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OSPI Special Education Workgroup

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Dear OSPI Special Education Workgroup,

Our nonprofit group, Attorneys for Education Rights, advocates on behalf of Washington students with disabilities and their families. We appreciate the opportunity to participate in the special education reopening workgroup. We reviewed the “Reopening Washington Schools 2020: District Planning Guide,” which was announced publicly on June 11 and which envisions a return to in-person classes in the fall. The Planning Guide is essentially silent on special education, raising important questions about how students with disabilities will be treated when returning to schools. It is also unclear how the Planning Guide relates to the draft reopening guidance for special education, which this workgroup is reviewing. To promote a full discussion of the Planning Guide’s implications for students with disabilities, we have outlined for the workgroup’s consideration the following questions:

Planning Guide p. 17: “All students...must wear cloth face coverings in K-12 settings.”

Some students with sensory processing, behavioral or cognitive disabilities will be unable to cover their faces consistently. *What alternative means of protecting safety will be used? How will OSPI ensure that students are not separated from peers, excluded from the educational environment, or disciplined due to inability to wear masks?*

Planning Guide p. 17: “have access to trained substitutes to support employee absences.”

Teachers and paraeducators need extensive training to effectively serve students with disabilities. Staff familiarity with individual needs, rapport, trust and consistency are often essential to enabling special education students to make progress. *How will OSPI ensure that a higher rate of employee absences does not interfere with progress for special education students? Will schools designate backups who are prepared, in advance, to meet individual student needs when substituting for regular staff? Will OSPI recruit a pool of well-trained substitutes for each region? How quickly can OSPI alleviate the existing shortage of qualified paraeducators and special education teachers in Washington in anticipation of a reduced workforce?*



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Planning Guide p. 17: “Those at high risk for health problems from COVID-19 should consult with their health care provider when considering whether to...participate in K–12 activities.”

Diminished immunity is a disability. Medically fragile students are especially at risk. The current system for doctor-recommended home instruction is extremely under-funded and inadequate, often consisting of only two hours of instruction per week. *When a student’s doctor deems it unsafe to attend school during the pandemic, how will OSPI ensure that the student receives a meaningful and equitable education? Will OSPI revise its regulations to make clear that home instruction must meet the same standards as school-based instruction? Will state funding for home instruction be increased?*

Planning Guide p. 17: “Develop a system for drop-off and pick-up that keeps families at least six feet from each other and reduces their need to enter the school. This may include... placing distancing markers on walkways.”

Students with mobility challenges already have problems safely accessing schools, especially at older buildings. *How will OSPI account for mobility impairments when regulating distances between arriving students?*

Planning Guide p. 17: “Check for signs of illness for all...students at entry each day.”

Some students with anxiety, sensory or other disabilities may have difficulty complying with daily temperature checks. *Will school staffs be trained to recognize and accommodate disability barriers to temperature checks? How will OSPI ensure that students are not separated from peers, excluded from school, or disciplined if they cannot comply with entry screening?*

Planning Guide p. 17: “Ask the parents or guardians the following questions: Does your student have any of the following symptoms: ...A cough; Shortness of breath or difficulty breathing; A fever of 100.4°F or higher or a sense of having a fever; A sore throat; Chills; New loss of taste or smell; Muscle or body aches; Nausea/vomiting/diarrhea; Congestion/running nose – not related to seasonal allergies; Unusual fatigue?”

Some students with disabilities are non-verbal. Others are unable to communicate accurately how they feel. *What alternate means of protecting safety will be used for students who are unable to verbally report symptoms of COVID-19?*

Planning Guide p. 18: “Keep elementary school students in groups with dedicated staff, and maintain consistency from day to day among groups where possible.”

Before schools closed, students with disabilities were pulled out of general education classrooms for varying amounts of time to receive individualized instruction in special education classrooms. Federal law requires schools to minimize the removal of students with disabilities from general classrooms. *When keeping groups of students together throughout the day to minimize the spread of COVID-19, will schools keep students with disabilities together with typically developing peers? How will OSPI ensure that COVID-19 is not an excuse for increasing segregation of students with disabilities?*

Planning Guide p. 18: “Create space between students and reduce the amount of time they are close with each other... Think creatively about all opportunities to increase physical space between students and limit interactions in large group settings.”

Students with social skills deficits, including many on the autism spectrum, need appropriate peer models to make progress. Physical separation and reduced interaction will make it harder to learn social skills. *How will OSPI provide for social modeling to occur along with social distancing?*

Planning Guide p. 19: “Limit gatherings and potential mixing of classes or groups in the cafeteria or other communal spaces. Consider having students take their meals outside or in the classroom.”

Some students with disabilities have virtually no exposure to typical peers except at lunch and recess. The “mixing of classes” at lunchtime has been important to inclusion and socialization. *How will OSPI ensure that students with disabilities are integrated throughout the day, including at lunch and recess, when mixing of classes is limited?*

Planning Guide p. 20: “Cloth face coverings should not be worn by: Those with a disability that prevents them from comfortably wearing or removing a face covering. Those with certain respiratory conditions or trouble breathing. Those who are deaf or hard of hearing and use facial and mouth movements as part of communication. Those advised by a medical, legal, or behavioral health professional that wearing a face covering may pose a risk to that person... Students may use face shields as an alternative to a cloth face covering.”

Face shields are considered safer than masks because they protect the eyes. They also show more of the face, promoting social understanding. And they do not touch the mouth, so cannot constrain breathing. *Why not require students and staff to use face shields instead of face masks? If a student cannot wear a mask, how will OSPI ensure that the student is not isolated or stigmatized?*

These are some of the initial questions arising from the Planning Guide. Your consideration is appreciated.

Sincerely,



Charlotte Cassady
President

cc Glenna Gallo, Assistant Superintendent
Lee Collyer, Program Supervisor