

January 20, 2021

To: Members of the House Education Policy Committee
RE: House File 4, Special Education Provisions

Dear Chair Richardson and Members of the House Education Policy Committee,

On behalf of our group of organizations that advocate for children who have disabilities, thank you for your attention to their needs during Covid-19 and the disruptions to education that the pandemic has caused. We are very grateful for the special education provisions in House File 4 and write to share our support of those provisions (HF 4, Section 4). We believe these provisions take important steps to address the dire needs of children who have disabilities.

Our organizations have been hearing from countless families of children who have disabilities who are, and have been, struggling with the available education models since March 2020. While some are experiencing success, many students who have disabilities simply cannot engage with distance learning, despite tremendous efforts by educators. Before the pandemic, many students use intensive supports during the school day, such one-on-one adult support, occupational or speech therapy, positive behavior support plans and planned sensory activities, or direct instruction of social and environmental routines. Without these services and supports, many have struggled to receive any benefit from the school services that are available to them, and many students have seriously regressed in their academic, adaptive, and other skills.

Here are a few of the stories we've heard:

From a parent in a Metro District

We are struggling to determine how to best support my son during distance learning education. My son is 8 and entering 3rd grade. He receives multiple therapies and a 1:1 Educational Assistant at school for his entire school day. Schools are not being allowed to send support out to homes so, though he may be able to access some of his therapies at school in person, his academics will be all held over zoom remotely. He has significant motor delays and attention and impulse control issues, in addition to cognitive delays and a seizure disorder. When assessing our needs for support during this unprecedented time, we NEED an additional adult in the house during the academic day to support him in doing this. He is and will be able to do distance learning via zoom with assistance, as he has proven successful with music therapy and OT this way, but he HAS to have someone by his side to stay engaged. An EA on the other side of the computer screen was nothing but a battle in the Spring.

From a Greater Minnesota District

My child needs to be in person school at least 4 days a week to learn something this year. She cannot go on google meets or do any of her work unless I am home because she can't navigate the iPad in that aspect on her own. I also work so she misses out on all google meets, and zoom meetings, etc.. that happen during the day. (8-5). The school offered to give her para an iPad and then she and my child can FaceTime from my computer and do work that way but again that can only be done when I am home to assist with technology and making sure she and the para are on the same assignment, etc.. It is very difficult to do distance learning without proper supports.

From a Metro District

My child needs 100% 1:1 hands on support and supervision both for engaging distance learning, and for ADLs (feeding, diapering, dressing, etc) during school hours. He receives services both through special education and a DD Medicaid Waiver, but the waiver won't provide services pertaining to education, and my district is not sending employees into student homes. The result of this situation for our family has been job loss: the parent has exhausted CARES and all other leave but must remain home to provide direct support to the child. Parents' employers will not grant a leave of absence for

this purpose, so our household will lose it's main source of income to facilitate distance learning for our child.

From a Metro Suburban District

My child is being denied an education. She is unable to do distance learning due to her communication needs. We have seen so much regression and the loss of such hard fought skills.

From a Metro District

My child hasn't been able to participate at all. She has severe ADHD and is only 6 so she just presses random buttons on her iPads and won't comply with doing any of the assignments. This is how it was last spring. She is repeating kindergarten this year and it's the same. Likely I will have to find a tutor and pay out of pocket and have her do other work not on her iPad. She really can only do in person work in a school environment. She won't do it with me at home.

From a Metro District

Our daughter is a 13 year old student starting 8th grade. She has not had any form of school, distance or in person, since schools were closed in March 2020. She has significant disabilities which make distance learning inaccessible for her, even with modifications from school. She is non-verbal, cannot write or type. Is unable to attend or participate in a class virtually as she cannot "watch" a teacher on a screen. While in school she is in a self contained classroom with a one to one aide. We have asked the school district over and over how distance learning is equitable for our child, as we know it is not. She has a 25+ page IEP and not one of her IEP goals or services are being met or provided through distance learning.

These are just some of the stories we've heard over the past several months. We believe bold and urgent action is needed to address the unmet needs of many students who have disabilities across Minnesota. The provisions in Section 4 of House File 4 are helpful steps and we are grateful for their inclusion. We are eager to work with the author and other stakeholders to ensure that these provisions are best positioned to work and benefit students. If you have any questions, you can contact Maren Hulden, of Legal Aid and the Minnesota Disability Law Center, at mhulden@mnlsap.org.

Thank you for your commitment to the students of Minnesota, particularly students who have disabilities. We hope you will take this opportunity to address their pressing needs.

Sincerely,

