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## **Testimony of the Education Law Center Regarding Covid Compensatory Services for Students with Disabilities**

*Board of Education of the School District of Philadelphia Action Meeting*  
March 28, 2024

My name is Rebecca Preuss and I am a Staff Attorney at the Education Law Center. I am here today to discuss the District's failure to provide compensatory education services to students with disabilities in the wake of COVID school closures. The reality of the shift to virtual learning in 2020 meant that the majority of students with disabilities did not receive the supports and services to which they were legally entitled. Families throughout the District contacted ELC about students who could not access virtual learning at all due to their disabilities, or students who were denied speech, counseling, or other vital services.

When schools began to re-open, both state and federal departments of education directed school districts to hold meetings and make individualized determinations about compensatory education—or, make up services—that were necessary to remedy the significant learning losses experienced by students with disabilities.

Unfortunately, the District ignored their duty, and students with disabilities have continued to languish far behind where they should be. In March 2023, in response to a complaint filed by ELC, the state ordered the District to convene meetings—with parents—for all students with disabilities (over 22,000 students) who attended the District during the school closures.

As of March 15, the District should have completed those 22,000 meetings. But, there is nothing on the District's website about this process. There have been no trainings or webinars for parents. Many parents report to ELC that they were never invited to a meeting, and never received notice about make up services.

The state recently reviewed 50 randomly selected student files and found that only four meetings were held and only four of the 50 students were offered any compensatory education. This is unacceptable.

To remedy this, we ask the Board to do the following:

- (1) Get the word out to parents by hosting a virtual meeting and adding information about the process to the District's website as occurred in [Pittsburgh](#) and [Los Angeles](#);
- (2) Let District leaders know that the Board is concerned about this issue and wants to ensure fidelity in the process – including reviewing the website and hosting a meeting for parents whose children were denied compensatory education; and

(3) Request a report at its next Action Meeting to ensure that parents participated in IEP meetings and that the thousands of children receive the necessary education make-up services they deserve and are legally entitled to.<sup>1</sup>

Thank you.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Rebecca Preuss', written in a cursive style.

Rebecca Preuss, Esq.

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<sup>1</sup> We would anticipate that most students with disabilities would be eligible for compensatory education services as has occurred in other jurisdictions.