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*Sent via electronic mail*

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Dear State Superintendent and BESE Board:

We, the undersigned organizations, advocate for the rights of children and youth across the state. We write to urge you to take proactive and equitable measures to mitigate the impact the COVID-19 crisis has had and will continue to have on access to educational opportunities for Louisiana's students.

This crisis has presented significant and unexpected challenges to educators and schools, and we appreciate the work you are doing to ensure the health and safety of students during this difficult time. This moment has made clear the importance of our public schools, not just in teaching and learning, but also in making sure students have access to food, physical and mental health supports, and robust enrichment opportunities.

Your leadership and commitment to principles of equity and justice are critical in this unprecedented moment. This is why we request that you collaborate with school systems and communities to ensure that pre-existing opportunity gaps do not widen further due to school closures; ensure students with disabilities continue receiving services they're entitled to and that they are provided opportunities to make up for lost educational opportunities; and gather information about how educational services are being provided throughout this crisis, including how student progress will be measured and reported. As you know, many students did not benefit from equitable opportunities to learn before the COVID-19 crisis began, including low-income children, children of color, children with disabilities, English-language learner children, children in immigrant families, children in foster care, migrant children, children experiencing homelessness, LGBTQ children, and children in the juvenile justice system. These children in particular will face significant barriers to accessing the education services and other supports they need during school closures.

The risk is high that pre-existing opportunity gaps will be exacerbated for students who lack access to technology, spaces to learn, and caretakers who can support their learning. The lack of access to resources, expertise, and continued engagement is especially concerning for students with disabilities who may need specialized services. Further, children and youth are facing stress and trauma from the crisis that could affect their ability to focus on learning and their emotional and social well-being. Recent history tells us these impacts may be long-term: research found that it took two full years to recover learning loss that occurred following school closures during Hurricane Katrina.

You will need to address these pre-existing opportunity gaps head on during and after the crisis to ensure that these existing inequities don't jeopardize the future of Louisiana's students and families. The State must take a lead role in guiding and supporting school systems and local education agencies (LEAs) in developing plans on how they will address these issues.

School systems in Louisiana have responded differently to the crisis. Since mid-March, some school systems have provided educational opportunities to students, with attendance and graded work and others have not provided any educational services at all. We realize that each school system faces unique challenges to educate students during this crisis, and we understand that there is no modern-day precedent for how to deliver educational services during a global pandemic. In fact, it is these realities that underscore the need for a coordinated response from the State. Without a statewide investment in resources, evidence-based guidance and support, and robust standards and criteria that measure how school systems have responded to the crisis, the achievement and opportunity gaps are likely to grow exponentially as students throughout the state receive varying levels of educational opportunities for the foreseeable future.

Your responsibilities and duties to students with disabilities is worth noting here. As you are aware, your department (LDOE) has the ultimate responsibility in ensuring that students with disabilities receive a free and appropriate education under federal and state law. This responsibility has continued throughout the crisis, and we have been heartened to see that the department has offered printed materials and resources to LEAs on its website that provide guidance on how to serve students with disabilities remotely. But it is clear that the scope of this crisis and the needs of these students demand more from you. The LDOE's survey of school systems showed that after access to technology, serving students with disabilities was the highest concern of school systems related to the crisis. It is clear that LEAs will need support to provide the necessary interventions to these students during the remote learning period and afterward.

We recognize that the Department has released the Strong Start 2020 guidance to assist school systems in planning for the next school year and applying for funding under the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act. Based on the foregoing, we urge you to keep equity at the center of your statewide strategy to ensure that students have access to meaningful educational opportunities. In planning for the 2020-21 school year, we recommend that the LDOE: require each LEA to detail how it will provide an equitable education to students throughout the school closures and upon the return to the physical classroom; develop a statewide Task Force focused on education equity to assist LEAs in the development of their plans and to monitor the implementation of the plans; and create a plan in its capacity as a State Education Agency that sets forth how it intends to ensure that students with

disabilities receive a free and appropriate education during school closure and upon return to the classroom. These recommendations are outlined in more detail below:

**1. Create a Task Force on Education Equity in light of COVID-19.**

- Establish a diverse statewide Task Force on education equity comprised of parents/guardians, educators, students, counselors, disability rights advocates, and other education experts to help the State and LEAs navigate this crisis.
- The Task Force should engage with families, students, educators, and communities across the state to understand the different challenges and problems that students, families, and communities are facing regarding K-12 education.
- The Task Force should be responsible for reviewing LEAs' plans to ensure that equity is at the forefront of all State and LEA plans – and the implementation of those plans – during school closures and for transitioning back to school once that is safe.

**2. Work with the Task Force to provide State leadership to LEAs and help schools systems collaborate and learn from one another.**

- Provide guidance on effective strategies for reducing education inequities and addressing learning loss during the COVID-19 school closure, over the summer and once schools re-open, including working with districts to ensure that students who rely on school meals continue to receive them, to coordinate supports for students with disabilities, and to ensure students have technology, mental health supports, and other services.
- Gather and share informational resources on effective strategies for reducing education inequities and addressing learning loss during the COVID-19 school closure, over the summer, and once schools re-open.
- Provide training for district and school leadership and for educators on effective strategies for reducing education inequities and addressing learning loss during the COVID-19 school closure, over the summer, and once schools re-open.
- Ensure that the State puts equity at the center of its plans for the use of the new federal funds (the CARES Act), including the Elementary and Secondary School Relief Fund and the Governor's Fund. This includes ensuring these funds are targeted to schools with the highest proportion of marginalized students, and that the funds are used on evidence-based approaches to reducing or eliminating education inequities. The State also must provide transparency on their State plans for the funds and their State reports on how funds were used, including by timely posting these items on the Department's website.
- The BESE Board should review and have final approval of all LEA plans to ensure they promote equity.

**3. Require LEAs to detail how they will use CARES Act funding to support programs and services that address the inequitable and disproportionate impacts that school closures have had on students. At a minimum, the State should require LEAs to:**

- Engage with families, students, educators, and school communities on needs and the development of the LEA plans, and then provide maximum transparency on planned

uses of the new federal funds (posting plans on LEA websites and the SEA website in languages accessible to students/families in the district).

- Demonstrate, with specificity, how the LEA plan is targeting resources to the schools with the highest proportion of students who are low-income children, children of color, children with disabilities, English-language learner children, children in immigrant families, children in foster care, migrant children, children experiencing homelessness, LGBTQ children, and children in the juvenile justice system.
- Demonstrate, with specificity, how the LEA plan is supporting evidence-based approaches to reducing education inequities for students during the COVID-19 school closure, over the summer, and once schools re-open.
- Report, with specificity, how the LEA used funding and resources to reduce or eliminate education inequities for students, during the COVID-19 school closure, over the summer and once schools re-open, and to provide maximum transparency on reported uses of federal funds (posting reports on LEA websites and the SEA website in languages accessible to students/families in the district).

**4. The LDOE should develop a plan to ensure that students with disabilities receive a free and appropriate education during the school closures and upon their return to the classroom. At a minimum, this plan should include:**

- A system for monitoring and oversight of the delivery of special education and related services by LEAs engaged in distance learning.
- Guidance to LEAs on the socio-emotional and academic assessments that LEAs should be conducting when students return to school to evaluate student needs.
- Guidance to LEAs for processes, methodologies, and approaches for determining compensatory education that students should receive as a result of the school closures.
- Guidance on how to LEAs can effectively and efficiently deliver compensatory education to students.
- A process or system for proactively monitoring and reviewing compensatory education decisions made by LEAs in order to ensure that they comply with the requirements of the law.
- A process or system for proactively monitoring and reviewing the implementation of compensatory education decisions by LEAs.
- The creation of an expedited dispute resolution process at the State level for students to appeal compensatory education decisions made by LEAs. This process should be consistent with the due process protections afforded students under the IDEA.
- The publication and distribution to families throughout the state, notice of their potential rights to compensatory education as a result of school closures along with an explanation of how to appeal any compensatory decisions made by LEAs.
- A detailed report on how LEAs delivered special education and related services to students during the school closures and the amount and type of compensatory education that LEAs determined was required as a result of the school closures. A follow-up report should also be made at the end of the next school year assessing the implementation of the compensatory education decisions.

In the performance of all its federally-funded activities, the State must ensure that students most impacted during this crisis are prioritized for instructional and socio-emotional support and opportunities, which includes through: McKinney-Vento services for homeless children, compensatory education services under IDEA for children with disabilities, addressing the technology gap for low-income children and children of color, educational materials and resources in the child's/family's native language, and needed mental health services for students.

Finally, in addition the education related recommendations above, we also urge the State to opt-in to Pandemic-EBT to provide access to food for families who have participated in the school meals program or who have a high level of need. The State should make sure that families have the information they need to seamlessly receive this assistance. The State should also apply for additional months of emergency allotments from the USDA's Food and Nutrition Service (FNS). This would come at no cost to the state and would help ensure that SNAP benefits continue to reach communities.

We are ready to work with you to see that the needs of Louisiana's children are addressed during this extraordinary time. We welcome the opportunity for a meeting to discuss this with you and to answer any questions you may have.

Sincerely,

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