

COVID-19 closures and distance learning continue to wreak havoc for kids with disabilities.

By: [Stephanie Langer](#)

Distance learning has been a challenge for most families but no more than for families with students with disabilities. From the most severe disabilities to the children who just have a hard time staying focused, distance learning does not work for most. This puts families in the impossible position of having to return children to brick and mortar school while the Covid-19 pandemic continues to rage. Some parents have been happy with the option to return their children to brick and mortar schools, but for other families the decision is not so clear. Some families struggle with having to decide to put their health at risk, or the health of a family member, with returning to school. The State of Florida has just made this decision even harder. On November 30, 2020, the State of Florida issued [new guidance](#) for public schools which puts added pressure on school districts to bring more students back into brick and mortar schools for the Spring Semester. Students who are not making adequate progress (obtaining passing letter grades) or not attending school regularly are being required to return to brick and mortar schools. Parents have the choice to keep their children at home, but some Districts are now requiring parents to sign waivers if the select to stay home. Districts are also required to file a Spring Intervention Plan which identifies what additional services and supports will be put into place for students who are struggling. It will be cheaper for districts to provide these additional supports and services in brick and mortar schools rather in student's homes. Thus, school districts are putting tremendous pressure on parents to return to in person school, with little regard for health of the individual family. It is unclear how these waivers will be used against the families who later seek compensatory services to close any achievement gaps associated with the pandemic and distant learning deficits.

Many children with disabilities have health issues that make the decision to return to school a critical one. Some argue that the numbers of infections in school are not so bad so the decision should be an easy one for families, but I think it is more complicated. Florida Department of Health tracks [COVID-19 cases](#) and deaths in the state of Florida. Some of Florida's largest school districts have also created their own dashboards. For example, Miami-Dade County Public Schools maintains its own separate [dashboard](#) showing cases among students and employees. The

dashboard shows a total number of positive cases from October 5 to the present at 4239, with 2849 of those being students. This does not seem so high when you think that there are approximately 350,000 kids enrolled in public school. Even if you assume half are at home, there remains hundreds of thousands of children in brick and mortar schools. But the numbers are rising fast. In just the first week back to school after winter break 545 students and 69 employees have reported testing positive. This number is up from the previous three months. In all of November a total of 581 students tested positive. In December 1072 students tested positive, with a huge spike at the end of December. If, however the numbers continue to rise as expected Miami could see double or triple the number of cases reported in December in just the month of January. Just last week another 451 students tested positive. The numbers still might be low enough to justify the latest push by the state to return kids to brick and mortar schools. But this push will mean more kids in the schools, less social distancing, all with no extra funding to ensure schools are safe.

The new guidance/ emergency order largely maintains emergency accommodations made in response to COVID-19 in early 2020, with the one major tweak being that students who are failing remotely will be automatically transitioned to in-person learning, although the parents can opt for them to remain at home. The new order gives parents the choice of keeping their child home, but it reflects state officials' position that the best place for a child to learn is in the classroom. The Florida Education Association sued the state when Education Commissioner Richard Corcoran initially directed schools to have an in-person option in August 2020. An appeals court ultimately sided with the Governor DeSantis and Commissioner Corcoran, and on Monday, January 11, 2021, the 1st District Court of Appeal denied motions by the Florida Education Association teachers union and other plaintiffs for a rehearing in the case. Thereby ending this push by teachers. There remains a continued push to suspended standardized testing, but to date that effort has failed. Testing remains in place. This week and next most students are engaging in Iready testing which will help determine if students are making progress. Parents of student with disabilities have long known that there are major issues with the public school system. Something that has come to light, like never before, during this pandemic. I recently read a twitter post by Tyler Rablin which was in response to comments about kids falling behind during the pandemic. Mr. Rablin stated, "the only thing they're behind in is our own perception of where they should be" he went on to say, "the content we assign to

grade levels isn't inherent to age. We did that. We can undo that." I agree. We can provide the supports that students and their families need without having to put families in the impossible position of having to choose between their health and a quality education. We can and should do better.