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State Senator
District 8



Oregon State Senate

April 27, 2021

Dear Chair Alonso Leon and Members of the House Education Committee,

Thank you so much for holding an informational hearing about the impact of the COVID-19 pandemic on students on students with disabilities. This is an important topic that will need the continued focus and attention of all education leaders.

It is without question that COVID-19 rocked our education world. I am deeply grateful to the educators, administrators, staff, students, families and others who have demonstrated incredibly resilience, creativity and determination to meet these unprecedented challenges. What has been accomplished for many students in Oregon is extraordinary, and I do not doubt the commitment of our districts or educators to meeting the needs of Oregon students.

Unfortunately, the logistics of comprehensive distance learning had a profoundly and disproportionately negative impact on students with disabilities. For some students, that negative impact will continue even as schools reopen to in person learning. We need renewed focused and dedicated resources to closing these opportunity gaps.

Throughout the pandemic, the delivery of specialized instruction was difficult given scheduling and technology demands for students receiving LRC type supports. For students with significant needs related to physical, intellectual and developmental disabilities, education was in many cases completely inaccessible. Many students were unable to log in to a computer or iPad independently due to physical or cognitive disabilities. Although a large number of these students have IEPs that require 1:1 assistance during the school day, that support was simply not provided during the pandemic. For many students with disabilities in multiple districts across the state, when school opened last fall there was no clear plan for how they would access instruction. In many cases, families were told their children would receive "make up" instruction at some later date.

For students who did not have a parent that could be ready to sit side by side to facilitate learning all day long, instruction was simply unattainable. For many students, these issues were never resolved. As we move to the end of the school year it is unclear when this "make up" instruction will occur, and how these students will recover a year of instruction in time to be caught up for the school year.

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District 8

As schools are opening for in person learning, even more inequities are emerging. Children with disabilities under the age of 16 are not able to be vaccinated. Many of these students, particularly those with Down Syndrome, are at substantial risk of death if they contract the virus. As a result, students under the age of 16 that either experience medical conditions that put them at high risk of COVID complications OR have siblings under 16 at high risk of COVID complications are not able to return to school. It is simply not safe for them to do so.

Unfortunately, this means that for many what little instruction they were able to access over the last year is being stripped away through return to in person learning. This is because nearly all resources are being focused on in person learning, leaving few options for students with disabilities to continue (or start) accessing learning opportunities this school year. Some school districts are requiring students who cannot return to in person school to enroll in online education programs that are not suited to their needs, don't involve synchronous learning, and do not keep them connected with their teacher and peers.

In other districts, like mine, there is a sincere effort to keep kids connected with their classroom communities. However, this comes at the cost of giving up substantial amounts of learning time. In the Corvallis School District, "Cohort C" (the group that cannot return to in person learning) will be transitioning to a school schedule that includes synchronous learning only 25 minutes a week for four days a week, and about two hours on Wednesdays. Meanwhile, students switching to in person learning will have nearly full time school. This is inequitable. Families and youth say they feel abandoned and invisible. For students, the synchronous learning time was their only chance to connect with peers because they are living in families that are, by medical necessity, more isolated than most. As most kids celebrate the increased connection that comes with a return to in person school, many students with disabilities are being put into even greater isolation.

As we talk about equity in COVID response, we absolutely must consider the impact the pandemic has had on students with disabilities. Already these students have some of the lowest graduation rates in the state, often because of lack of access to necessary adaptations and accommodations. Recovering from the losses of this year would be hard for any student, but for these students it is magnified.

There are some steps that districts can take. I hope school districts and the Legislature will focus some of the newly available federal rescue funds to these efforts. Some ideas include:

- Allow students who were in 8-12 grade in the 20-21 school year the opportunity to have two additional years of school. For students in special education, that would mean the ability to continue in Transition services until the age of 23. This would allow them time to receive the compensatory services to which they are entitled, earn their credits towards the diploma they have identified in their personal goal, and not have to

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- sacrifice the essential transition services that help prepare them for independent adulthood and employment.
- Employ full time staff and EAs that can support students online and at home if they are unable to return to in person school. Students who cannot return to school should have the same number of synchronous instruction provided by licensed district teachers as all other students. In addition, those students whose IEPs call for EAs or who newly need an EA for 1:1 support to access virtual learning should be provided those supports. They cannot access FAPE without it.
- For students who CAN return to in person school, special focus must be given to summer learning opportunities so that students can start receiving compensatory education for what was lost this year. This must happen this summer so that the learning losses from this year can be mitigated prior to the start of school this fall
- We need investments in professional mediators that can help parents and districts problem solve to meet the needs of students in a timely, effective, positive and student centered way. Investing in these types of collaborative supports can help head off expensive legal conflicts, keep the focus on students, and ensure that students receive the services and instruction they desperately need as soon as possible.

Thank you for taking the time to read these concerns and for considering these options. I hope as legislators we will each be asking our districts how they are ensuring equity for students with disabilities and those who cannot return to in person school. I also hope we will all be asking for concrete plans about how compensatory education will be offered to those who were denied access to learning because it was not accessible. Finally, we should all be encouraging our districts to allow special education students who have turned 21 this year to return next year for transition classes or to complete the credits they could not access due to comprehensive distance learning.

Most sincerely,



Sara Gelser