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***Sent via electronic mail***

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schools move to

The COVID-19 crisis has underscored and exacerbated existing opportunity gaps in Georgia's public education system. As you know, many students lacked an equitable opportunity to receive academic instruction even before the COVID-19 outbreak began, including

pushout and exclusionary discipline.<sup>1</sup>

The pre-existing opportunity gap for students has widened during school closures. Low-income families and people of color are more likely to experience hardships from COVID-19 caused by the inability to work remotely, inequities in access to technology, and inadequate healthcare.<sup>2</sup>

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<sup>1</sup> See, e.g., 20 U.S.C. § 1400(c)(12)(A); U.S. Commission on Civil Rights, *Beyond Suspensions, Examining School Discipline Policies and Connections to the School-to-Prison Pipeline for Students of Color with Disabilities* (Briefing Report, July 2019), <https://www.usccr.gov/pubs/2019/07-23-Beyond-Suspensions.pdf>.

<sup>2</sup> See, e.g., Hannah Hageman, *New Survey Highlights Racial Disparities in the Coronavirus Pandemic*, NPR (Apr. 14, 2020, 5:48 PM), <https://www.npr.org/sections/coronavirus-live-updates/2020/04/14/834466606/new-survey-highlights-racial-disparities-in-the-coronavirus-pandemic>; J. Edward Moreno, *Black, Latino Communities Suffering*

Students eligible for special education services have experienced disruptions to their Individualized Education Plans (IEPs), including gaps in services and significant modifications in service delivery. While many IEP teams may have done their best to ensure a free, appropriate public education (FAPE) in a challenging time, compensatory services will almost certainly be required.

Further, all students are facing additional stress and trauma caused by the crisis, which impact their ability to focus on learning and their ability to regulate their behaviors. Students have struggled from a lack of structured curriculums, nonacademic programs, and extracurricular activities. Children have lacked social contact with friends, family members, mentors, and teachers. Even as schools move to reopen in the fall, the impact of the losses in education and services due to school closures will be long-term: research found that it took two full years to recover learning loss that occurred following school closures during Hurricane Katrina in New Orleans.<sup>3</sup>

The Georgia Department of Education (GDOE) has the obligation to guide and support local education agencies (LEAs) in remedying and preventing educational losses suffered by students with disabilities, low-income students, and students of color. Further, as you are aware, the GDOE is obligated to ensure that all students with disabilities in the state receive FAPE.

Without a coordinated response from the state which sets robust standards and criteria to measure how various LEAs have responded and continue to respond to equity gaps resulting from school closures, achievement and opportunity gaps will grow exponentially. Inconsistent

2. **Develop and articulate a system to monitor and support the delivery of speci**

