



# **Advocates for Justice and Education, Inc.**

## **The Parent Training and Information Center for the District of Columbia**

**Testimony of Maria Blaeuer  
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**Before the Council of the District of Columbia's Committee of the Whole  
Re-opening District of Columbia Public Schools (DCPS) and District of Columbia Public  
Charter Schools (DCPCS) for School Year 2021-2022 held September 21, 2021.**

My name is Maria Blaeuer and I am the Director of Programs and Outreach at Advocates at Justice and Education (AJE). AJE is the federally designated Parent Training and Information Center (PTI) for the District of Columbia, it is our responsibility to provide free training, resources, individual assistance, and support to parents and youth in navigating the special education process, negotiating school selection and placement, and addressing matters of school discipline, especially for students with disabilities. Naturally, this means we also work with both DCPS and Charter school families. I am excited to see that so many parents are participating today, including many parents at both Charter and DCPS schools who AJE has supported. I encourage you to listen to the experiences of the parents and students who have taken the time to be here today.

My comments today will be focused on what AJE has learned during our over twenty years of work, and what we have learned in our conversations with families about the return to in-person learning.

### **Student Transportation**

For students with disabilities who require transportation as a related service to access their education, OSSE-DOT is not reliable or dependable. COVID has stressed an already over-worked and under-supported system. Student wait times have increased, OSSE-DOT is forcing LEAs to use private contractors due to delays in processing student information, routing and staffing challenges. This is in part because the process by which OSSE-DOT receives information from schools closely resembles an old fashioned telephone tree, and requires that several disconnected databases talk to each other. We encourage the Council, as part of their work, to encourage OSSE to invest in a comprehensive student data management system that meets the needs of DC students, families and LEAs as [recommended](#) by the [Auditor's report](#) earlier this year. Finally, I should share that AJE and other stakeholders have been in conversations OSSE-DOT as part of a working group where some positive and productive problem solving has occurred.

For students who do not receive transportation from OSSE-DOT, we also hear about challenges getting students to school safely, particularly for families where one or more of the parents or guardians has a disability and can not drive or escort a child on public transportation. These families need solutions. We encourage the Council to seriously consider what school choice and diminishing access to walkable/accessible schools mean in a community where access to public transportation is limited and where streets are often not safe and/or accessible.

## **Virtual Option**

Another place where families of students with disabilities, and parents and guardians are struggling is regarding access to a virtual option. The disability of a sibling, parent or other resident of the home is not considered a valid basis for virtual learning. This places parents in a terrible position and sends a message that the health and even lives of disabled or high-risk family members do not matter. Children do not exist in isolation from their families and the needs of the family, including the needs of family members with disabilities must be considered.

LEAs and OSSE are using language that is overly restrictive in [the forms](#) they have provided parents to requests virtual instruction. Determining what accommodations are reasonable and appropriate due to a disability is intended to be a collaborative and interactive process between LEAs and families. By requiring that doctors indicate that a virtual instruction at home is required in order to even consider a student eligible to access a virtual option, LEAs are abdicating their responsibility to engage with families on this issue which should be considered on an individualized basis.

## **Learning During Quarantine**

Many LEAs, but DCPS in particular, are struggling to provide appropriate at home instruction when students are quarantined and many have not invested in the infrastructure to support virtual access to live classrooms and instruction. The current practice we see all too often of asking schools to provide both remote asynchronous instruction and in person instruction is unsustainable for teachers, families and students. We encourage the Council and the Executive agencies like OSSE to support schools in providing high quality instruction during at-home learning/quarantine.

## **Notices regarding Exposure, Quarantine Absences**

Parents are also frustrated by late notices of exposure, shifting definitions of close contact and exposure, and when students (and their siblings) need to quarantine. Also, siblings of quarantining students are often not asked to quarantine, and if they do based on the likelihood of in-home exposure, then those siblings' absences are not deemed excused. This is ridiculous. As any parent can tell you, it is very difficult to keep any virus contained in a home with children, especially with small children. Furthermore, it increases the likelihood of virus spread among students, including those who do not qualify to receive the vaccine. LEAs should not punish families for protecting the health of the school community by not excusing these absences.

## **Readiness to Receive High Need Learners**

Schools, especially DCPS, were not ready to receive high-need students. We spoke with the family of a medically fragile child who was both denied access to virtual learning and whose school was not ready to meet their medical needs at school. Also, students in self-contained classrooms are often not receiving appropriate virtual instruction when quarantining at home.

## **Compensatory Education**

Initial guidance from OSSE (available [here](#) and [here](#)) and [OSEP](#), the Office of Special Education Program in the US Department of Education was very clear that LEAs needed to talk with families about making up missed services and provide compensatory education to students who missed

services, did not receive the education they were entitled to, or who did not make expected progress due to the COVID-19 response. We have heard that subsequent guidance is not as clear to schools. We encourage the Council and the Executive agencies to support LEAs with training and technical assistance to make sure that students with disabilities have access to compensatory education, missed services and other appropriate recovery programming to help them succeed.

### **Communication with Families and Language Access**

Families still struggle to get timely accurate information from their children's schools about LEA policies and procedures. This is particularly true for DCPS families. In April, DCPS was found to be out of compliance with the District of Columbia's FOIA law because it failed to post important policies, manuals and handbooks online for families. For example, [DCPS' policy regarding the use of Restraint and Seclusion is available on AJE's website](#), but not on DCPS' website. Similarly, parents can not find special education program guidebooks on DCPS' website, but instead need to look at AJE's website to find things like the [guidelines for missed services and untimely assessments](#).

Language accessibility remains an issue, and families struggle to get their children's Individualized Education Programs, evaluations and other vital documents translated. Schools often fail to use trained qualified interpreters for meetings, relying on untrained, uncertified school staff with varying levels of capacity to interpret the complex language we often use in special education. AJE has worked with numerous families who have never seen an their child's evaluations or IEP in their native language, and never had a qualified interpreter at their children's IEP meetings.

### **Homeschooling**

We have seen a huge increase in the numbers of families interested in homeschooling, and in our conversations with OSSE we understand that this population is growing. We are concerned that many feel pushed into homeschooling by the failure of LEAs to respond to the needs of students and families with disabilities during COVID. We believe that students with disabilities (both identified and unidentified disabilities) are over-represented in the homeschooled population. This concerns us because a few years ago DCPS unilaterally decided to stop providing equitable services to eligible homeschooling students with disabilities, as they do for private and parochial school students. [AJE testified about these concerns at the State Board of Education](#) hearing this summer and we encourage the Council to review that testimony for more information.

In conclusion, during this return to in person learning we have seen many of the same impacts we have seen in education during the rest of the COVID-19. Individuals with disabilities, non-English speakers and other marginalized communities are disproportionately impacted, accurate and timely information is not available, the needs of families are not centered, and as a result families struggle to make sure that their child has access to the education that they are entitled to.

Thank you for your time and attention. I am happy to answer any questions you may have.