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April 17, 2020

Dear Stockton Unified School District Families & Students,

This letter is to provide clarity on Section 504 Plan compliance by Stockton Unified School District (SUSD) and regarding the closure of your student's school which was recently extended through the end of the 2019-2020 school year.

As previously explained in SUSD communication, it is necessary to close schools to prevent and contain the spread of COVID-19. This determination was made in consultation with the Center for Disease Control (CDC), San Joaquin County Office of Education (SJCOE), and the Department of Public Health (DPH), as well as Governor Newsom's Executive Orders, including the shelter-in-place order.

Stockton Unified School District is dedicated to our students and are providing distance learning as supported by the United States Department of Education (USDOE). The USDOE has stated on a Supplemental Fact Sheet, dated March 21, 2020: "To be clear: ensuring compliance with the Individuals with Disabilities Education Act (IDEA), and Section 504 of the Rehabilitation Act (Section 504), and Title II of the Americans with Disabilities Act should not prevent any school from offering educational programs through distance instruction." The USDOE further understands "during this national emergency, schools may not be able to provide all services in the same manner they are typically provided." In this unique and ever-changing environment, the Office of Civil Rights (OCR) also recognizes that these exceptional circumstances may affect how all educational and related services and supports are provided, and the Department will offer flexibility where possible.

The District recognizes internal timelines and requirements applied to the development of your student's 504 Plan, such as evaluations and annual reviews, may be altered during this COVID-19 event. The District will, to the maximum extent possible, make efforts to hold required 504 Plan meetings through alternate means such as telephone or video conferencing provided you are in agreement with proceeding in this manner. Any face-to-face assessments or observations will be delayed until school reopens.

SUSD will also be taking steps to ensure your student has access to their Section 504 supports and services, to the greatest extent possible, in order to ensure they can access their online/distance learning plan and benefit from the educational program options to the same degree as other students as allowed by circumstances.

We recognize that the impact of school closure will vary substantially among students, their families, teachers and staff, as well as the entire community. SUSD's primary concern is to prioritize the long term health and well-being of its students, families, and employees, and is committed to mitigating the impact of school closure on each student upon reopening.

Please find attached a "Notice of Action" that documents the changes needed at this time for your student's 504 records. Also attached is a copy of your Parent/Guardian Rights and an update about the cancelation of this spring's state testing. Please contact our Child Welfare and Attendance Department if you have any questions about this letter. Our team members are working to support and respond to your needs and will make every effort to assist you.

Respectfully,

Katrina León, Ed.D.  
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Attachments:

Notice of Action –Covid-19 (form 11)

Parent/Guardian Rights (form 4)

504 Update on Testing