



CALIFORNIA ASSOCIATION OF PRIVATE SPECIAL EDUCATION SCHOOLS

A California Public Benefit Tax Exempt # 51-0195211 501 (c)(3) Corporation

921 Eleventh Street, Suite 501, Sacramento, CA 95814

www.capses.com 916-447-7061

CAPSES mission is to maximize the potential of individuals with disabilities by advocating for them in public policy and by promoting high quality instruction, guidance, therapy and staff development.

Developing a Framework for Decision Making and School-Wide Success

As we bring to a close a school year which saw rapid and mass transition to remote learning, and exposed significant inequities within our system, we now pivot to on-going, and often frustrating conversations about reopening and getting our students back to campuses. With significant shortfalls in budgetary predictions, paired with the novel and uncertain contingencies we must plan around, there has been much frustration within the system on how to successfully develop a plan of action.

Despite the acknowledgement of frustration, it is incredible seeing the collective education community, from the California Department of Education, to Local Education Authorities, and individual private special education schools engaging in the brainstorming and creation process to make more plausible a return to school. It is right for us to applaud the creativity and innovation that our districts and education partners are engaged in, as it speaks to their heart of wanting to meet the needs of the students within their community, and to their dedication as educational professional. A current need is to provide a framework in which those decision makers and innovators can work, helping to empower efficient and informed transitions that are in the health interest of students, while not sacrificing instructional integrity.

Too often we focus on what is not known, and it is true, much of the coming year is uncertain. This makes establishing a plan and contingency planning even more difficult. That said, some things are known. Building on what is known and planning for the uncertainties gives us a foundation to develop a road map to success.

What we know:

- Every student has the right to a public education
- It is the role of schools to prepare citizens and to support and develop communities
- This year will be one of uncertainty, and present the need for efficient and timely decision making on a local and at times individual school level
- Equitable access to instruction must be made to our students in special education as it relates to their general education peers.
- Many LEAs, NPS, and private schools are currently planning for several contingencies, including remote, in-person, and hybrid models of instruction.
- Our system of education is a complex system of locally controlled districts, contractors, and various stakeholders that has direct impact our communities ability to function and succeed
- Districts, contractors, and businesses need a level of predictability and stability in order to function and meet the demands they are tasked to perform
- Extended communities, and businesses beyond schools need predictability in understanding availability of workforce
- Schools provide the larger ability of workforce availability for those businesses and the functioning of our community
- Without a framework of targeted and localized decision making, decisions must be done on a more macro level, creating larger impact on communities, economies, and the ability for our communities to make progress in this crisis



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- Our infrastructure state-wide and within some communities to access remote learning is increasing, but still is lacking and insufficient to support equitable access

What is likely to occur in real time and over the course of the year:

- There will be COVID-19 exposures on school-sites. The level of the exposure is likely to vary based on structural design of school based services.
 - This can include single student/staff exposure, group or cluster exposure, single campus exposure, and so on
- There is likely to be decisions and variations within individual districts related to exposures, so varying models of schooling could exist within one district or one school
- Parents may opt students out of in-person learning, so there will be a need for on-going robust and accessible remote learning

Based on what we know and what is likely, the need for focused and localized decision making is essential in making any return to school plan work. The more we work towards a structure that enables this local decision making, the more agile and focused we can be in meeting the needs of the health challenge, while meeting the instructional needs of our learners.

Recommended actions to empower localized and targeted decision making:

- We need to instill a system of structured flexibility. A framework which empowers local decision making for districts, individual schools, and NPSA where instruction can continue, and the system remains stable through those COVID related decision making processes.
- To clearly define and separate “closure” from remote learning; and related instructional pivots that could be necessary on short term or extended periods due to COVID-19, based on very localized, regional, or statewide decision making.
- Enact an ADA hold harmless measure for the school year enabling districts and NPSA to make localized decisions as it relates to individual campuses, clusters, or students as appropriate through data and potential exposures.
- Provide flexibility around instructional minutes as it relates to variations in potential shifts from in-person to remote learning for individuals, groups, and larger collections of schools across the state.
- Continue to support best efforts in meeting the obligations of IDEA and FAPE, based on informed decision making relevant to the campus a student might be attending; as we’re likely to see instructional approaches vary between and within districts based on COVID-19 exposures or localized decisions.
- Continue efforts to expand and provide access to remote learning capabilities in homes and communities to ensure the on-going and undisrupted instruction of students during isolated or larger scale transitions from in-person to remote learning.

Conclusion:

Schools are facing a logistic challenge like never before seen. To compound this, circumstances for each individual school site within the state are likely to encounter variables which impact decision making. A structure needs to be put into place to allow for focused and local decision making, creating the flexibility



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to have continued instructional practices and operations, even with variation and transition in instructional design, in accordance to health data specific to that individual campus.

It is amazing seeing the work happening in the education world right now within various Counties, LEAs, Nonpublic Schools and Agencies, and private schools; with everyone working towards more informed educational planning while we are in this health crisis. That hard work and innovation needs support and guidance. A framework which empowers informed decision making and removes fiscal contingency is essential in allowing our communities to make health conscious decisions with the flexibility to utilize the instructional tools they have in hand. This benefits all students, and provides protections and infrastructure for our most vulnerable student populations.

We will get past COVID-19 and this health crisis, but while we navigate the current crisis, our educational system needs the structure flexibility and fiscal predictability, outlined above, to rise to the expectations of meeting the needs of our students, and enabling our communities as a whole to begin to open.

Sincerely,

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