



Massachusetts Department of Elementary and Secondary Education

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Jeffrey C. Riley
Commissioner

November 24, 2020

Mayor Joseph M. Petty
2 Grove Heights Drive
Worcester, MA 01605

Dear Mayor Petty:

I am writing to request further information regarding your plans for providing in-person learning for students with disabilities enrolled in Worcester Public Schools.

As you know, consistent with the Student Learning Time regulations at 603 CMR 27.08(2)¹, the Department of Elementary and Secondary Education (DESE) has released school reopening guidance that prioritizes a return to in-person school for as many students as possible, safely. In the [Initial Fall School Reopening Guidance](#) released on June 25, 2020, DESE stated, “There is a clear consensus from both education and medical groups: we must keep in mind not only the risks associated with COVID-19 for in-person school programs, but also the known challenges and consequences of keeping students out of school.”

On July 9, 2020, DESE released the [Comprehensive Special Education Guidance for the 2020-21 School Year Memo](#) which provided additional guidance for students with disabilities. This guidance states, “Students with disabilities, particularly preschool-age students and those with significant and complex needs, should be prioritized for receiving in-person instruction during the 2020-2021 school year. These students should receive as much in-person instruction as is feasible within the health and safety parameters in effect at each particular time. Even if schools or districts are operating in a hybrid or remote model, educators and administrators must make every effort to continue to provide up to full-time in-person instruction to such students.”

At this time, our records indicate that students with disabilities are not receiving in-person instruction from Worcester Public Schools and because of the size of your district, this impacts a large number of students with significant and complex disabilities and preschool-age students with disabilities. For these particularly vulnerable groups of students, it is vital to have a plan for providing in-person instruction as soon as possible.

We are aware that the Worcester School Committee recently approved a plan for returning to in-person instruction starting in January 2021. I am writing to request more detailed information

¹ 603 CMR 27.08(2) provides: “Upon such a declaration by the Governor or determination by the Board, the Commissioner shall require each district to develop and submit a plan that prioritizes providing in-person instruction to all students in a safe environment.”

about your plan for providing in-person instruction to students with disabilities, particularly those with significant and complex disabilities and preschool-age students with disabilities. As part of your response, please include information about the extent to which students with disabilities are participating in the district's remote model of instruction by describing the daily average attendance rate for students with disabilities for this school year. In addition, we need to know if it is possible to accelerate your proposed timeline for providing in-person instruction to students with disabilities. Please note that your response may initiate an audit to assess overall efforts to provide in-person instruction and to ensure your remote learning program is consistent with state and federal laws and regulations, including 603 CMR 27.

Please submit your written response within 10 calendar days to my attention via Helene Bettencourt, Associate Commissioner of Communication and Planning, at helene.h.bettencourt@mass.gov.

I know we share a goal of providing access to a high-quality education for all students. I look forward to working together to ensure students with disabilities benefit from safe, in-person instruction this school year.

Sincerely,

A handwritten signature in black ink, appearing to read "J. C. Riley". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Jeffrey C. Riley
Commissioner, Department of Elementary and Secondary Education

Cc: Maureen Binienda, Superintendent
Edward Augustus, City Manager