

# TELESERVICES TOOLKIT



## School Reopening Toolkit: Teleservices

### Summary<sup>1</sup>

Students with disabilities are served by a number of professionals with unique specialties, training, and practice regulations. In assessing how to serve students

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<sup>1</sup> [Note: The information provided in this and related documents does not, and is not intended to, constitute legal advice. This is intended to be a guidance document to support local districts and all information included is for reference only. Because local school board policy and unique facts make dramatic differences in analyzing any situation, the Tennessee Department of Education advises each school district to consult with the local school board attorney for specific legal advice regarding the impact of the COVID-19 pandemic on school operations. Additionally, the Tennessee Department of](#)

remotely, local education agencies (LEAs) should examine the differences in provider qualification, licensure, scope of practice, and respective professional codes of ethics. While all providers support the education of students, some practice under health board licensure, either exclusively or in addition to educator licensure. This is particularly relevant for services provided which will be billed to Medicaid. Additionally, many schools rely on contracted specialists to provide services to students with disabilities. While these providers work on behalf of the schools, they must also adhere to the guidelines and obligations of their employment agency and professional licensing bodies.

Delivering services remotely can be challenging when navigating professional licensing, privacy and security, and implementing learning through electronic platforms. This document is intended to serve as a resource for related service professionals and educational administrators as they prepare for or refine the delivery of teleservices.

This document includes the following:

- [Checklists](#) for schools and related service providers
- Practice considerations
- Service delivery considerations
- Resource lists for professionals, COVID-19 specific guidance and general practice guidance

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[Education encourages districts to consult their local health departments to ensure that the health and safety of all students and staff are prioritized while working to provide a high-quality education to all students. The document contains links to other resources and sites. Those are provided for convenience only and do not constitute an endorsement. It is likely that evolving circumstances will necessitate changes to this document and local plans. While this guide is not comprehensive to all needs nor static in nature, it is intended to capture the most important components necessary for school planning as of the date of release.](#)

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## Terminology

For the purposes of this document, the term “teleservices” will be used broadly to refer to educational opportunities delivered by a related service provider through the use of

an electronic platform. Some professional and health-related organizations use similar terms, such as telepractice and telehealth, and those terms may also be found within this document if outside guidance is referenced and uses such terminology. Refer to [Appendix A](#) to a comprehensive list of common terminology used across professions and settings related to electronic services.

### COVID-19 Closure Guidance

There are many options available to LEAs as they seek to provide instructional opportunities and/or individualized education program (IEP) services for students during school closures and/or periods of distance learning due to social distancing recommendations. LEAs should continue to provide learning opportunities while maintaining the health and safety of all, including students with disabilities. Compliance with the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act (Section 504), and Title II of the Americans with Disabilities Act should not prevent any school from offering educational programs through distance instruction. As schools and providers connect remotely with students to provide specialized services and supports, there are various factors to consider for the delivery of teleservices across different professions.

### Checklists

Below are brief checklists that LEAs and schools should consider when establishing teleservice opportunities.

#### For schools using contracted providers to deliver teleservices

- If contracting with an outside agency, ensure the district's school board attorney has reviewed the contract as well as the following, where applicable:
  - the agency's proposed teleplatform and its compliance with the Health Insurance Portability and Accountability Act (HIPAA) and the Family Rights and Educational Privacy Act (FERPA);
  - the consent for services form to be provided to families;
  - a listing of providers and verification of their licensing;
  - an explanation of how documentation of services will be maintained; and
  - an explanation of how the agency will store student information.

#### For schools using district-employed providers to deliver teleservices

- Review employee policies on use of electronic media; are there any restrictions regarding communicating with families (e.g., using social media, texting, etc.)?
- Ensure providers are equipped with the necessary technology, materials, and training.

- Develop and provide staff with necessary consent and documentation templates or requirements.

### For related service professional

- For related service professional
- Review professional licensing requirements, code of ethics, and LEA policies related to the delivery of teleservices.
- Review expectations and LEA policies with any staff who will be delivering teleservices.
- Follow LEA policy for obtaining any required consents relating to teleservices, use of media, and protection of student information.
- Determine which services can be appropriately and effectively delivered virtually; determine if group sessions are appropriate for any services.
- Utilize the LEA-approved tool for documenting contact attempts, consultations, and services provided.
- Engage in professional learning to become familiar with electronic delivery.
- Familiarize yourself with the operational processes and develop a plan with the LEA's technology team for technology issues and troubleshooting. Engage in trial sessions with friends or colleagues prior to student contact to troubleshoot technology glitches and familiarize yourself with the electronic platform.
- Make calls or email families to discuss the option of teleservices.
- Review scheduling, equipment/device needs, requirements for adult oversight, etc. with families.
- Identify appropriate space to deliver services.

## Practice Considerations

### Teleservice Provider Distinctions

There are two applications of "teleservice" in schools that are considered differently due to specific provider licensure.

The first is for school-based therapists and providers of related services who **do not hold a license from a Tennessee Health Professional Board** (e.g., Board of Communication Disorders and Sciences; Board of Occupational Therapy; Board of Physical Therapy; Board of Examiners of Psychology; Board for Licensed Professional Counselors; Board of Social Workers, etc.). For these professionals, the provision of virtual learning opportunities to students during a public health crisis is considered an extension of educational services, and not a billable health-related service. Therefore, it is the department's position that school-based providers who are **licensed by the Tennessee Department of Education** and are operating exclusively as an educational service provider may continue to deliver educational services to children through a virtual platform.

The second application of teleservices is a related service provider **licensed by a Tennessee Professional Health Board** (e.g., Board of Communication Disorders and Sciences; Board of Occupational Therapy; Board of Physical Therapy; Board of Examiners of Psychology; Board for Licensed Professional Counselors; Board of Social Workers, etc.) working on behalf of a school to deliver IEP services and in some cases, bill for reimbursement of Medicaid-eligible IEP services; these providers may be employed by the school, work for a health-related agency, or work as an independent private clinician.

It is important that any employment contracts established with health board providers specify the type of electronic platforms and software being used to connect with students/families to ensure compliance with privacy and security rules. The contracts should also detail how a student's Personally Identifiable Information (PII) will be used, stored, and protected. Additionally, if an agency is providing services for Medicaid-eligible children, the agency must follow any guidelines of the Center for Medicare & Medicaid Services (CMS) and TennCare's Managed Care Organizations (MCO) provider qualification requirements, as well as the licensing restrictions/requirement of the professional's licensing board. Additional guidance and resources related to Medicaid are below.

### Student Privacy and Security

Schools delivering educational services to children virtually, either IEP services or supplemental learning opportunities, must continue to protect a student's privacy and health and educational records in accordance with the law. Clinicians providing services via teleservices are bound by federal and state regulations, as they would be when providing in-person services.

School-based providers should consult with their district's school board attorney before selecting virtual learning platforms and engaging in online transmission of educational

services to ensure compliance with state and federal regulations and current federal guidance. Additional resource links can be found in the [Resource](#) section.

The U.S. Department of Health and Human Services is responsible for implementing and enforcing the [Health Insurance Portability and Accountability Act of 1996 \(HIPAA\)](#), which addresses the use and disclosure of an individual's health information to an organization, or entity. HIPAA's Privacy Rule primarily applies to medical entities and healthcare organization; however in limited situations, schools may be subject to HIPAA regulations when students are receiving health-related services. Guidance regarding LEA compliance with HIPAA can be found [here](#).

The [Family Educational Rights and Privacy Act \(FERPA\)](#) (20 U.S.C. § 1232g; 34 CFR Part 99) is a federal law that protects the privacy of student education records. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level.

Tennessee law also protects the privacy of the information contained in student education records with limited exceptions. (T.C.A. § 10-7-504(a)(4)). The statute states that "the records of students in public educational institutions shall be treated as confidential" and may only be disclosed without parental consent in limited circumstances.

### Service Provider Resources

- **Applied Behavior Analyst**

- [Rules of the Applied Behavior Analysts Licensing Committee](#)
- [Tennessee Association of Behavior Analysis COVID-19 Notice](#) ^
- [BABC COVID 19 Updates](#)
- [The Professional and Ethical Compliance Code for BCBAs](#)
- [Tennessee Department of Health Applied Behavior Analyst Licensing Committee](#)

- **Occupational Therapists**

- [American Occupational Therapy Organization \(AOTA\)](#)
- [American Occupational Therapy Association \(AOTA\): Telehealth Resources](#)
- [Rules of the Tennessee Board of Occupational Therapy](#)
- [The American Occupational Therapy Association Advisory Opinion for the Ethics Commission - Telehealth](#)
- [Occupational Therapy and Ethics](#)

- **Physical Therapists**

- [American Physical Therapy Association \(APTA\)](#)
- [American Physical Therapy Association \(APTA\): Telehealth](#)
- [Rules of the Tennessee Board of Physical Therapy](#)
- [American Physical Therapy Association's \(APTA\) Coronavirus Information for APTA Members](#) ^

- [Code of Ethics for the Physical Therapist](#)
- **School Counselors**
  - [American School Counselor Association Response to COVID-19<sup>^</sup>](#)
  - [ASCA Ethical Standards for School Counselors](#)
  - [Planning for Virtual/Distance School Counseling During an Emergency Shutdown<sup>^</sup>](#)
  - [Tennessee School Counselor Association](#)
- **School Psychologists**
  - [National Association of School Psychologists \(NASP\)](#)
  - [NASP Webinars on Telehealth](#)
  - [Virtual Service Delivery in Response to COVID-19 Disruptions<sup>^</sup>](#)
  - [Principals of Professional Ethics](#)
  - [Tennessee Association of School Psychologists](#)
- **Speech Language Pathologists and Audiologists**
  - [American Speech-Language-Hearing Association \(ASHA\)](#)
  - [American Speech-Language-Hearing Association \(ASHA\): Telepractice](#)
  - [ASHA's Telepractice Resources During COVID-19<sup>^</sup>](#)
  - [Rules of Tennessee Board of Communication Disorders and Science for Speech Pathology and Audiology](#)
  - [COVID-19: Guidance for Graduate Programs, Students, and Clinical Fellows<sup>^</sup>](#)
  - [Code of Ethics](#)

## Teleservice and Medicaid (TennCare)

Healthcare services and education intersect when LEAs and providers participate in Medicaid reimbursement for IEP services that are deemed medically necessary. The federal and state governments, along with TennCare and TennCare's three managed care organizations (MCOs) have developed guidance and resources to assist providers who serve and/or bill for the provision of Medicaid-eligible services. It is important that schools and service providers stay informed of any changes to service delivery, billing requirements and codes, and provider qualifications during the COVID-19 crisis.<sup>^</sup>

TennCare managed care organizations (MCOs) allowed for the reimbursement of physical, speech, and occupational therapy (PT/ST/OT) that were appropriate to be delivered via telehealth and provided within the period of March 18 – June 18, 2020.<sup>^</sup> Additional billing and coding guidance for providers can be found here:  
<https://www.tn.gov/content/dam/tn/tenncare/documents/TennCareMCOTelehealthGuidanceForSkilledTherapies.pdf>

### TennCare MCOs:

Each MCO publishes independent provider guidance and all three have posted guidance on any exceptions to service provisions, requirements for billing, and changes to coverage during the COVID-19 pandemic.^ It is recommended that providers regularly check for updates to remain informed of any new or ongoing changes that impact practices or claims.

### **Amerigroup**

COVID-19 information from Amerigroup Community Care for Providers^

[https://providers.amerigroup.com/Public%20Documents/TNTN\\_PU\\_TalkingPointsCOVID19.pdf](https://providers.amerigroup.com/Public%20Documents/TNTN_PU_TalkingPointsCOVID19.pdf)

Telehealth guidance for outpatient physical therapy/occupational therapy/speech therapy during COVID-19 public health emergency^

[https://providers.amerigroup.com/Public%20Documents/TNTN\\_CAID\\_PU\\_EXPRESSCOVID19TeleGuide.pdf](https://providers.amerigroup.com/Public%20Documents/TNTN_CAID_PU_EXPRESSCOVID19TeleGuide.pdf)

### **Blue Cross Blue Shield**

BCBS Provider FAQ

<https://bcbstupdates.com/bc-provider-faq/>

### **United Healthcare Community Plan**

COVID -19 Telehealth, Billing and Reimbursement Updates for Care Providers^

[https://www.uhcprovider.com/content/dam/provider/docs/public/commplan/tn/news/PCA-20-00919-CS-WEB\\_04022020\\_0900am.pdf](https://www.uhcprovider.com/content/dam/provider/docs/public/commplan/tn/news/PCA-20-00919-CS-WEB_04022020_0900am.pdf)

### **COVID-19 Information and Resources^**

<https://www.uhcprovider.com/en/resource-library/news/Novel-Coronavirus-COVID-19.html>

## **Service Delivery Considerations**

As with licensure, each provider type has unique considerations related to the delivery of services in their individual specialty areas. However, regardless of the service, each professional must also adhere to privacy rules, select accessible ([Appendix C](#)) and appropriate technology platforms ([Appendix B](#)) and tools, and always consider the general well-being of the student and family. Providers and families are encouraged to be as flexible as possible during periods of non-traditional services, and work together to support students in the safest and most appropriate way.

### **Consent Requirements**

Districts must assess whether parental consent is required prior to the provision of telehealth services to students. Under FERPA, a school may not generally disclose personally identifiable information (PII) from a student's education records to a third

party without parental consent. However, there are a number of exceptions to FERPA's prohibition against non-consensual disclosure of personally identifiable information from education records. Under these exceptions, schools are permitted to disclose PII from education records without consent. One of the exceptions to the prior written consent requirement in FERPA allows "school officials," including teachers, within a school to obtain access to personally identifiable information contained in education records provided the school has determined that they have "legitimate educational interest" in the information.

Although the term "school official" is not defined in the statute or regulations, it is often interpreted to mean teachers; administrators; health staff; counselors; attorneys; clerical staff; and a contractor, volunteer or other party to whom the school has outsourced institutional services or functions. Teleservice providers may fall within this exception and would therefore not need parental consent prior to disclosure of a student's education records, but in the event an LEA contracts with a provider that does not meet these requirements, consent is required. At a minimum, letters requesting consent shall include: (a) the provider of services; (b) the service to be delivered to the child; (c) the method or telecommunication platform that will be used to engage with the child; (d) details regarding the use and storage of the student's PII and compliance with federal regulations. See [Appendix C](#) for a sample consent letters addressing this situation. Districts should work with their local board attorney to determine whether parental consent is needed prior to the disclosure of education records to a telehealth provider.

Keep in mind that some types of online educational services do use FERPA-protected information. For example, a district may decide to use an online system to allow students (and their parents) to log in and access class materials. In order to create student accounts, the district or school will likely need to give the provider the students' names and contact information from the students' education records, which are protected by FERPA. Conversely, other types of online educational services may not implicate FERPA-protected information. For example, a teacher may have students watch video tutorials or complete interactive exercises offered by a provider that does not require individual students to log in. In these cases, no PII from the students' education records would be disclosed to (or maintained by) the provider.

Additional circumstances in which LEAs must obtain consent include when a student's educational records or PII will be disclosed during teleservice meetings and when video recordings of teleservice meetings qualify as education records. In each of these situations, written consent must be obtained prior to disclosing a student's education record or PII in those records unless an exception outlined in FERPA applies.

A parent may decline teleservice initially or withdraw consent at any time.

## Student Considerations

When preparing for the delivery of a teleservice, providers must be familiar with the student's IEP, their needs related to his/her/their disability, as well as any current challenges the family may be facing. When determining if an IEP goal or service can be effectively delivered as a teleservice, consider the following student-specific factors<sup>2</sup>:

- Physical and sensory characteristics, including
  - hearing ability;
  - visual ability (e.g., ability to see material on a computer monitor);
  - manual dexterity (e.g., ability to operate a keyboard if needed); and
  - physical endurance (e.g., sitting tolerance).
- Cognitive, behavioral, and/or motivational characteristics, including
  - level of cognitive functioning;
  - ability to maintain attention (e.g., to a video monitor);
  - ability to sit in front of a camera and minimize extraneous movements to avoid compromising the image resolution; and
  - willingness of the client and family/caregiver (as appropriate) to receive teleservices.
- Communication characteristics, including
  - auditory comprehension;
  - literacy;
  - speech intelligibility;
  - cultural/linguistic variables; and
  - availability of an interpreter.
- Student's support resources, including
  - availability of technology;
  - access to and availability of resources (e.g., computer, adequate bandwidth, facilitator);
  - appropriate environment for teleservices (e.g., quiet room with minimal distractions); and
  - ability of the student, caregiver, and/or facilitator to follow directions to operate and troubleshoot the necessary technology.

## Technology and Equipment Considerations

There are multiple options available in the marketplace at support distance learning and online video conferencing. When using these options, teachers, staff, and students – or anyone who is in a host role – must ensure they follow best practices for providing

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<sup>2</sup> Adapted from the ASHA Practice Portal Telepractice webpage  
[https://www.asha.org/PRPSpecificTopic.aspx?folderid=8589934956&section=Key\\_Issues](https://www.asha.org/PRPSpecificTopic.aspx?folderid=8589934956&section=Key_Issues)

a safe and secure platform for all parties to use. While the department does not advocate for any particular platform, our recommendation is for districts to use an enterprise application that ensures teacher's and student's privacy and protection and that can be secured using district's existing privacy and access control. Consult your district administrators and board attorney to determine the policies around virtual learning platforms and online communication. Additionally, districts must ensure that their chosen platform protects student privacy and complies with FERPA/HIPAA, where applicable. More information can be found [here](#).

There are many technology considerations for providers, but it is equally important to remember that the effectiveness and quality of a teleservice depends in part on the family's access to internet, a strong bandwidth, and the student's access to supportive equipment. LEAs should ensure that any devices provided to students are equipped to filter and monitor for inappropriate online content. Additional considerations are as follows:

- Device – computer, tablet, smart phone
  - It is recommended that a provider use a computer with a monitor or screen large enough to see the student and easily access additional software features.
- Direct internet connection and bandwidth to support audio and video
- Camera (fixed or moveable), webcam
  - Consider if movement or demonstration is required when selecting a fixed or moveable camera.
- Headset or computer/device microphone and external or internal speakers
  - Headsets can reduce background noise, provide a better audio experience and add a measure of confidentiality to what is shared with the clinician.
- Printer/scanner (optional)
  - Printers and scanning equipment can be helpful to collect or store student work samples and other documents.
- Email, telephone and login access
  - Providers will need a method for communicating with families about services and schedules and connection failures.
  - Families will need any necessary login and password information to access content or join a session.
- Delivery platform
  - The platform for engaging in teleservices can be as simple as a video and audio connection or it can include many supplemental features to facilitate or enhance interactive lessons, such as:
    - Screensharing
    - Virtual whiteboard
    - Interactive shared mouse / ability to control student mouse
    - Video feed manipulation
    - Document reader
    - Access to interactive games / reward systems
    - Built-in training and tech support
- Method for accessing and transmitting communication
  - Synchronous – student and provider interacting simultaneously live<sup>3</sup>
  - Store and forward – the provider records directives/strategies and sends to the student; the student then records their attempts/practice/ or response
  - Hybrid (combination of synchronous and store and forward)

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<sup>3</sup> Medicaid will only pay for live individual telepractice sessions

## Session-Specific Considerations

Apart from technology, providers will have to evaluate the necessity and effectiveness of their services during closure.<sup>4</sup> Depending on the situation within the home or other external factors, teleservices may be viewed as a lifeline or an unnecessary burden; therefore, it is important to understand the unique situation of each family and realize that their needs may change day by day. Supports may include checking in on the wellbeing of a student or parent, providing structured learning opportunities directly to the student, coaching parents, or offering and connecting families to needed resources.

- Upon entering each session, confirm the student's location/address. This will allow the school to know if a student has moved, as well as serve to verify the student's location in the event an emergency must be reported.
  - Have a plan for documentation and responding to situations when child endangerment is witnessed or suspected.
- Ask the facilitator or adult assisting with the session if anyone is recording the session or conversation.
- Establish the purpose and plan for the session, such as:
  - engaging with a student individually to address skills or support individual needs;
  - providing support or facilitate social interactions among a small peer group<sup>4</sup>;
  - supporting teachers and students within a virtual classroom;
  - providing parent/caregiver consultation or coaching (e.g., offer speech production strategies; tips for programming and modeling augmentative and alternative communication (AAC) systems; resources to support behavior and emotional regulation; provide ideas for improving motor skills, etc.); or
  - conducting a student evaluation (see [assessment specialists considerations](#)).
- Consider and implement necessary accessibility features (closed captioning, text size, alternative response methods, etc.)
- Support families with tips for minimizing distractions during the session.
- Determine how you will schedule sessions and communicate with families.
- Establish a method for documentation: record keeping, performance data collection, and 'attendance'.
- Ensure that your environment is appropriate for engaging with students and families.
  - Are you in a quiet and non-distracting space to work from?
  - Is the lighting and sound adequate for the student to see and hear you clearly?
  - Will you be free from interruptions and be able to protect a student's privacy from others in your home?
- Prepare plans for technology issues and connection failures.
- Consider how will want the student to engage and interact in the lesson; prepare for needed reinforcers and motivators to participate.
- Establish a method for evaluating the effectiveness of telepractice sessions/services.

## Assessment Specialist Considerations

While some evaluations can be conducted remotely with the use of technology, the assessment specialist must continue to follow the [Tennessee Standards for Special Education Evaluation and Eligibility](#), and as they would for any in-person evaluation, select appropriate assessment measures and consult the test manual for the intended use of the test and any exceptions or allowances related to test administration.

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<sup>4</sup> Consult the TennCare MCO provider guidance documents related to the provision of group skilled therapies.

The state published April 16, 2020 guidance for addressing timeline extensions and meeting requirements for initial evaluations that were initiated or in process as of March 3, 2020 during the school closure period.<sup>^</sup>

The National Association of School Psychologists (NASP) has developed evaluation considerations regarding virtual assessment:

- Assessments must be administered in the manner in which they were developed and validated. If adaptations are made for remote administration, there must be high-quality evidence that such adaptations produce results that are similarly reliable and valid to the face-to-face administration. Any such adaptations should be documented in the evaluation report.
- Assessments should be administered remotely only on platforms designed for that purpose. Appropriate training is needed for both the school psychologist [and other licensed assessment specialists per the Tennessee Department of Education] and any individual at home who assists the student. Even when appropriate supports are available, school psychologists should still identify and report any validity issues given the student's level of anxiety, disruptions during the testing session, etc.
- Although rating scales, interviews, and possibly home-based observations could be conducted remotely, it is important to remember that students' behavior during the time of school closure may not be typical for that student, which may reduce the utility of those assessments, particularly when planning interventions that may eventually be delivered when school resumes.<sup>5</sup>

The American Speech-Language and Hearing Association (ASHA) has developed a list of considerations prior to initiating assessment<sup>6</sup>:

- Any components of an evaluation or assessment procedure that is waived or revised, such as requirements for norm-referenced or criterion-referenced tools
- Considerations for nonstandardized assessments should be reflected when the client [student] does not fit the norming sample

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<sup>5</sup> "Telehealth: Virtual Service Delivery Updated Recommendations," National Association of School Psychologists (2020), available at <https://www.nasponline.org/resources-and-publications/resources-and-podcasts/covid-19-resource-center/special-education-resources/telehealth-virtual-service-delivery-updated-recommendations>.

<sup>6</sup> Considerations for Speech, Language, and Cognitive Assessments via Telepractice <https://www.asha.org/SLP/clinical/Considerations-for-Speech-Language-and-Cognitive-Assessment-via-Telepractice/>

- Clinical opinion and functional information obtained by using the client's natural environment, observation (live or recorded), and family/caregiver reports
- Opportunity or benefit of pre-conferencing with families/caregivers to help gather materials needed for assessment, such as manipulatives or sample videos
- Considerations for language used in the home, including any needs/requirements for collaboration with an interpreter/translator
- Critical information needed to establish eligibility and/or develop a treatment plan, and aspects of the assessment that need to be deferred to a later time

## Resource List

### COVID-19 Resources

- Tennessee Department of Health *Important Health Licensing Information Regarding COVID-19 and Executive Orders issued for COVID-19*  
<https://www.tn.gov/health/health-program-areas/health-professional-boards/covid-19.html>
- The Department of Health and Human Services released the *Notification of Enforcement Discretion for Telehealth Remote Communications During the COVID-19 Nationwide Public Health Emergency* on March 19, 2020.^  
<https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-preparedness/notification-enforcement-discretion-telehealth/index.html>
- The U.S. Department of Education *Questions and Answers on Providing Service to Students with Disabilities During the Coronavirus Disease Outbreak 2020*^  
<https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/qa-covid-19-03-12-2020.pdf>
- The Department of Health and Human Services *Notification of Enforcement Discretion for Telehealth Remote Communications During the COVID-19 Nationwide Public Health Emergency* (March 19, 2020)^  
<https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-preparedness/notification-enforcement-discretion-telehealth/index.html>
- Division of TennCare Memo: *Novel Coronavirus COVID-19 Testing and Telehealth Service for TennCare Enrollees*^  
<https://www.tn.gov/content/dam/tn/tenncare/documents/TennCareMCOCVID19TelehealthDxTestingUpdate.pdf>
- American Speech-Language & Hearing Association (ASHA) *Telepractice Resources During COVID-19*^  
<https://www.asha.org/About/Telepractice-Resources-During-COVID-19/>
- Council of Administrators of Special Education (CASE) *Novel Coronavirus (COVID-19) Considerations for Special Education Administrators*^  
<https://www.casecec.org/>

## General Telepractice/Teleservices Resources

- ASHA Wires has an open site of collected resources for speech-language pathologists on telepractice.  
<https://pubs.asha.org/special-collections/telepracticeresources>
- ASHA Telepractice Checklist for School-Based Professionals  
<https://www.asha.org/uploadedFiles/ASHA-Telepractice-Checklist-for-School-Based-Professionals.pdf>
- Division of TennCare Memo: TennCare MCO Telehealth Guidance for Skilled Therapies  
<https://www.tn.gov/content/dam/tn/tenncare/documents/TennCareMCOTelehealthGuidanceForSkilledTherapies.pdf>
- U.S. Department of Education *Protecting Student Privacy While Using Online Educational Services: Model Terms of Service*  
<https://studentprivacy.ed.gov/resources/protecting-student-privacy-while-using-online-educational-services-model-terms-service>
- The US Department of Education *FERPA and Virtual Learning webinar*  
<https://studentprivacy.ed.gov/?src=fpc>
- U.S. Department of Education *FAQs on Photos and Videos under FERPA*  
<https://studentprivacy.ed.gov/faq/faqs-photos-and-videos-under-ferpa>
- HIPAA Privacy Rules  
<https://www.hhs.gov/hipaa/for-professionals/privacy/laws-regulations/index.html>
- IDEA Part B Confidentiality Checklist  
[https://ideadata.org/sites/default/files/media/documents/2017-09/idea\\_part\\_b\\_confidentiality\\_checklist\\_fi.pdf](https://ideadata.org/sites/default/files/media/documents/2017-09/idea_part_b_confidentiality_checklist_fi.pdf)

## Appendix

### Appendix A: Terminology

### Appendix B: Electronic Platforms

The HHS guidance requires the use of non-public facing remote communication products and provides the following list of vendors that represent that they provide HIPAA-compliant video communication products. These are not recommendations or endorsements, and TDOE has not evaluated these products for their compliance with FERPA, HIPAA, or other privacy laws. Districts should work with their school board attorneys and technology office to investigate and select products.

Platform / Service	Web Address
Doxy.me	<a href="https://doxy.me/">https://doxy.me/</a>
Regroup Telehealth	<a href="https://regrouptelehealth.com/">https://regrouptelehealth.com/</a>
Secure Video	<a href="http://securevideo.com">http://securevideo.com</a>
VSee	<a href="https://vsee.com/">https://vsee.com/</a>
Clocktree	<a href="http://www.clocktree.com">http://www.clocktree.com</a>
Spruce Health	<a href="https://www.sprucehealth.com/">https://www.sprucehealth.com/</a>
Bluestream Health	<a href="http://bluestreamhealth.com">http://bluestreamhealth.com</a>
Skype for Business / Microsoft Teams	<a href="https://www.skype.com/en/business/">https://www.skype.com/en/business/</a>
Updox	<a href="https://www.updox.com/">https://www.updox.com/</a>
Zoom for Healthcare	<a href="https://zoom.us/healthcare">https://zoom.us/healthcare</a>
Google G Suite Hangouts Meet	<a href="https://apps.google.com/meet/">https://apps.google.com/meet/</a>
Cisco Webex Meetings / Webex Teams	<a href="https://www.webex.com/">https://www.webex.com/</a>
Amazon Chime	<a href="https://aws.amazon.com/chime/">https://aws.amazon.com/chime/</a>
GoToMeeting	<a href="https://www.gotomeeting.com/">https://www.gotomeeting.com/</a>

### Appendix C: Accessible Technology

When employing teleservices, or e-Learning, access to the chosen platform is necessary. Not all students may have access to the internet, phone lines, television or radio; in those cases, the district will need to ensure access. Many internet providers are offering free connection and service during this national emergency<sup>^</sup>. Schools can support students by ensuring families have access to tablets or other forms of digital literacy for learning.

Main Internet Providers in Tennessee (most have accessibility to various spoken languages) • Spectrum 1-833-780-1880

- Comcast 1-800-934-6489
- AT&T 1-800-331-0500
- Google Fiber 1-866-777-7550
- Sprint 1-889-211-4727

Software and hardware also offer online accessibility features.

- Microsoft Suite Products accessibility features
- Apple Products accessibility features
- iPad accessibility features
- GSuite accessibility features

### Appendix D: Sample Letters for Parental Consent for Teleservices

The following is a sample template that may be used with parents on matters related to teleservices. These samples are not recommendations, nor do they constitute legal advice. Because each district’s circumstances are unique, districts should work closely with their board attorney to develop notices and consent forms to be provided to parents.

**Sample Consent:**

#### **Teleservices Informed Consent**

Date: \_\_\_\_\_

Student’s name: \_\_\_\_\_

Student’s date of birth: \_\_\_\_\_

Student’s school: \_\_\_\_\_

Parent’s Name: \_\_\_\_\_

Best email to use: \_\_\_\_\_

Best phone number to reach parent/guardian: \_\_\_\_\_

I \_\_\_\_\_, (name of student’s parent/guardian) hereby consent to participate in teleservices with \_\_\_\_\_ (name of provider) during the period of school closure or periods when in-person services are impacted by safety measures, or until I elect to discontinue these teleservices.

I understand that teleservice will be used to deliver educational services via technology assisted media or other electronic means between an IEP team member or other professional practitioner, as agreed, and a student who are located in two different locations.

I understand the following with respect to teleservices:

- 1) I understand that I have the right to withdraw consent at any time without affecting my child's right to future services, or program benefits to which my child would otherwise be entitled.
- 2) I understand that there are risk and consequences associated with teleservices, including but not limited to, disruption of transmission by technology failures, interruption and/or unintended breaches of confidentiality by unauthorized persons, and/or limited ability to respond to emergencies.
- 3) I understand that there will be no recording of any of the online sessions by either party. All information disclosed within sessions and written records pertaining to those sessions are confidential and may not be disclosed to anyone without written authorization, except where the disclosure is permitted and/or required by law.
- 4) I understand that the privacy laws that protect the confidentiality of my child's protected health information (PHI) also apply to teleservices unless an exception to confidentiality applies (i.e. mandatory reporting of child, elder, or vulnerable adult abuse; danger to self or others).
- 5) I understand that if my child is experiencing a mental health crisis that cannot be resolved remotely, it may be determined that teleservices are not appropriate and a higher level of care is required.
- 6) I understand that during a teleservice session, we could encounter technical difficulties resulting in service interruptions. If this occurs, end and restart the session. If we are unable to reconnect within ten minutes, please call me at \_\_\_\_\_ to discuss since we may have to re-schedule.
- 7) I understand that the Family Educational Rights and Privacy Act of 1974 and the Health Insurance Portability and Accountability Act of 1996 prohibits any further disclosure of this information without my specific written consent, or as otherwise permitted by such regulations. I understand that I have the right not to consent to disclosure of this information. I understand I have the right to revoke this authorization at any time. I understand that this consent shall remain in effect until revoked by me, in writing, and delivered to the [name of school district], but that any such revocation shall not affect disclosures previously made by [name of school district] prior to the receipt of any such written revocation.

**Recommendations for a successful teleservices session:**

- ✓ A laptop or personal computer with a camera and microphone and internet access is ideal; however, a smart phone with a camera may also work.
- ✓ A "quiet area" that is not accessible by other children or pets during the session.
- ✓ An adult who can assist your child with connecting, troubleshooting any connection issues, remaining online during the session, and navigating the session activities.

Signature:

Date: