

**Congress of the United States**  
**Washington, DC 20515**

April 14, 2020

The Honorable Betsy DeVos,  
Secretary  
Department of Education  
400 Maryland Ave SW,  
Washington, D.C. 20202

Dear Secretary DeVos,

Our nation is currently grappling with an unprecedented switch to home-based learning as school districts close campuses due to the COVID-19 pandemic. While many students risk falling behind, the problem is even more dire for students with disabilities. We were pleased to see that the Department of Education considered the needs of students with disabilities in its March 12, 2020 guidance to schools.

However, we are concerned that the memorandum as released does not provide clear guidance to schools, or local education agencies (LEA), and does not consider the extraordinary circumstances our schools face. The Department's March guidance stated that "if an LEA closes its schools to slow or stop the spread of COVID-19, and does not provide any educational services to the general student population, then an LEA would not be required to provide services to students with disabilities during that same period of time." As a result of the confusion, some school districts initially did not provide online learning to any students.

We believe that all decisions must be made with students' best interests in mind. An all-or-nothing approach is ineffective and harmful to our students. The Department needs to issue additional guidance to share resources and provide recommendations on best practices for teachers who teach students with disabilities. This guidance should consider the collaborative process between parents, and educators who understand their students' needs and abilities.

We call upon the Department to provide robust resources to school districts.

The ongoing crisis has placed a severe burden on families and schools as they work to minimize the disruption to students' learning. As districts continue to extend school closures, we ask for your support and cooperation so that all students can succeed during this unprecedented event.

Sincerely,



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*Member of Congress*

**Judy Chu**  
*Member of Congress*

**Diana DeGette**  
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