



**Karen B. Salmon, Ph.D.**  
State Superintendent of Schools

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March 30, 2020

Ms. Leslie Seid Margolis  
Chairperson, Education Advocacy Coalition  
[lesliem@disabilityrightsmd.org](mailto:lesliem@disabilityrightsmd.org)

Mr. Wayne Steedman  
Chairperson, Maryland Special Education Lawyers  
[wayne@steadmanlaw.com](mailto:wayne@steadmanlaw.com)

Re: Provision of Education to Students with Disabilities during Pandemic

Dear Ms. Margolis and Mr. Steedman:

Thank you for your correspondence, dated March 19, 2020, regarding the education of students with disabilities during the outbreak of respiratory disease caused by the coronavirus (COVID-19). During this state of emergency, protecting the health and safety of our citizens is paramount, and the Maryland State Department of Education (MSDE) is acting in partnership with the Office of the Governor to ensure a consistent and effective response.

As we contemplate the response to this public health crisis, we remain highly aware of our mission to support high-quality education for all Maryland public school students. Closure of our schools during this pandemic raises a number of concerns, including the potential loss of skill development for our students, especially students with disabilities. This is a concern shared by parents, educators, local school systems, and the MSDE; therefore, as we continue to address this challenge, we are committed to the continuity of learning for all students.

The MSDE is aware of the guidance shared by the United States Department of Education (DOE) confirming a student's right to a free and appropriate public education (FAPE) and equal access to educational opportunities as their non-disabled peers during the COVID-19 pandemic. This guidance has been circulated to the local school systems, and we will continue to ensure compliance with federal law, as well as provide technical assistance to our local school systems as they navigate these rapidly evolving times.

In line with DOE's guidance, the MSDE understands that, during this national emergency, schools may not be able to provide all services in the same manner they are typically provided. The MSDE will exercise available flexibility, within the confines of the law, to provide continuity of instruction for all students, and enforce the right to FAPE for students with disabilities during this difficult time. As you are aware, however, the needs of each student with a disability are unique to that individual student; therefore, we are unable to provide for you information regarding when all educational services will

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Page 2 of 2

March 30, 2020

resume as normal for each student, nor can we direct programmatic decision-making that will be applicable to each student's circumstance(s).

As Maryland prepares to provide continuity of instruction to all students, including students with disabilities, we must continue to work as a community with one common goal; that of meeting the needs of all students during this unprecedented time. Working in good faith and in collaboration with each other will be of benefit to all students. We appreciate your advocacy on behalf of students with disabilities, and we look forward to your cooperation during this national emergency.

Best Regards,

A handwritten signature in blue ink that reads "Karen B. Salmon, Ph.D." The signature is written in a cursive style with a large initial 'K'.

Karen B. Salmon, Ph.D.

State Superintendent of Schools