



The Advocate

Summer 2020

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Advocacy Efforts

NCPEID's Involvement at the Local Level

The past few months have been busy the involvement of NCPEID in local advocacy efforts with the reinstatement of the Portland, Oregon school districts' decision to eliminate the Adapted Physical Education.

Drs. Garth Tymeson and Suzanna Dillon supported Portland School District (PSD) APE teachers as they worked to reverse the PSD School Board's decision to eliminate the APE department and program (see section below). While, this campaign was successful in getting the APE program reinstated it was moved administratively to Physical Education from Special Education. In situations like this, APE teachers across the country will need to be diligent in reminding their administrators that: 1) APE is still a special education service; 2) their workload/"billable hours" remain a part of Special Education services; and 3) APE services must be included calculations for the local education agency in meeting the mandates of IDEA's Maintenance of Effort (MOE).

Further, as school districts/local education agencies consider how to return to school in the fall while still in the midst of a COVID-19 pandemic, they may decide to eliminate or reduce physical education offerings. In these instances, APE teachers may need to remind administrators and other special education decision makers that if APE is documented on the IEP then those services continue regardless of whether their peers without disabilities receive physical education.

NCPEID's Involvement at the National Level

Fiscal Year 2021 Appropriations and IDEA Funding: September 30 marks the end of the FY2020, so the Appropriations Committee worked in early July on subcommittee markups (July 6, 7, 8 and 9). The bill that includes education funding was scheduled for July 7. The IDEA Full Funding Coalition, of which NCPEID is a member, has again requested that IDEA be funded at the full 40% intended when Congress passed PL 94-142 in 1975. This letter signed on by NCPEID as well as The School Superintendents Association (AASA), Council for Exceptional Children (CEC), the National Parent Teacher Association, Autism Society of America, etc., clarifies that the request for full funding of IDEA in FY2021 does not negate the need for additional COVID relief to support schools.

While the recent CARES Act included funds for education, these funds are not sufficient to meet the needs of PK-12 schools and institutes of higher education amidst the COVID-19 pandemic. To address this issue, the House of Representatives passed the \$3 trillion HEROES Act in mid-May that allocates \$90 million to Department of Education with funds distributed to PK-12 schools (65%) and higher education (30%), though the Senate will likely not take up this bill until well after the July 4 recess.

This spring NCPEID also joined Active Policy Solutions, the American Association of Adapted Sports Programs (AAASP), the National Council of Youth Sports (NCYS), the National Fitness Foundation (NFF), Team Prime Time and others as members of the Promoting Local and Youth Sports (PLAY Sports) Coalition. The coalition was formed to ensure that youth and local sports survive this



pandemic, and that youth, especially underserved youth and those from communities significantly impacted by COVID-19, have opportunities for the development of physical and mental health, character and leadership available through sport.