



OPENING STATEMENT

House Committee on Education and Labor

Chairman Robert C. "Bobby" Scott

Opening Statement of Chairman Gregorio Kilili Camacho Sablan (CNMI)

Subcommittee on Early Childhood, Elementary, and Secondary Education Hearing

Addressing the Impact of COVID-19 on Students with Disabilities

Thursday, May 6, 2021 | 2:30 p.m.

Today, we meet to discuss how the pandemic has affected students with disabilities and our responsibility to ensure they have access to free and appropriate education.

As this subcommittee has established, the pandemic has disrupted the education and lives of tens of millions of students across the country. But no group of students has lost more access to education during these lifesaving classroom closures than students with disabilities.

To understand why, we must examine the long-standing barriers to quality education for students with disabilities and how the pandemic has exacerbated these barriers.

For students with disabilities, the promise of equal educational opportunity in federal law is grounded in a basic guarantee: access to free and appropriate public education—in the least restrictive environment—that meets their needs.

Under the *Rehabilitation Act* and *Individuals with Disabilities Education Act*, IDEA, this means that children with disabilities have the right to an individualized education plan that meets their unique needs and prepares them for lifelong learning and independent living—their right.

Unfortunately, even before the pandemic, far too many students with disabilities did not receive the quality education guaranteed by law. While graduation rates for students with disabilities have improved in recent years, students with disabilities still graduate from high school at disproportionately lower rates, and many receive certificates that are not equivalent to a diploma.

In many cases, this is not because students with disabilities are less capable of reaching their educational goals—it is because we have held back on our commitment to meeting their needs.

For far too long, the federal government has underfunded the I-D-E-A and state governments have failed their responsibility to better support students with disabilities. These disparities have fallen hardest on students of color, who are often identified as disabled and then subject to harsher discipline and worse educational settings.

Unfortunately, the barriers to quality education for students with disabilities have only become steeper during the pandemic.

Schools initially struggled to maintain education services for students with disabilities. And—without clear guidance from the Department of Education during the Trump Administration—some schools determined they simply could not comply with I-D-E-A.

However, even with the full support of schools, students with disabilities still face an array of challenges, reflecting the broad diversity of the disabled community. Some students struggle with remote learning without additional materials or parents who can stay home. Many students also cannot receive critical services, like physical therapy, through remote platforms. Schools face challenges to safely reopening classrooms for students with disabilities, who may be more vulnerable to the virus or have difficulty following public health mandates, such as mask-wearing.

But the transition to remote learning has also revealed helpful lessons. Remote communication has allowed some parents to more actively engage with school staff and, for the first time, remotely access support services for their children. Additionally, some students with disabilities have reported being able to focus better in remote environments.

Over the last year, Congress has taken significant steps to meet the needs of students with disabilities. Last year, we enacted several relief packages that secured more than \$65 billion for K-12 education, including funding to support students with disabilities. And, most recently, we enacted the American Rescue Plan, which provided more than \$130 billion to help schools reopen classrooms safely, including relief for IDEA programs.

We were disappointed that, despite the widespread popularity of this package, not a single House or Senate Republican voted for the bill, which provided critical resources for students, schools, and educators.

Nonetheless, while the decision whether or not to open schools is made on the state and local level, the resources in the American Rescue Plan will help schools reopen.

As of the end of February, over 80 percent of K-8 schools were offering some in-person instruction and about half of schools were open full time for in-person instruction for all students. This data comes from before the CDC updated their guidance and before most educators were able to get vaccinated. Schools have continued to re-open to more students in the past several weeks. As vaccines become available to students, re-opening schools for full-time, in-person instruction will no longer pose an imminent threat to students and staff.

However, our work is far from over.

So, we continue today. With the help of our witnesses, we will discuss how we can learn from the lessons of this pandemic to ensure equal access to education for all students with disabilities.

We may disagree on the means, but I know each of us agrees that, now more than ever, we must uphold our promise to give all students with disabilities the opportunity to reach their full potential. That is their right.