

Students with Disabilities Online: 10 Questions to Promote Digital Health, Safety, and Citizenship

As outlined in the 2024 National Educational Technology Plan; digital health, safety, and citizenship skills reflect the full set of knowledge and habits students can adopt to protect themselves and others in online spaces. For schools and districts, protecting student health and safety while those skills develop means taking an approach that can include policies governing the use of school-provided technology, access to personal devices at school, anti-bullying policies, and standards of responsible interactions online. While digital health, safety, and citizenship are important for all students, creating and maintaining school policies and cultures that meet the needs of students with disabilities must take into account the requirements of laws such as Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Individuals with Disabilities Education Act (IDEA). ¹

"Digital health" refers to the skills and practices necessary to maintain a healthy and balanced relationship with technology and the digital world. It recognizes the benefits of technology as well as the potential negative impacts of excessive or unhealthy technology use, including strategies to help promote physical, mental, and emotional well-being in the context of digital usage.

"Digital safety" focuses on skills and practices to avoid online risks and ensure privacy and security while using digital technologies. It involves measures to safeguard personal information, avoiding cyber threats, and prevent unauthorized access to sensitive data. Digital safety also encompasses educating individuals about online dangers, such as phishing scams, identity theft, cyberbullying, and online harassment, and promoting responsible digital citizenship.

"<u>Digital citizenship</u>" refers to appropriate, responsible behavior when using technology. It encompasses the knowledge, skills, and attitudes required to navigate the digital world respectfully and responsibly while engaging positively and constructively in online communities. Prepared digital citizens possess good digital literacy and critical thinking skills.

¹ Section 504 prohibits disability discrimination and ensures that students with disabilities have equal access to educational opportunities, including though provision of a free appropriate public education (FAPE) to elementary and secondary students with disabilities. 29 U.S.C. § 794; 34 C.F.R. Part 104. In the education context, this law applies to schools that receive Federal financial assistance from the Department and is enforced by the Department's Office for Civil Rights (OCR). Part B of the Individuals with Disabilities Education Act (IDEA) ensures that a FAPE is available to all children with disabilities residing in the State between the ages of 3 through 21 years, with a few specific exceptions, including children with disabilities who have been suspended or expelled from school. The Office of Special Education Programs (OSEP) administers the IDEA, including the Federal Special Education Grants to States under Part B.

For students with disabilities, technology — including assistive technology devices and services² — can play an integral role in accessing and participating in the learning environment³, exercising self-determination and independence, promoting social connection, and achieving equity. Along with these many benefits, students with disabilities are at heightened risk of being victims of cyberbullying⁴ and often need additional support developing healthy online relationships⁵ and enable them to become responsible digital citizens⁶. With the evolving impact of technology on learning and social development, schools play a critical role in protecting and ensuring access to technology to all, preventing harassment⁷, and providing learning opportunities for students with disabilities to develop digital citizenship skills that support safe and healthy online experiences and behaviors.

To support the well-being of students with disabilities, the U.S. Department of Education (Department) recommends school leaders – including superintendents, school principals, and other district leaders – consider and address the following questions as they establish district and school policies, procedures, practices, and cultures that are inclusive and supportive of all students with respect to their digital health, safety, and citizenship.

These questions and their specific consideration for students with disabilities are intended to help school leaders shift from a focus of response and reaction to one of proactive planning for helping all students be safe, healthy, and digitally responsible citizens. The Department's Office of Educational Technology and Office of Special Education Programs collaborated on this document to provide specific context for educational leaders as they consider the unique needs of students with disabilities about this issue.

1. Does your district and school have a clearly articulated vision of digital health, safety, and citizenship for students at all levels and does it account for possible risks related to student demographics?

Since students with disabilities are at greater risk of experiencing online exclusion and bullying, consider how to build awareness and address population-specific risks and harms in policies, procedures, and practices. District and school leaders should ensure accessibility of all digital

² Assistive technology device is defined in IDEA as any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. 34 C.F.R. § 300.5. Assistive technology service is defined in IDEA as any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. 34 C.F.R. § 300.6

³ See <u>Assistive Technology Devices and Services for Children With Disabilities Under the IDEA - Individuals with Disabilities Education Act</u>

⁴ Cyberbullying among Youth with and without Disabilities - PMC (nih.gov)

⁵ Promoting Healthy Online Relationships: Lessons for youth with IDD (hhs.gov)

⁶ Fisher, Kim, Williamson, Heather, Guerra, Nichole, Kupferman, Scott. Digital Citizenship: Technology Access and Use for Youth With and Without Intellectual and Developmental. Inclusion. December 2021

Disabilities ((PDF) Digital Citizenship: Technology Access and Use for Youth With and Without Intellectual and Developmental Disabilities (researchgate.net))

⁷ OCR and OSEP published a <u>Dear Colleague letter regarding Disability Harassment (ed.gov)</u> that speaks to students with disabilities' unique susceptibility for disability specific harassment.

resources, including those related to digital health, safety, and citizenship as well as their compatibility with assistive technology devices and services.⁸

2. How are you collecting data and evidence to better understand the digital health, safety, and citizenship needs of students, families, and employees within your district or schools (e.g., needs assessments, climate surveys, incident reports)?

Identify trends in current climate and culture surveys or similar data sources to help determine where policies and efforts may be creating unintended gaps in meeting the needs of students with disabilities. Disciplinary data and incidence reports can help determine whether students with disabilities are disproportionately impacted by cyberbullying. While considering possible sources, be sure any data collection protects privacy, safety, and disclosures of information as appropriate while recognizing the laws of <u>IDEA</u>, <u>Section 504 of the Rehabilitation Act</u>, <u>ADA</u> and <u>FERPA</u>. The Department's Student Privacy Office has a <u>Know Your Rights resource</u> on the Family Educational Rights and Privacy Act (FERPA)'s protection for student health records.

3. What measurable goals have you established for the digital health, safety, citizenship, and mental well-being of students?

When determining these measures, consider goals and objectives that address both the reduction in negative incidents against students with disabilities as well as strategies that increase their digital health, safety and mental well-being. When appropriate, include IEP and Section 504 team members in developing goals for specific students who utilize digital learning as part of their education⁹.

4. How are students and families included in assessing needs, setting district and school goals for the digital health, safety, and mental well-being of students, and designing learning opportunities?

Invite students with disabilities and their families to participate in assessing district and school needs and setting school goals for student digital health, safety, and mental well-being. As part of the goal setting process, consider the diverse needs of students and caregivers with disabilities. Utilize the knowledge and skills of special educators, including related service providers who can provide input on the needs of students with disabilities.

5. What supports are necessary and do you have in place to ensure key staff (e.g., administrators, school counselors, social workers, educators) have an adequate understanding of and capacity to respond to the unique needs involving support of digital health, safety, and citizenship for students with disabilities?

Consider three areas of support: 1) increase staff capacity to support digital health, safety and citizenship for students with disabilities, which includes accessible instructional materials and modifying content and instructional methods; 2) build staff understanding of specific needs and risks of online use by students with disabilities; and 3) ensure school-based technologies in place have necessary accessibility features and are interoperable with assistive technology devices.

⁸ <u>Section 504 and Technology Accessibility (ed.gov)</u>. Starting in either April 2026 or April 2027 (depending on the size of the school district), Title II of the Americans with Disabilities Act will require that public schools ensure that web content and mobile apps made available by the public entities are accessible in compliance with the Web Content Accessibility Guidelines (WCAG) 2.1, level AA. <u>New Rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Governments (ada.gov).</u>

⁹ 4 cfr 300.321. https://www.ecfr.gov/current/title-34/part-300/section-300.321#p-300.321(a)(4)

6. What emergency resources, procedures, and supports are in place to support in moments of crisis regarding digital health and safety?

All emergency resources, procedures, and supports should build shared understanding of the specific needs of students with disabilities in digital spaces. Develop regular consultations with students with disabilities, their families or caregivers, and other personnel who provide them support (e.g., service providers, social workers, teachers, other personnel) to ensure they have what they need, and practice responses well before an emergency.

7. What curricular, extra-, or co-curricular inclusion supports can be or have been established to support student digital health, safety, and citizenship?

Any curricular activities involving engaging with media or technology should be paired with digital literacy resources to ensure students, including students with disabilities, navigate online spaces effectively and in ways that support their health, safety, and citizenship. School districts must take steps, including the provision of supplementary aids and services determined appropriate and necessary by the student's IEP team or Section 504 team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children and students with disabilities an equal opportunity for participation in those services and activities. ¹⁰ This includes ensuring that digital tools are fully accessible to students with disabilities.

8. What external partnerships can be or have been established to augment school and district capacity to promote student digital health, safety, and citizenship?

Consider partnerships with local colleges and universities and other local organizations such as health offices and OSEP-funded technical centers such as <u>Center of Inclusive Technologies & Education Systems</u> and the <u>Center for Parent Information and Resources</u> for support on issues such as digital health and safety for students with disabilities. Additionally, the Office of Educational Technology's July 2024 "<u>Designing for Education with Artificial Intelligence: An Essential Guide for Developers</u>" asks developers of products and services for use in educational settings to partner more closely with education stakeholders to promote safety, security, and trustworthiness .

9. How do you plan to build community awareness and support of these needs, goals, and efforts?

Consider how to share information regularly and proactively with students with disabilities and families about how to protect their safety online and build community-wide awareness of the challenges students with disabilities can face online. Actively engage in conversations to explore how technology can support students with disabilities. These efforts should be designed to support families, caregivers and families or caregivers with disabilities as well.

10. What ongoing funding sources (e.g., Title II, Title IV grants) can or will you leverage to support these efforts?

The <u>Department's Dear Colleague Letter</u> on the use of federal funds for educational technology and OSEP's <u>Assistive Technology Guidance</u> may help as you consider sustainable funding for meeting the digital health, safety, and citizenship needs of all students, including students with disabilities. As an example, IDEA state-level funds can be used to improve the use of technology in the classroom by children with disabilities to enhance learning and to support the use of technology, including technology with universal design principles and assistive technology

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¹⁰ See 34 C.F.R. § 300.107; 34 C.F.R. § 104.34.

devices, to maximize accessibility to the general education curriculum for children with disabilities. 11

For general resources on supporting students with disabilities, consider the Department's <u>IDEA website</u> and the Department's <u>Office for Civil Rights website</u>.

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¹¹ See 34 C.F.R. § 300.704(b)(4)(iv and v).