



EDUCATION LAW CENTER

April 2020

To our ELC community: We are thinking of you during this difficult and uncertain time and wishing you good health. ELC remains fully operational, working (now remotely) to ensure all children, especially the most underserved, have access to education while schools are physically closed. Here we highlight some of our recent work.

ELC Urges State Leaders to Ensure Educational Services are Provided

ELC authored a [letter](#) to Gov. Tom Wolf and Pennsylvania Secretary of Education Pedro Rivera [calling for an executive order](#) and rigorous guidance for schools, requiring schools to provide educational services to all children – including individualized programs to meet the needs of students with disabilities and appropriate supports for English learners.

More than 80 community, parent, and child advocacy organizations signed on to the letter, which recommended such measures as directing school districts to use category-restricted funds like transportation dollars to support distance learning; supporting public-private partnerships to minimize inequities in access to technology and internet connectivity; convening virtual Individualized Education Plan meetings; and other suggestions to support Pennsylvania's schoolchildren through this unprecedented crisis.

Your organization can join this advocacy by signing on to the letter [here](#). We are continuing to work with community partners and advocates statewide to provide additional recommendations to inform PDE's guidance and to support schools to serve the needs of underserved students. We anticipate updated guidance from PDE later this week.

The COVID-19 pandemic and resulting shuttering of schools has brought to light – again – the stark inequities facing children in Pennsylvania. While

“This is an extraordinary crisis that demands collaboration and partnership. We are hopeful that the state will respond to this challenge by issuing strong guidance that supports our schools to serve all students.”

-ELC Staff Attorney Margie Wakelin

students in many higher-wealth communities continue to receive services via online instruction, many students in low-wealth districts are facing a complete disruption to their education. We are [highlighting](#) these [disparities](#) via the [media](#). Along with our partners, we continue to gear up for trial in our historic fair funding case, where we are challenging Pennsylvania's inadequate and inequitable public school funding system.

Federal CARES Act Offers Resources and Potential Dangers

Last week Congress passed the [Coronavirus Aid, Relief, and Economic Security \(CARES\) Act](#), which [allocates \\$13.5 billion](#) for K-12 schools, most of that through the Title I aid formula, to be released to states to respond to COVID-19 and related school closures. The act includes an additional [\\$3 billion in emergency funding](#) for governors to allocate to elementary, secondary, or higher education. Despite our collective advocacy to limit this provision, the bill still [allows](#) Secretary of Education DeVos to report back to Congress within 30 days on waivers under the IDEA and Section 504 and grants her broad waiver authority over other education laws. All waivers are expressly limited to the 2019-2020 school year. ELC is working with our national partners to ensure that this act does not exacerbate existing inequities and abandon important rights of students with disabilities.

New Challenges in Our State Funding Advocacy



ELC is continuing our advocacy for adequate and equitable state education funding in a radically changed context, with the economy in a tailspin and [state tax revenues dropping](#). At the same time, through the CARES Act, advocates have helped secure a major [infusion of federal aid to states](#) to mitigate some of the damage from the twin challenges of COVID-19 and recession.

We have learned some lessons from our nation's last big economic crisis just a decade ago — about the need for ongoing rounds of federal support to avoid devastating cuts when state funds run low; and about the importance of protecting the districts with the fewest resources against

the threat of any cuts. We remain hopeful that increases in federal funding will enable Pennsylvania to avoid the catastrophic budget reductions of the Great Recession. ELC will continue to push to ensure that all school districts have the resources they need to meet the needs of students.

Advocating for English Learner and Immigrant Families Through COVID-19

ELC is continuing its advocacy striving to ensure that the educational needs of immigrant, refugee, and asylee families who are limited-English-proficient (LEP) are being addressed. In addition to language barriers in receiving updated information, many families also lack reliable access to medical services, food, housing, technology to access remote education, transportation, and employment.

ELC shared early concerns with several school districts that LEP parents and students were not receiving timely notifications and resources in their preferred languages and highlighted the rights of English learners and LEP parents in statewide advocacy to PDE. There are now some resources available online for English learners in several school districts statewide, and ELC continues to advocate that resources be provided so English learners and LEP parents have meaningful access to vital education instruction while schools remain closed.

In addition, ELC hosted a reconvening of the Education Justice Network for Immigrants and Refugees Stakeholder Group on March 9 in Pittsburgh. Engaged advocates who work with immigrant and refugee families in western PA identified issues faced by English learners and their families and discussed strategies to ensure English learner access and equity in education. Dr. Amanda Godley, professor at the University of Pittsburgh School of Education, presented on best practices for supporting English learners' academic and linguistic growth. In recent weeks, the group has been sharing resources with partners and community organizations to support English learners and their families in navigating issues arising from school closures due to COVID-19.



The Education Justice Network for Immigrants and Refugees Stakeholder Group meeting.

ELC Supports GirlGov Advocacy for Mental Health Supports

ELC's Pittsburgh staff serves as the education justice community partner for GirlGov, a Pittsburgh-based youth leadership program, and their campaign to advocate for more mental health supports in school. As part of the youth advocacy workshop at a March 3 Disability and Mental Health Summit, GirlGov student leaders facilitated conversations with high school students from across southwestern PA about mental health needs in schools and presented their recommendations to a panel of legislators convened by the Jewish Healthcare Foundation.

ELC also supported GirlGov's work to inform the state budget process and ensure that questions about mental health resources were asked in this year's state budget hearings, which occurred in early March. The students were preparing to present at Sen. Lindsey Williams' [Student Voices on Education](#) hearing, which has been postponed.



Members of GirlGov facilitating the March 3 summit.

Understanding Trauma, Disability, and Mental Health through Collaboration

ELC intern Megan Feick, a medical student at Thomas Jefferson University, presented her findings to ELC staff on the relationship between trauma, disability, and mental health this spring. Megan's work with ELC was the product of her participation in [JeffSTARS](#), a university program that seeks to develop medical students' patient advocacy skills while providing community organizations with medical knowledge to advance policy advocacy.



Megan provided current medical knowledge and promising practices on student mental health, highlighting areas where educational practices are failing to respond to mental health needs. The knowledge Megan provided to ELC will inform ELC's school district and statewide advocacy. We wish her well as she starts her pediatric residency at Yale in the fall!

ELC Attorney Cheryl Kleiman Honored with Community Partner Award

ELC attorney Cheryl Kleiman has been honored with the Community Partner Award from the [Pittsburgh Local Task Force on the Right to Education](#) for her



work to ensure that students with disabilities and their parents are provided equitable access to high-quality education and educational resources. Cheryl has played an important role in crafting ELC's strategies to advance education equity for students with disabilities in Pittsburgh – particularly for students at the intersection of race, gender, and disability – which has resulted in significant revisions to Pittsburgh Public Schools' policies and practices. Cheryl was scheduled to receive the award in person in front of

the PPS Board of Directors, the superintendent, and Pittsburgh's advocacy community in March, and we look forward to celebrating this accomplishment in person at a future date. Congrats, Cheryl!

ELC Welcomes Four New Board Members

ELC is thrilled to announce that four new members have joined our board of directors. Welcome to Geneva Campbell Brown, Debbie Carlos, Edwin Mayorga, and Al Motley.



Geneva Campbell Brown is corporate transactions counsel for Cigna, where she focuses her legal practice on a variety of transactional matters, including mergers and acquisitions.

Debbie Carlos is vice president, deputy general counsel of the commercial litigation team at Comcast Cable. She is the principal Comcast Cable commercial in-house litigator responsible for overseeing a team of lawyers, paraprofessionals, and support staff, and for managing Comcast Cable's nationwide commercial litigation portfolio.



Edwin Mayorga is a parent-educator-activist-scholar and an associate professor of educational studies and Latin American/Latino studies at Swarthmore College, working on a wide variety of projects, including directing the Education in our Barrios Project (#BarrioEdProject), a youth participatory action research collaborative working in/with Latinx and BIPOC

communities in Philadelphia. He is also directing a study of school and community partnership models in Philadelphia.

Al Motley is the managing partner at Techademics, a technology company focused on innovation in education, social impact philanthropy, and the nonprofit sector. Al provides outsourced CIO & CTO services to companies nationally.



What We're Reading...

- [Responding to COVID 19: How You Can Support Older Youth in Pennsylvania who are Experiencing Homelessness or Have Experience in Foster Care.](#)
- [The Risks of Threat Assessment to Students are Dire](#), by Harold Jordan in Youth Today.
- [Speaking Up Against Racism Around the New Coronavirus](#), by Coshandra Dillard in Teaching Tolerance.
- [During the Coronavirus Pandemic, We Must Fight for LGBTQ Rights More Than Ever](#), by Corinna Lathan in World Economic Forum.

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