

August 17, 2020

Subject: Informational hearing for the Senate E-12 Finance and Policy Committee

Dear Chair Nelson and Committee Members,

Thank you for scheduling an informational hearing of the E-12 Finance and Policy Committee focusing on Education and accountability in the age of Covid 19.

Advocates within Minnesota's disability community are well aware that the COVID-19 pandemic has created an unprecedented situation for which no one was prepared. Teachers and staff did their best, yet distance learning models employed over the past several months simply did not work for many families of children with disabilities. After a challenging end to the school year, districts, administrators, and agencies worked to plan for a fresh start for the new school year, but many students with disabilities and their families felt that their concerns remained unaddressed.

On July 22nd, the undersigned organizations and several other key partners in special education advocacy worked together to host a virtual town hall to provide an opportunity for parents of children with disabilities to express their hopes and fears regarding the 2020-2021 school year

During that town hall, a diverse group of families from throughout Minnesota spoke about what worked for them, what didn't, and what they would like to see done differently. The co-hosts of that town hall meeting prepared a summary of stated concerns which have been organized into several broad topics - equity, distance learning, in-person learning, transition, mental health/trauma informed care, and recommended practices.

We offer this summary of their testimony, the lessons learned from the past several months, and ideas to consider as we work collaboratively toward solutions. We look forward to working with the legislature, agencies, and administration on next steps that center the experiences of students with disabilities and their families during the 2020-2021 school year.

With sincere thanks,

The Arc Minnesota
Autism Society of Minnesota
Down Syndrome Association of Minnesota
Epilepsy Foundation of Minnesota
Legal Services Advocacy Project
Mid-Minnesota Legal Aid/Minnesota Disability Law Center
Minnesota Autism Council
Minnesota Consortium for Citizens with Disabilities
Minnesota Council on Disability
Multicultural Autism Action Network
Proof Alliance
Somali Parent Autism Network

Pandemic Planning: Hopes and Fears for Returning to School

Held on July 22, 2020

A virtual town hall meeting hosted by:

The Arc Minnesota
Epilepsy Foundation
Proof Alliance
Minnesota Disability Law Center
Somali Parent Autism Network
Multicultural Autism Action Network
Autism Society of Minnesota
Minnesota Council on Disabilities
Minnesota Consortium for Citizens with Disabilities
Minnesota Brain Injury Alliance
Pacer Center
Minnesota Autism Council
Ed Allies

Recording available at <https://www.facebook.com/thearcminnesota/videos/280939539644250/>

The following summary represents concerns expressed by families of children with disabilities during the virtual town hall and possible solutions:

I. EQUITY

Equity Concerns:

- Traditionally underserved groups had less access to technology. Schools did provide some technology, but not enough, and not with sufficient support. One ipad for a family of six was not sufficient. Many families felt they needed technical support and did not have access to it.
- Parents with disabilities did not receive the support they needed. Parents were crying out for help and felt unheard. Parents were overwhelmed by concerns about housing, feeding their families, and maintaining employment. Hearing “We are trying to make it work” was not sufficient when basic needs were not being met.
- Parents of multiple children with disabilities did not receive adequate support. Distance learning didn’t work for many families. Daily check-ins with the teacher did not work and some families feared being reported for truancy. Some schools updated IEPs for distance learning. Others did not. There was very little guidance as to recommended

practices or minimum recommendations. Parents felt that they could work within a framework, but no framework was provided.

- Schools are going to end up going back to distance learning plans again and stakeholders have not spent enough time talking about lessons learned in the past five months (at the end of the 2019-2020 school year).
- Families are concerned that missing months of school will change the trajectory of their child's lives.
- Families want to know what schools are going to do about compensatory education for those for whom distance learning did not work.
- It was extremely challenging for families balancing needs of children and work expectations and summer care.
- Some school districts discriminated against children needing higher levels of support during summer care. School districts suggested higher federal settings not because children were not successful where they are, but because they did not have adequate PPE to support kids in a lower federal setting. The civil rights of these children with disabilities are being violated.
- Children's mental and physical health is suffering as a result of isolation.
- Some teachers did a fantastic job of reaching out and providing 1:1 support. Others did not.
- Students who cannot work from home (whether due to parents working out of the home or whether distance learning doesn't work due to disability needs) should have access to in-person options with appropriate support.

Equity Recommendations:

- Districts need to consider what assumptions are being made in terms of student access to technology, a quiet place to work, sufficient bandwidth, the technical know-how within the family to troubleshoot and provide options to ensure that all students have equitable access to educational programming and connections with school.
- Districts should prioritize in-person options for those who are most at risk of inequities and of worsening mental and physical health.
- MDE should provide guidance indicating that change in settings must be based on a student's needs. Changes in placement cannot be based on a district's inability to provide PPE.
- MDE and MDH could work collaboratively to ensure that districts can access PPE.
- Districts and MDE must be prepared to provide in-person options for students that cannot work from home.
- MDE should provide guidance to districts and districts should consider the needs of the child in the context of their family situation. The importance of social connections, relationships, athletics, support services, cultural connections should be considered in the context of student mental health.

- MDE should come provide parent outreach about the availability of the complaint process or try to introduce a shorter-form/early dispute resolution process (similar to OCR).

II. DISTANCE LEARNING

Distance Learning Concerns:

- Distance learning requires a very high level of executive function.
- Distance learning simply did not work for some students, especially those who require in person contact for communication cues or physical proximity.
- Many families were frustrated that schools required multiple platforms, multiple apps, and multiple log-ins.

Distance Learning Recommendations:

- Ensure that in-person options for some students for whom distance learning is simply impossible are available. This could be sending some staff to homes, offering designated sites, or collaborating with nearby districts and facilitating open enrollment to those districts and providing transportation (just a few examples). MDE should look into whether paraprofessionals could conduct home visits to work on distance learning activities much like the day/employment programs were sending staff to homes for adults with disabilities.
- Develop a parent-oriented set of possible avenues for supports at home: MDE/DHS should look into possibilities for PCAs to provide educational support (e.g. there is a red line between educational support and HCBS. PCA support would be allowed for homework, but not school specifically? Where is the line in a distance learning situation? Are there work-arounds?).
- School districts should use consistent organization systems. Parents do not have the time or bandwidth to chase down assignments through multiple platforms. For example, assignments assigned at 9 am and due at 11 am do not work in a family with working parents.
- Some platforms allow small group work, which may better suit some students' learning styles. Schools should explore/offer (but not mandate) small group work as an option or as part of the distance learning experience. Districts should consider encouraging small family/student groups learning together to combat social isolation and share strategies.

III. IN-SCHOOL LEARNING

In-school Learning Concerns:

- Are there going to be staff available for students with complex medical support needs?

- What happens in a situation where the student is not at a high risk or immunocompromised, but a family member is? Will students with immuno-compromised family members be provided with distance learning options?
- Wearing masks, washing hands, and social distancing are not possible for some children. Some children who are sensory seeking are not going to be able to avoid contact with others.
- What is happening to children who are being discharged from treatment centers and have never been to school?

In-School Learning Recommendations:

- MDE should provide guidance and districts should prioritize students for whom distance learning did not work in determining who receives in-person services.
- Districts should clarify to families what support will be available in schools so that they can make informed choices.
- There could be recommendations for schools about accommodations for protocols such as mask-wearing, hand-washing, and social distancing for students with disabilities or for whom those things are challenging. There could also be tools communicating these expectations and available accommodations in clear ways to families and students.
- Guidance to districts around how to handle perceived behavioral issues with health protocols and suggested alternatives to exclusionary discipline.

IV. TRANSITION

Transition Concerns:

- Students who were in their final year of transition this spring missed out on some of the most important parts of their education. They are “aging out” of the educational system and their legal educational entitlements are ending. The last semester of transition is critical. Distance learning is not appropriate nor is it least restrictive for many students with disabilities. For some students, distance learning created incredibly isolating circumstances in which meeting goals and objectives was impossible, and regression was prevalent. The absence of a quarter may take a semester to compensate. Students caught in this unfortunate chain of events through no fault of our own need support. They missed out on vocational training and the opportunity to build connections to adult services that are critical to ensuring a successful transition to life after school.
- Families lost access to a lot of services and therapies as a result of COVID. Demands went up. Supports went down.

Transition Recommendations:

- MDE should consider adding additional time for students in transition to allow them to ensure that transition goals, including the hand-off to adult services, are met.

- The legislature or governor should consider using federal COVID funding to support this effort.

V. MENTAL HEALTH/TRAUMA INFORMED CARE

Mental Health/Trauma Informed Care Concerns:

- Many families were deeply affected by the trauma around George Floyd’s murder and the aftermath.
- It feels like schools are rushing to put children in schools for their mental health without a lot of regard to what may happen to mental health if the student, a family member, or a teacher should become sick.
- Parents with disabilities had very high expectations placed on them and very little support.
- Families did not receive 1:1 attention that is guaranteed under their child’s IEP. It often felt as if distance learning left the “individual” part of an IEP behind.
- Students need social opportunities as well educational opportunities.

Mental Health/Trauma Informed Care Recommendations:

- Districts need to understand the effects of the pandemic of racism as well as COVID. MDE should provide additional training and support for trauma-informed care.
- MDE needs to provide frameworks. Site-based decision-making worked well in some ways, but resulted in an extremely uneven distribution of educational service. Many school districts needed more guidance.
- Districts and administrators need to prioritize the avoidance of causing additional harm to already traumatized students.

IX. RECOMMENDED PRACTICES

- Distance learning requires different and more sophisticated levels of executive function than in - person learning. MDE should provide guidance and recommend curricula for teaching executive function and districts should be prepared to teach executive function skills needed to successfully manage distance learning.
- Parents felt forced to “pick their battles” with their children as well as with school districts. In some situations, relationships with schools became adversarial rather than supportive. Districts must consider that relationship repair work with families may be required.
- Some special ed teachers provided no support at all during distance learning. Many families felt as if students lost 4-5 months of progress and in some cases regressed. Public schools did not have enough guidance from the state about what their responsibilities were. Many students who required a lot of IEP required para support (as

high as 1:1) did not receive any. MDE should provide a greater degree of direction about the responsibilities of the public schools.

- Distance learning placed a heavy burden on families and caregivers. Teachers and staff should be clear about what the expectations are around caregiver support for distance learning models. If a family is expected to provide many hours of one-on-one time with a student, school staff should make sure that expectation is articulated and works for the family.
- Since the work of educating children with disabilities shifted the relationship between schools to families during the distance learning model, districts should also shift their thinking from an IEP (individual education plan) mindset to an IFSP (individual family support plan) mindset. MDE should partner with other agencies and districts should partner with other service providers to ensure wrap-around services where needed.
- Teachers and staff should minimize the number of different apps, tracking systems, logons, and passwords students (and families) are required to keep track of.
- Districts should ensure that students who were assigned paras at school are assigned paras at home.
- MDE should provide minimum guidelines for student contact and a framework for distance learning expectations.
- Districts should be mindful of what level of executive function skills their students have, and what level of executive function their distance learning plans require, and be prepared to teach those skills needed to fill the gap.
- MDE should offer evidence based resources for teaching executive function skills.
- If parents self-disclose their own disabilities and need accommodations for distance learning or hybrid learning, districts need to provide additional support for those students and their families, much like they provided technology to families who disclosed a need.

X. RESOURCES

The following links provide ideas about what other states are doing, what looks promising, and other ideas for policy solutions.

https://www.city-journal.org/ny-success-academy-distance-learning?fbclid=IwAR0pE_58gn6nPjZhMYkn80iZEPzN7DUzZ-5gCffn4xhCjkcFjYI3bQVAyEw

<https://www.the74million.org/article/social-distancing-for-the-most-vulnerable-students-a-teacher-who-needs-to-self-quarantine-online-back-to-school-toolkit-can-help/>

https://chiefsforchange.org/wp-content/uploads/2020/06/CFC-TheReturn_5-13-20.pdf?fbclid=IwAR32QUMQK9q9Pfn4q8QvmnbnoHb8yYmJAehK0PImsxge__C7qUljQ6cSxoU

https://www.the74million.org/article/researchers-urgent-message-for-schools-start-planning-now-for-a-precipitous-covid-slide-next-year/?fbclid=IwAR0DJfLHpUHA8n-l3jpH7YoMXqaQlwxE1tgY_W4yW5vyXFZVtH0ObXvToM4

<https://www.trendsmap.com/twitter/tweet/1292090698246782977>