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## **ELC, Other Advocates Call on State Leaders to Provide Educational Services to All Students in COVID-19 Crisis**

Philadelphia, PA — In a [letter to Gov. Tom Wolf and state Secretary of Education Pedro Rivera](#), the Education Law Center and more than 70 other community, parent, and child advocacy organizations across Pennsylvania called for an executive order and rigorous guidance to schools, requiring them to provide educational services to all children, including individualized programs to meet the needs of students with disabilities and appropriate supports for English learners.

In the letter, advocates expressed grave concern that children, particularly children with disabilities, English learners, and children living in poverty, will be “irrevocably harmed” if they do not receive adequate educational services while schools are closed for an extended period due to COVID-19.

“This crisis has revealed the depth of disparities in educational resources between well-funded and underfunded districts and stark inequities in educational access.” said Maura McInerney, legal director of the Education Law Center, “While some well-funded schools are offering access to virtual learning and modified instruction for students with disabilities, many students in underfunded districts are receiving no educational services at all. Once again, the students who need the most are receiving the least, forcing them to fall even further behind their peers.”

The letter asks the governor and the Pennsylvania Department of Education to send a clear message to public schools that they must provide educational services for all students – including ensuring a free, appropriate public education to students with disabilities and equal access for English learners.

The letter also challenges current [state guidance](#), which states that schools are not required to provide any educational services at all during school closures. This guidance has prompted school districts and charter schools to decline to provide any educational services on the basis that they could not serve all students – particularly those with disabilities. This approach was squarely rejected in [federal guidance](#) released March 21 by the U.S. Department of Education, which explains that civil rights protections like the IDEA cannot be used to prevent schools from offering distance learning opportunities to all students, including students with disabilities. Rather, schools must and should adapt distance learning opportunities to serve all students, including providing a free, appropriate public education to those with disabilities.

Recommendations in the letter include:

- Directing school districts to use category-restricted funds such as transportation dollars to support distance learning, independent study, and other options;
- Supporting public-private partnerships to minimize inequities in access to technology and internet connectivity;
- Convening virtual IEP meetings and using federal IDEA emergency funding to adapt distance learning and other strategies to support students with disabilities;
- Ensuring that English learners receive equal access to the curriculum and educational opportunities.

“This is an extraordinary crisis that demands collaboration and partnership,” said Margie Wakelin, staff attorney at the Education Law Center, “We are hopeful that the state will respond to this challenge by issuing strong guidance that supports our schools to serve all students.”

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*The Education Law Center-PA (ELC) is a nonprofit, legal advocacy organization with offices in Philadelphia and Pittsburgh, dedicated to ensuring that all children in Pennsylvania have access to a **quality public education**. Through legal representation, impact litigation, trainings, and policy advocacy, ELC advances the rights of underserved children, including children living in poverty, children of color, children in the foster care and juvenile justice systems, children with disabilities, English learners, LGBTQ students, and children experiencing homelessness.*