

Ms. Sarah Jane Forman, Esq.  
Office of the State Superintendent of Education  
1050 First Street, NE, Room 338  
Washington, DC 20002

April 2, 2020

Dear Ms. Forman,

Thank you for reaching out to Children's Law Center and the Special Education Advocates Coalition for our input about graduation requirements in light of the COVID-19 pandemic. As you may know, our coalition members represent parents and students with disabilities, low-income students, and students who are incarcerated.<sup>1</sup> Our clients and families are sharing stories of uncertainty, anxiety, financial and interfamilial stress as we all adapt to the new normal. Some of our students are now helping to care for younger siblings, have their school days interrupted to access meals outside the home, struggle to access technology and related services, and are unsure of what the rest of the school year will look like. The stress and anxiety is especially palpable for rising juniors and graduating seniors who may be counting on improving their grades next marking period or who are unsure if they are on track to graduate.

We note that other jurisdictions are experimenting with innovative strategies to help their students move towards graduation. For example, the School District of Philadelphia is shifting to having three marking periods instead of four and are also waiving attendance requirements for the high school selection process.<sup>2</sup> Virginia has waived certain graduation requirements by executive order including completion of required courses like U.S. history, economics or fine arts.<sup>3</sup>

We make these recommendations with an eye towards creating a supportive educational environment where students can gain skills and competency while not being further penalized by the global pandemic that is outside of their control. We hope that these recommendations

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<sup>1</sup> The Special Education Advocates Coalition is a diverse group of organizations and individuals that advocate for students with disabilities. The coalition includes representatives from Children's Law Center, DCASE, AJE, School Justice Project, The Washington Lawyers' Committee, Quality Trust for Individuals with Disabilities, SchoolTalk, Juvenile & Special Education Law Clinic at UDC, DC Appleseed, DCFPI, ULS-DC, parents, and the Public Defender Service for the District of Columbia.

<sup>2</sup> Seat hour requirements may prevent students from being accepted into high schools. Waiving seat hour requirements for students who are being promoted to a high school will be helpful. For the School District of Philadelphia's marking period changes and school selection attendance policy. *See* The School District of Philadelphia. *Coronavirus FAQs*. [www.philasd.org](http://www.philasd.org). (April 1, 2020). Available at <https://www.philasd.org/faqs/#1585255254651-06512db7-87fd>.

<sup>3</sup> For the full list of graduation requirements that can be waived as of April 1, 2020 *see* Virginia Department of Education. *Guidance on Graduation Requirements, Awarding of Credits, and Continuity of Learning*. (April 1, 2020). Available at [http://www.doe.virginia.gov/support/health\\_medical/office/covid-19-grad-credits.shtml](http://www.doe.virginia.gov/support/health_medical/office/covid-19-grad-credits.shtml).

can help OSSE develop flexible guidance which allows all students to meet their educational goals in the midst of these difficult circumstances.

#### Allow students to elect to take classes for a grade, credit/no-credit, or incomplete

In order to accommodate the full range of student needs, we suggest that individual students are given the option to determine how they will take credit for the third and fourth marking period. Some graduating seniors may have a need to improve their GPA in order to qualify for a scholarship or meet college admissions criteria. These students may have been planning to use the fourth marking period to increase their GPA. Other students may be comfortable with the GPA they currently have and would prefer to classes that are graded on a credit/no credit basis. The student who chooses the credit/no-credit option would have their GPA remain the same as what they had earned through the third marking period. This framework will allow students to meet any specific requirements of post-graduation plans while also giving students struggling during this time the flexibility to engage with the curriculum without the pressure of earning a letter grade. We also recommend that a student who is not able to complete their coursework during the public health emergency have the option to receive an incomplete and an opportunity for an extended time line to turn in work for the marking period.<sup>4</sup>

#### Eliminate uncertainty around graduation

We recommend that OSSE also select a cut-off date to evaluate if a student is on track for graduation. For example, if a student was on track to graduate as of March 1<sup>st</sup>, then they can assume that they will graduate as long as they receive a credit/no-credit on their course work for the third and fourth marking periods or if completion of their remaining coursework has been waived (e.g., physical education courses or other courses that cannot be completed using distance learning). DC Public Schools (DCPS) already has a process in place to help students determine if they are on track to graduate. DC Public Charter School Board also has graduation audits at all public charter schools to help students determine if they are on track to graduate. We recommend OSSE use this framework or rubric for all DC students in conjunction with a cut off evaluation date to notify all students about whether or not they were on track to graduate as of March 1<sup>st</sup> and a list of outstanding credits required to reduce uncertainty around graduation.

#### Waive the community service requirement

In order to graduate, each student is required to complete 100 hours of community service.<sup>5</sup> Although DCPS announced virtual opportunities for students to complete their community service requirement, this may be unrealistic for many students. Many of the

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<sup>4</sup> Prince George's County Public Schools is offering their students the option of a pass or incomplete. They will be giving out letter grades for quarters one through three, and then a pass or incomplete for the fourth quarter. All transcripts will be accompanied by a note that explains that fourth quarter grades were earned remotely. See Prince George's County Public Schools. *Continuity of Learning FAQ's. Available at*

<https://www.pgcps.org/Coronavirus/continuity-learning/cards/Continuity-of-Learning-FAQs/>.

<sup>5</sup> 5-A DCMR §2203.11(d).

opportunities are only available to students with access to technology.<sup>6</sup> Further, there are only a limited number of hours students can earn using the virtual community service requirement. We recommend OSSE waive the community service requirement for all students in the June 2020 cohort.

#### Provide guidance on attendance and seat time requirements

After reviewing the OSSE guidance online, SEAC still has questions about how attendance and seat time will be calculated or recorded. We recommend OSSE move away from seat time requirements and move towards ensuring that students are meeting competency goals and standards in their coursework. In the interim, we ask that OSSE provide additional guidance on seat time via the website.

#### Provide additional time to complete coursework

We suggest that OSSE allow for students to have additional time to complete required coursework for the third and fourth marking periods. For example, teachers could allow students to have until August 1<sup>st</sup> to complete their coursework and still receive a June 2020 diploma. This additional time may be especially helpful for students with disabilities who may be struggling to adapt to these new schedules and learning modalities. Students with disabilities are not receiving nearly the same level of supports at home as they would have in the school building. We also anticipate extending the timeline might be helpful for students who struggle to stay engaged in school work due to home and family situations. Students may also be dealing with disruption in the home if they or the adults in their household contract COVID-19. Since this could be a significant number of people in the school community, it will create less administrative burden to build in this flexibility rather than require families to disclose the illness or other "justified" reasons for needing more time.

#### Provide waivers for certain Carnegie Credits

There are going to be certain courses that are going to be very difficult for students to complete remotely (for example physical education). We recommend that OSSE provide waivers or allow for students receive if they are:

1. Students enrolled in the second part of a sequential course
2. Students who have not completed their second credit of a world language course
3. Students who have not completed their physical education/health requirement

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<sup>6</sup> The coalition has significant equity concerns about how individual students will be able to access technology. We acknowledge the work of the D.C. Education Equity Fund and agree with the Mayor's comments that the technology equity gap cannot be completely solved during the pandemic. For instance, ensuring that students who are incarcerated have access to technology to complete their school work has been a long standing now magnified by the public health emergency. We are concerned that offering internet or technology-based options for students will be highly problematic for the most vulnerable students including those who are low income, those who are incarcerated, and those students who receive special education services.

See District of Columbia Public Schools. *Virtual Community Service Opportunities*. (n.d.). Available at [https://dcps.dc.gov/sites/default/files/dc/sites/dc/page\\_content/attachments/Virtual-Community-Service-Opportunities.pdf](https://dcps.dc.gov/sites/default/files/dc/sites/dc/page_content/attachments/Virtual-Community-Service-Opportunities.pdf).

4. Students enrolled in courses where specific materials are required to complete the coursework (i.e.: barbering, art, theater, etc.)

Extended time for summer school registration and extended summer school capacity

We recommend adding extended time for students to register for summer school and an extended summer school capacity for students who may not have been able to complete their coursework during the public health emergency. These students would have the opportunity to make up credits in order to graduate. For this June 2020 cohort, we would recommend that students who complete their credits during the extended summer school session have their diplomas count as June diplomas rather than December so as not to delay post graduate plans.

Ensure that transition planning continues for students with disabilities

We are hearing from some parents of students with disabilities that it is unclear if Rehabilitation Services Administration (RSA) is engaging with students with disabilities remotely. We would like for OSSE to provide guidance to LEAs instructing their Special Education Coordinators to share with parents how they can continue to transition plan and connect with RSA and their Workforce Development Coordinators. RSA is still providing critical services for students and their employment and job search teams are up and running. These teams are offering job postings and providing remote resume review. RSA can also provide guidance and counseling to students about post-secondary opportunities. .

We thank you for the opportunity to provide some suggestions about potential OSSE graduation requirements guidance. Please feel free to contact Elizabeth Oquendo via email at [eoquendo@childrenslawcenter.org](mailto:eoquendo@childrenslawcenter.org) or via phone at 305-793-2634 with any questions or if there are any other areas where our coalition can provide expertise or suggestions.

Respectfully Submitted,

Special Education Advocates Coalition