



Comments for the School Board on Small Cohorts & Legislative Update, Sept. 8, 2020

Delivered by Kimberly Eng Lee, Co-Chair

Today, Santa Clara County moved into the Red Tier, and new policies return small cohorts of struggling students for **essential in-person** supervision and limited instruction, targeted supports, and facilitation of distance learning. PAUSD and PAEA have already predetermined that large-scale in-person instruction will not start before October 12th. But PAUSD and Collective Bargaining Units have also not yet reached agreement on “Addressing the Needs/Priorities of Students with Disabilities”. **What are the hurdles? Is it legislative or local? Legal or sentiment?**

- **Students with disabilities are still protected under law, and the government hasn't stopped funding public schools.**
- **One-sized-fits-all solutions do not work for students with acute needs.**
- **Physicians and health professionals determine health and safety protocols.**
- **Parents know what's going on or NOT, with their kids at home**
- **Despite educators' best intentions and efforts, not all kids are experiencing distance learning favorably, or equally**

2020 marks the 30th Anniversary of the American Disabilities Act. 2020 would NOT be the year to dismiss this landmark civil rights law which affirms the inherent dignity of every person, regardless of ability. People with disabilities often face barriers to accessibility: inaccessible facilities and equipment; inaccurate assumptions; and in not rare cases, people are denied education because of their disabilities.

California PTA affirms “Children with special needs have rights to services in school under federal and state laws. The US Department of Education has not waived the district's requirements under IDEA and California law, and has not suggested delay. Children with disabilities rely uniquely on public entities to ensure emotional and educational well being. Students with disabilities are so vulnerable to regression, that they have statutory rights to Extended School Year services to prevent learning loss. **Who better to enforce the legitimate rights of students with disabilities, than the allocator of public funds? Are there any changes in these expectations?**

Individual needs vary, so CAC posits that acute support may need to be in alternate locations (like in-home or in-school), using different or contracted providers, through alternate means like telehealth or consultative services to parents. Parents continue to be the primary champions of IDEA. It's an undue burden for special needs parents to prove harm to their children and demonstrate regression or lost skills. **So who knows the real impact of distance learning on children better than parents? If some say it's not OK. It's not OK. What does Sacramento say about acute educational needs and public funding?**

Palo Alto CAC is advocating for the safe, slow, phased return to in-person education, prioritizing protected student groups and starting with the most acute students. Regardless of the date or style of re-opening, do schools have different safety considerations than other industries? Can the stakeholders see PAUSD's health and safety plan? There are COVID risks that can and must be mitigated.