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# NEWSLETTER

Disability Rights of West Virginia



## Attention Parents!

### It's time to grade your child.

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As school winds down for the year, it is important to stop and reflect on where your student with a disability is right now. Due to the COVID-19 pandemic, schools offered virtual learning to all students, but that format did not provide equity in learning for all students. In order to get the best services for your child, it is important to write down how your child is doing before the start of summer break. Write down any declines in functioning, whether academic or behavioral. These declines need to be noted now to track the changes which occurred during the

Now is the time to start documenting your child's progress.

school academic year. Additionally, these declines need to be noted now to reflect the impact of virtual learning.

Schools are responsible for providing FAPE regardless of the circumstances, thus these declines impact whether your child will be eligible for compensatory services. The schools are not responsible for the decline during summer because most children are not receiving formal instruction during the summer and even those students eligible for extended school year (ESY) may not receive those services this year. The importance lies in showing what the school system failed to do. If you can show the school had a level of responsibility in the decline, then it is appropriate to ask for compensatory education or services. If you cannot show what persons or circumstances are responsible for the decline, you may ask for compensatory education, but it will be much harder to obtain it.