Satisfied at All
- Somewhat Dissatisfied
- Neither Satisfied nor Dissatisfied
- Somewhat Satisfied
- Completely Satisfied

9. As we are (hopefully) emerging from the pandemic, are there things that worked well during pandemic instruction that you think should be incorporated into your child's instructional practices moving forward?

10. Is there anything else that you would like to share with us? Do you have any observations or recommendations that you would like to share?

## Educator Survey

1. In what school district do you work? NOTE: Individual responses will not be reported at the school district level other than to highlight the number of responses from each district.

2. What is your assessment of how well students with IEPs were able to navigate virtual instruction?

- Very well
- Moderately well
- Some challenges
- Poorly

3. Are there supports and/or training that parents and students with IEPs needed to more successfully manage virtual instruction?

- Yes
- No

4. <If response to previous question was “Yes”>  
Because you answered “Yes” to the previous question, what additional supports did the children you teach with an IEP need to be able to access (and master) the material? Did they receive that assistance/training?

5. As we are (hopefully) emerging from the pandemic, are there things that worked well during pandemic instruction that you plan to incorporate into your instructional practices moving forward?

6. As a teaching professional/educator, do you believe you had the appropriate support required to successfully deliver instruction virtually?

- Yes
- No
- If you answered “No”, what supports or technical assistance do you wish that you would have received? Why would it have been helpful?

7. Is there anything else that you would like to share with us? Do you have any observations or recommendations that you would like to share?



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