



April 28, 2020

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
H-232, The Capitol
Washington, DC 20515

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
317 Russell Senate Office Building
Washington, DC 20510

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
H-204, The Capitol
Washington, DC 20515

The Honorable Chuck Schumer
Minority Leader
U.S. Senate
322 Hart Senate Office Building
Washington, DC 20510

Dear Speaker Pelosi, Minority Leader McCarthy, Majority Leader McConnell, and Minority Leader Schumer:

On behalf of the 1.7 million members of the American Federation of Teachers, many of whom are teachers, classroom aides or specialized service providers to students with disabilities, I write to support the idea of limited and targeted flexibility in the Individuals with Disabilities Education Act mandates, coupled with the need for significantly more resources and innovative broad solutions to assist these students in receiving full and equitable education services during and after the COVID-19 pandemic. These views align with [principles](#) first forwarded by Sens. Chris Murphy (D-Conn.) and Bill Cassidy (R-La.), and I thank them for their bipartisan leadership on this issue.

School systems and families alike are struggling to ensure that all students can access the curriculum when school buildings are closed and social distancing is in effect. Technology tools have provided short-term remedies for most in the face of this crisis, but they have limitations, especially for our most vulnerable populations.

IDEA codified rights of students with disabilities and—through its implementing regulation or through precedent—already includes some flexibility, such as allowing for videoconferencing of IEP (individualized education program) meetings. Employing blanket waivers without first exercising that flexibility undermines the foundational tenets of IDEA.

What educators need are innovative solutions such as using summer learning opportunities (either in person or virtually) to make up lost time and services for students with disabilities. Israel, for example, is staggering the return to school buildings for its students and—in accordance with appropriate health and safety precautions and measures—is allowing students with disabilities to return first. For

The **American Federation of Teachers** is a union of professionals that champions fairness; democracy; economic opportunity; and high-quality public education, healthcare and public services for our students, their families and our communities. We are committed to advancing these principles through community engagement, organizing, collective bargaining and political activism, and especially through the work our members do.

American Federation
of Teachers, AFL-CIO

AFT Teachers
AFT PSRP
AFT Higher Education
AFT Public Employees
AFT Nurses and Health
Professionals

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those school systems that cannot open their buildings soon, we need the resources to make remote learning equitable. Educators and families alike desperately need strong broadband and appropriate hardware to communicate with each other, and adaptive tools in each child's home, which—if children were in a school setting—would be shared among multiple children. Resources will be needed to make robust summer learning programs a reality and to support educators as they continue to learn best practices for remote learning. Along with other education groups, the AFT has proposed \$13 billion for IDEA on top of regular appropriations to weather this crisis. These supports are especially necessary in light of the economic contraction that is decimating state and local revenues, inhibiting the ability of states and school districts to provide the necessary resources for K-12 education.

School systems should work with parents on when and how services can be delivered virtually now or in person as soon as it is safe. Temporary remote learning plans could amend existing IEPs. Congress could provide the framework for this limited flexibility that should sunset when this crisis and its aftereffects are over.

Again, I thank Senate education committee members Murphy and Cassidy for their bipartisan leadership in forwarding the idea of limited IDEA flexibility and encourage other members of Congress to support their framework.

Sincerely,

A handwritten signature in black ink, appearing to read "Randi Weingarten". The signature is fluid and cursive, with the first name "Randi" being more prominent.

Randi Weingarten
President

RW : emc opeiu#2 afl-cio