



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES
OFFICE OF SPECIAL EDUCATION PROGRAMS

DIRECTOR

November 10, 2021

OSEP Policy Letter 21-05

Dear Part B State Directors:

The Department of Education (Department) recognizes the extraordinary disruption that the COVID-19 pandemic has caused our communities for the past 18 months. The Department is encouraged by the return to safe, in person learning for many of our nation's students and the commitment of educators to helping all students make academic progress in the 2021–22 school year.

As we stated in our [August 24, 2021 letter](#), children with disabilities were disproportionately affected by the pandemic compared to their peers without disabilities. Even with the support of the special education and related services required by their individualized education programs (IEPs), some children with disabilities experienced difficulty accessing the general education curriculum in ways that could allow them to make meaningful progress. Parents, educators, and related services providers responded to the unprecedented challenge of the COVID-19 pandemic by finding new ways to collaborate so that the needs of children with disabilities could continue to be met. Despite these efforts, some children with disabilities were unable to progress toward achieving the functional and academic goals included in their IEPs.

The purpose of this communication is to reinforce the Department's priority to monitor States as they meet their general supervision obligations under Part B of the Individuals with Disabilities Education Act (IDEA) so that eligible children with disabilities receive a free appropriate public education in the least restrictive environment in the current school year. The Department expects States to ensure that local educational agencies are complying with IDEA's requirements, including child find, evaluations and reevaluations, and appropriate IEPs. It is equally important that States and LEAs properly address the equitable treatment of all eligible students with disabilities, with a particular focus on those from low-income backgrounds, who are racial or ethnic minorities, who are English learners, and/or who are experiencing homelessness, all of whom were greatly impacted by the pandemic.

Thank you for your attention to this important matter.

Sincerely,

/s/

David Cantrell, PhD
Acting Director