

CDE Releases Special Education Guidelines; Federal Government to Waive State Testing Requirements

By Sara C. Bachez and Elizabeth Esquivel, Governmental Relations

On Friday, March 20, 2020, the California Department of Education (CDE) released updated guidance on delivering services to students with disabilities during school closures. The federal government has not waived requirements under the Individuals with Disabilities Education Act (IDEA), however, the United States Department of Education (USDOE) has issued [guidance](#) on this topic and a [fact sheet](#). Local educational agencies (LEAs) should, to the best of their ability, adhere to IDEA requirements, with CDE acknowledging these challenging circumstances and committed to a reasonable approach to compliance monitoring.

In the meantime, CDE along with the State Board of Education (SBE), are working with USDOE to determine flexibilities and waivers under federal law. CDE has also formed a workgroup to prepare best practices that will be shared in the coming weeks.

The CDE has also released a Frequently Asked Questions webpage, click [here](#).

Suspension of Statewide Testing

On March 20, 2020, U.S. Department of Education Secretary Betsy DeVos [announced](#) that students impacted by school closures due to the coronavirus pandemic can bypass standardized testing for the 2019-20 school year. The department will grant a waiver to any state that is unable to assess its students due to the ongoing national emergency.

The state will be waiving statewide testing this school year, as follows:

- Suspending all California Assessment of Student Performance and Progress (CAASPP) testing.
- Suspending Summative English Language Proficiency Assessments for California (ELPAC) testing.
- Placing the Physical Fitness Test on hold until students return to school.
- Canceling the California High School Proficiency Examination test administration for the weekend of March 21st. All March test takers have been re-registered for June or provided information on how to request a refund. Additional locations and space within current locations will be increased to accommodate this change.
- Placing high school equivalency testing on hold until testing centers are reopened.

Commission on Teacher Credentialing

On March 21, 2020, Governor Newsom signed [Executive Order N-35-20](#) that extends the deadlines for a period of 60 days for the Commission on Teacher Credentialing to perform the following activities:

- Presentation of disciplinary cases for initial review (Education Code Section 44244(a) and California Code of Regulations, Title 5, Section 80306).

- Formal review of disciplinary cases and determination of any adverse action by the Committee of Credentials (Education Code Section 44244(b)(1)).
- Processing of military spouse or partner credential applications (Education Code Section 44343.5).
- Processing educator credentialing applications (Education Code Section 44350).

We will continue to monitor and provide updates as readily available.

CASBO NewsBreaks and Advocacy tools are posted on our [website](#). For more information, contact CASBO's Governmental Relations staff: [Sara Bachez](#), Chief Governmental Relations Officer or [Elizabeth Esquivel](#), Senior Director of Policy and Governance. Remember that the most effective and convenient way to become involved is by joining CASBO [Advocacy Network](#).

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