June 14, 2021

Dear Parent/Guardian,

As we transition back to in person learning, we are initiating the process for consideration of compensatory education/recovery services for students impacted by the COVID-19 pandemic.

Baltimore County Public Schools (BCPS), in alignment with Maryland State Department of Education (MSDE), recognizes during this period of extended building closure and heightened health and safety needs, BCPS may not have been able to provide some of the services outlined on your child’s Individualized Education Program (IEP). While this may have occurred through no fault of BCPS, the obligation to provide a student with a Free and Appropriate Public Education (FAPE) remains, and your child may be entitled to compensatory education/recovery services.

As we continue our collaborative efforts, BCPS wants to provide you an overview of compensatory services and the process school teams will follow.

**Compensatory education/recovery services** are a remedy available under the Individuals with Disabilities Education Act (IDEA) for a loss of a Free and Appropriate Public Education (FAPE). These services are referred to as “compensatory education/recovery services” to both acknowledge the uniqueness of the situation, but also to clarify that the determination process remains the same, including your meaningful participation and input. The purpose of compensatory education/recovery services is to remediate the negative impact experienced by the student due to the loss of a FAPE, if any, due to the failure or inability of BCPS to provide the student with appropriate IEP services.

A denial of FAPE may have occurred in situations where an IEP was not or could not be appropriately developed and/or implemented (e.g., instruction, related services, supplementary aids and supports, or secondary transition services) AND the student was negatively impacted (i.e., a regression of skills or lack of progress in the curriculum or on IEP goals).

The decision whether a student is owed compensatory education/recovery services is driven by information and data collected from a variety of sources. This information will guide the IEP decision-making process. Important information for the BCPS to consider, includes:

- Data in the form of grades, progress reports, classwork, informal/formal evaluation tools, teacher/service provider observation(s), parent input, and comparison to the progress of all students.

*Raising the bar, Closing gaps, Preparing for our future*
- Data on the student’s ability to recoup skills and make progress on IEP goals upon the return to school.
- Information related to general education instruction/curriculum provided to all students and the student’s ability to access virtual and/or distance learning opportunities.

In September 2021, school teams will begin reviewing student progress for consideration of compensatory education/recovery services. Based on a review of data, if compensatory education/recovery services are being considered, the school will provide notice and contact you for input. If you have questions regarding the determination process, please contact your child’s IEP chair.

BCPS is looking forward to collaborating with you, as we continue to improve outcomes for students with disabilities.

Sincerely,

Dr. Kathrine Pierandozzi
Executive Director, Special Education