June 9, 2020

Jeffrey C. Riley, Commissioner of Elementary and Secondary Education
Massachusetts Department of Elementary and Secondary Education
75 Pleasant Street
Malden, MA 02148

RE: An Initial Overview of Concerns to Address in Return-to-School Guidance, Policy, and Practices Regarding the Needs of Students with Disabilities

Dear Commissioner Riley,

Thank you for your leadership during this time of hardship and uncertainty for children and families in the Commonwealth. MAC appreciates the tremendous amount of effort that DESE has devoted to developing policies, practices, and strategies to support remote learning and to try and effectively meet the needs of students with disabilities while schools are closed due to COVID-19.

We are writing to raise issues of concern and present initial recommendations to address the difficulties that students with disabilities may experience when schools reopen, both due to barriers that social distancing and other safety protocols may impose when schools reopen, and due to trauma and disruption that students are experiencing while schools are closed and unable to fully implement IEPs. Furthermore, because systemic inequities have resulted in a disparate impact of COVID-19 on Black and Latino communities, we are concerned that many of the issues we raise may disproportionately affect Black and Latino students with disabilities.

As we know you are aware, the public health measures necessary to safely reopen schools raise a variety of concerns for students with disabilities. We appreciate that the Department has begun to address many of these issues in the guidance recently issued regarding the summer. For example, some students with disabilities may be unable to safely wear masks; new safety procedures may cause increased anxiety for students who experience difficulty adjusting to new routines; and many students with disabilities will require 1:1 services that require physical contact and make social distancing impossible. In addition, there is a grave concern that social distancing requirements may result in the separation of students with disabilities from the general education classroom, inconsistent with their needs and in violation of state and federal education law.

We respectfully request that DESE consider the enclosed initial list of concerns and recommendations when developing statewide guidance on reopening schools.
this fall. We recognize that this list is not a comprehensive summary of the difficulties that students with disabilities and their families may experience, but, rather, an initial set of pressing issues and recommendations to ensure that students with disabilities, especially the most vulnerable and at-risk students, receive the services and supports they require and are able to participate in educational activities with nondisabled peers to the maximum extent appropriate when schools re-open.

We appreciate your strong and effective leadership in developing strategies to support students with disabilities during this unprecedented public health crisis. We look forward to continuing to work with DESE to address the barriers that students with disabilities face due to COVID-19, and to ensure that all students will have equitable access to educational opportunities when schools reopen.

Sincerely,

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Beth Tremblay Hall  
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cc. Anne Gilligan, Safe and Healthy Schools Coordinator  
Russell Johnston, Senior Associate Commissioner and State Director of Special Education