

NO Additional Waivers Necessary under IDEA

The Coronavirus Aid, Relief and Economic Security (CARES) Act, signed on March 27, 2020, gave \$30.8 billion dollars in emergency relief funds to the USDOE. It also included language giving Secretary DeVos 30 days to tell Congress if she needs additional authority to waive parts of the Individuals with Disabilities Education Act (IDEA). Congress would then have to decide whether to give her that authority. Over 75 disability organizations have advocated that Congress must not jeopardize the core principles of IDEA. The recommendations below sum up the advice they are giving to Secretary DeVos regarding her potential actions concerning IDEA.

Recommendation 1

Continued FAPE for Students with Disabilities

- Includes specialized instruction, related services and accommodations
- Evaluate which compensatory services may be needed and plan to provide as soon as possible

Recommendation 2

Involve parents in all IEP team decisions

- No changes to the IEP without parent notice and consent
- IEP amendments allowed with parent & school agreement
- Use alternate means of participation (video conferences, conference calls, etc.)

Recommendation 3

Keep parents' due process rights intact.

- Engage in meaningful communication with parents
- If complaints arise, try to prepare and investigate without the need for a face-to-face meeting

Recommendation 5

Ask Congress for more funding for states and districts

- Schools must be better supported to build their capacity to educate all students during this national emergency.

Recommendation 4

Ensure spending of federal funds adheres to IDEA

- Scholarships or vouchers should only be given out to participating schools who follow IDEA regulations

