

**Mandated Counseling Supports and COVID-19  
Frequently Asked Questions  
April 1, 2020**

**Parent/Guardian Contact Engagement**

Question	Response
Is the parent/guardian consent form that is used for other services needed for remote counseling sessions?	<p>No. Consent is not required. Providers should continue to contact families to describe their proposed approach to provision of IEP mandated* remote services and confirm their interest in the child’s participation. See the script <a href="#">here</a>. If families already confirmed their participation, there is no need to use this <a href="#">script</a> and/or contact them again. The DOE will issue guidance for memorialization of these conversations using SESIS encounter attendance shortly. In the meantime, counselors should enter an event in the SESIS events log. Counselors will NOT be required to enter encounters for these conversations if a log entry has already been made prior to issuance of the new encounter attendance guidance. These entries serve as an indication of whether or not the parent/caregiver has agreed to the remote counseling services discussed. Agreed upon remote counseling services will also be memorialized on the Special Education Remote Learning Plan that will be developed and finalized by the student’s IEP case manager. The case manager will ensure that the plan is sent to the parent.</p> <p><i>*Note: This document covers remote provision of IEP mandate services. Providers should continue to use best practices with informing parents as it pertains to groups and at-risk sessions. For example, as providers reach out to parents in their caseload, let parents know their child will continue to be in groups and participate in counseling sessions.</i></p>
Can school counselors/school social workers/psychologists confirm the parent/guardian verbally that they would like their child to receive remote service, and then send the parent/guardian an email for confirmation?	Consent is not required. Per above, providers should continue to contact families to describe their proposed approach to provision of remote IEP mandated services and confirm the participation of their child. See above regarding memorialization of this conversation.
Can the parent email me that they would like their child to receive remote service, and then I can upload the email onto SESIS?	Per above, consent is not required, and there is no need to obtain an email from the parent/guardian.

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<p>If a parent does not agree to remote counseling services, how do counselors memorialize this?</p>	<p>Per above, the DOE will issue guidance for memorialization of these conversations using SESIS encounter attendance in the near future. In the meantime, counselors should enter a brief note in the SESIS events log.</p>
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**Counseling Supports**

<p>Am I still following the mandates in the IEP? For example, if I see a student 2 times a week for 30 minutes, am I providing remote counseling services 2 times a week for 30 minutes?</p>	<p>Counselors should continue to review each mandate to determine what amount of remote counseling is appropriate in order to support the student’s IEP goals under the present circumstances. They will document the agreed upon counseling services in the Special Education Remote Learning Plan. In some cases, the opportunity for appropriate remote counseling services will be limited, based on what is appropriate and feasible. At minimum, related service providers will provide a weekly consultation with the student and their caregiver (where available) to provide support and advice.</p> <p>The Special Education Remote Learning Plan will be made available to the student’s family, school leadership, and other relevant staff to reflect how services will be initiated in accordance with the agreed upon remote counseling services. The starting point for scheduling should be the schedule you followed prior to the move to remote counseling, adjusted as necessary based on your review and discussions with the family. Sessions should conform to the greatest extent feasible and appropriate with the student’s mandates, but may be less than mandated. This does not require modification of the IEP.</p>
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<p>Most of my mandates receive counseling in a group setting. Does this mean I have to have a group session via remote counseling as well?</p>	<p>Yes, to the greatest possible extent. Remote group counseling sessions should be provided as mandated, appropriate, and feasible in conjunction with the school’s remote instructional plan. Where it is feasible to coordinate a remote group session, share the counseling service plan with the student’s family, school leadership, and relevant staff via the Special Education Remote Learning Plan. Use Microsoft Teams or Google Classroom, or Google Hangouts, to conduct group sessions. The DOE has confirmed that these platforms are FERPA compliant. All possible steps should be taken to safeguard privacy: for example, participants should use headphones or a handset, rather than a speaker or speakerphone. Providers should remind all parties to maintain the privacy of the session, and use the privacy tools built into the platform including <a href="#">blurring the background</a>, where available and applicable. Participants should participate from a private location where feasible, and the provider should remind them of the importance of maintaining confidentiality.</p>
<p>If a parent would like their child to receive remote counseling, but does not have access to a computer, can we conduct the session over the phone?</p>	<p>Yes, you may hold the counseling session via telephone. The Special Education Remote Learning Plan should reflect the agreed upon mode of counseling services.</p>
<p>What if the parent says no to video conferencing but says yes to telephone counseling?</p>	<p>Per above, remote counseling may be provided by telephone. The Special Education Remote Learning Plan should reflect the agreed upon mode of counseling services.</p>
<p>What if the parent does not want the group counseling, but wants individual counseling?</p>	<p>Where it is not appropriate or feasible to provide group counseling in accordance with the mandate, the service may be provided individually without modifying the mandate.</p>
<p>If one student in the group has consent and the other does not, how will that work?</p>	<p>Per above, students mandated for group counseling may be served individually where necessary and appropriate; this may be done in cases where a parent declines the group service. Where one family does not agree to a group service and others in the group do agree, the group service should proceed, where appropriate, with the group members that have agreed.</p>

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**Confidentiality**

<p>Can we conduct a video group counseling session? Would that be a breach of confidentiality with family members present in the background?</p>	<p>In your discussions with students and families, you should inform all parties that the remote counseling services (including the use of a video component, where applicable) will be held as a group. As noted above, all possible steps should be taken to safeguard privacy: for example, participants should use headphones or a handset, rather than a speaker or speakerphone. Providers should remind all parties to maintain the privacy of the session, and use the privacy tools built into the platform including <a href="#">blurring the background</a>, where available and applicable. Participants should participate from a private location where feasible, and the provider should remind them of the importance of maintaining confidentiality.</p>
<p>My main question is about confidentiality and whether the students (and their families) on our caseloads must be kept confidential from each other.</p>	<p>Counseling support professionals should exercise professional judgement. Avoid questions that would compel students to make uncomfortable disclosures in the presence of their families. Counseling support professionals should “recognize and mitigate the limitation of virtual school counselor confidentiality, which may include unintended viewers or recipients” (<a href="#">ASCA</a>, March 2020). Use of Microsoft Teams, Google Classroom, or Google Hangouts, even for telephonic service, is recommended, using all appropriate security features. You should ensure that your work area is set up to ensure as much confidentiality as possible under the circumstances. See other best practices in the question above.</p>
<p>I was curious to understand how distance learning will look for counseling in a group setting or individual. How would FERPA and HIPAA laws apply?</p>	<p>Use <a href="#">Microsoft Teams or Google Classroom</a> to conduct group sessions. The DOE has confirmed that these platforms are FERPA compliant. Schools that receive federal funds are not HIPAA-covered entities. The health information maintained on a student’s record is an education record and covered by Family Educational Rights and Privacy Act (FERPA). See this easy-to-read <a href="#">chart</a> for further information or questions about these laws.</p>

**Recording Encounter Attendance for Remote Sessions in SESIS**

<p>Is SESIS still used to capture sessions? I sent a personal letter to all families today and will be sending a letter to each student over the next three days. Do I log that into SESIS as a session?</p>	<p>Yes. We are in the process of modifying SESIS to document remote counseling sessions and/or consultations. Information will be provided, along with training, as soon as these changes are in place.</p>
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<p>How will attendance be recorded in SESIS? If a student misses a remote session, do I mark the student absent or mark the session as cancelled?</p>	<p>Additional guidance is forthcoming regarding SESIS attendance procedures for counselors. In the meantime, information re: student engagement should be entered in the SESIS events log. Where applicable, the event entry should also reflect student absence.</p>
<p>After we contact families and memorialize them, will the counselors receive a response from SESIS similar to the ones generated for other services?</p>	<p>No. Once the conversation is documented in SESIS as described above, no additional confirmation is required.</p>

**References:**

American School Counselor Association. (2020). *Planning for Virtual/Distance School Counseling During an Emergency Shutdown*. Available at: <https://www.schoolcounselor.org/asca/media/asca/home/EmergencyShutdown.pdf>

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