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April 2, 2020

Re: Prior Written Notice for FAPE during Extended COVID-19 School Closure

Dear Parent(s)/Guardian(s),

Fresno Unified School District (District) is committed to meeting the unique needs of students with IEPs during the COVID-19 school closure period. Under 34 CFR § 300.503(a) and the Individuals with Disabilities Education Act (IDEA), the District is providing you with written notice as it will be providing your child with a FAPE, to the extent feasible, via a distance learning model during the unprecedented circumstances of the COVID-19 school closures. *Please note that this does not change your child's IEP.* When school resumes your child's effective IEP when schools closed will be implemented, unless an IEP team meeting or amendment is held during the closure period.

I. Description of The Action That the District Proposes to Take

In response to global pandemic and California's and Fresno's "shelter-in-place" orders, District schools remain closed. The District's Board of Education has extended the COVID-19 school closure period through the remainder of the 2019-2020 school year. The District is taking action to ensure the availability of educational opportunities and services for all students. During the COVID-19 school closure period, the District will be providing a FAPE to your child to the extent feasible via a distance learning model. While these services will be provided using alternative delivery methods and may vary from how they are typically provided, they are designed to meet your child's unique needs while protecting the health and safety of all District students, families, and staff.

II. Explanation of Why the District Is Proposing to Take That Action

Based on local, state, and federal orders and public health guidance, it is necessary to provide your child with a FAPE to the extent feasible, via a distance learning model, in order to meet your child's unique needs during the unprecedented circumstances presented by the COVID-19 school closures and ensure the health and safety of all District students, families, and staff.

III. Description of Each Evaluation Procedure, Assessment, Record, Or Report the District Used in Deciding to Propose the Action

In order to provide your child with a FAPE to the extent feasible during the COVID-19 school closure period, the District reviewed and considered the following information:

- A. Your child's current IEP;
- B. City of Fresno's City Manager's Emergency Order 2020-02 issued on March 18, 2020;
- C. Governor Gavin Newsom's Executive Order N-33-20 issued on March 19, 2020;
- D. California SB117, effective March 17, 2020;
- E. Guidance from local, state, and federal public health agencies; and,
- F. Guidance from the California Department of Education and the US Department of Education, including the Office for Civil Rights and Office for Special Education and Rehabilitative Services, issued as of the date of this correspondence.

IV. Description of Any Other Choices That the District Considered and The Reasons Why Those Choices Were Rejected

The District considered whether it is necessary to offer special education and related services to your child via a distance learning model. As it remains unknown when regular school attendance will resume and the health and safety of all students, families, and staff are a priority, the District is providing your child with a FAPE, to the extent feasible, in order to meet your child's unique needs and an opportunity for your child to participate in his/her education.

V. Other Factors Relevant to This Action

- Please contact your child's Case Manager for any of the following:
 - If your child does not have access to technology or Wi-Fi;
 - If your child requires any essential materials or assistive technology; or,
 - If you would like to schedule a virtual or telephonic IEP.
- The District understands that this is a difficult time of uncertainty for families and students. We are making every effort to best serve all students equitably and meet your child's needs while working to "flatten the curve" and ensure the health and safety of all. We ask for your support in these efforts.
- Please review all District communications regarding COVID-19, including meal distributions and other educational resources, that are being provided via school messenger, the District's website (www.fresnounified.org), and the District's social media channels. If you have any questions, you may contact the District's COVID-19 call center at (559) 457-3395.

VI. Procedural Safeguards

As parents of a child with a disability, you have protections under the procedural safeguards of the IDEA. A copy of the Parent Rights – Notice of Procedural Safeguards is available on the Department of Special Education's website at: <https://www.fresnounified.org/dept/specialeducation/Pages/Parent-Documents.aspx>.

VII. Resources for The Parents to Contact for Help in Understanding Part B of the IDEA

If you need assistance in understanding your procedural rights, you may contact the California Department of Education Special Education Division at (916) 445-4613.

Sincerely,



Sean Virnig, PhD
Executive Director | District SELPA Director
Fresno Unified School District – Department of Special Education