



**Testimony of the Washington Lawyers' Committee for Civil Rights and Urban Affairs  
Committee of the Whole and Committee on Education  
Joint Distance Learning Roundtable**

**October 15, 2020**

The COVID-19 pandemic has highlighted the overarching and important role that public schools fill in our community. At their best, our schools act as community hubs. In addition to providing education, (and this is not an exhaustive list) they help families who are food insecure; they provide critical behavioral health supports; and they provide opportunities for joy – through sports, clubs, and community events. Distance learning should strive to fulfill this promise.

This is a critical time to invite families and students to help imagine a safe, healthy, and supportive school environment. Families – especially Black and Brown families – have borne a disproportionate share of the burdens of COVID-19 and the stress and anguish of police violence in their communities. If DC can't meet the needs of the District's most vulnerable students, they and their families will face a number of cascading issues: Students will fall further behind in school or risk dropping out; parents may lose valuable work time further weakening DC's economy, and families will take longer and longer to recover from this crisis. Investing and prioritizing high-quality neighborhood schools that have the resources they need to flourish is a vital part of addressing racial inequity in our systems.

While we are hopeful that rates of coronavirus infection will continue to fall, we know that some segment of our students and families will likely need distance learning options for most or all of this school year.

Our testimony today focuses on two areas over which the Council should exercise oversight and prioritize for investment in the coming months to ensure that schools provide high quality distance learning experiences.

**(1) Ensure That Vulnerable Students Are Not Left Out of Distance Learning**

The Council must inquire and hold DCPS and charter LEAS responsible for education planning for young people who have been removed from their community and detailed or incarcerated. Learning virtually during this pandemic is rife with challenges: internet connections are unreliable, parents and caregivers cannot assist teachers all day, students lack the supplies they need to fully engage. These challenges are magnified for students who have been removed from their homes, and exponentially harder for those students with disabilities.

As an example: DCPS and OSSE have done abysmal job of planning for and providing a high-quality education for students at the Youth Services Center and the D.C. Jail. It was clear early

on that students at these facilities would need a plan for education delivery during the pandemic, but despite multiple advocacy groups raising the alarm, neither DCPS nor OSSE took no steps to address these young people's needs. As a result, students have not had access – virtual or otherwise – to teaching professionals since March. For the last six months, students at YSC and IYP only received generic, hard-copy work packets distributed and collected by correctional staff. The worksheets within these work packets were not differentiated according to individual students' needs. These packets were often distributed and collected inconsistently, with some students complaining of not receiving new packets for many weeks. Students with disabilities at YSC and IYP did not receive appropriate specialized instruction or related services as mandated by their individualized education programs. The Washington Lawyers' Committee and coalition partners sent a detailed letter regarding this problem and have yet to receive a satisfactory response from DCPS or OSSE.<sup>1</sup>

This continues to be an urgent matter; despite assurances by DCPS, students are still not receiving consistent education, special education, and related services, now five weeks into the school year. We ask the Council to address this matter with agency witnesses and use your oversight authority to ensure that all students' needs are considered and planned for in the next.

## **(2) Digital Equity is Key for Distance Learning**

This Council must ensure that every student in K-12 has a working device and adequate broadband access at home as well as at school. The District's obligation to provide a quality public education for students requires nothing less. But this is not enough: teachers, students and families require technology training and support; accessories, such as headphones, that make engaging in distance learning possible, and a plan for repairing and replacing computers when the inevitable happens.

At the beginning of the COVID-19 crisis, the D.C. public school system estimated that 30 percent of its 52,000 students lack Internet access or computers at home. In light of the economic fallout of the pandemic, the number of students without sufficient internet access likely continues to rise. While most schools have provided computers for most students, there is still unmet need on the very basics: some students do not have devices, or did not receive a device until well after the school year started. Some of the devices aren't working properly. The need for training - on how to use the devices, how to engage in distance learning platforms, how to troubleshoot – is great. And, finally, while not strictly an issue of digital equity, it is important

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<sup>1</sup> "Education Coalition Demands DCPS Chancellor and DC State Superintendent of Education Immediately Provide Appropriate Education to Detained Young People With Disabilities," <https://www.washlaw.org/education-coalition-demands-dcps-chancellor-and-dc-state-superintendent-of-education-immediately-provide-appropriate-education-to-detained-young-people-with-disabilities/>.

to note that many students do not have an adult at home who is readily available to help them manage their device and internet.

The Council should take steps to close the digital divide immediately so that all students have appropriate devices and adequate broadband access in their schools, and create a comprehensive city-wide digital equity plan to ensure all families and teachers have the training and standards needed to close the digital divide.

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The Council has a critically important role to play with regards to oversight and accountability as the DCPS, Public Charter School Board, and OSSE navigate virtual learning and an eventual return to school. This is especially true under our current system of mayoral control, which often isolates parents, students, teachers, and other stakeholders from the decision-making process. We encourage the Council to use its authority to ensure that all students – regardless of race, disability, or income – are receiving a high-quality education.