

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]  
Date: Mon, Sep 27, 2021 at 5:37 PM  
Subject: Re: School Attendance  
To: Gros, Penny <[pmgros@fcps.edu](mailto:pmgros@fcps.edu)>

Dear Mrs. Gros,

Additionally, if FCPS does not want to provide reasonable accommodations under the ADA in FCPS Virtual for [REDACTED] and [REDACTED] then please do not delay, - do a medical transfer today for them to Virtual Virginia. I've requested this before as well.

Thank you,  
[REDACTED]

On Mon, Sep 27, 2021 at 5:17 PM [REDACTED] wrote:

Dear Ms. Gros,

I never got a reply from you on my last email to you?  
Can you please follow up on that?

What assignments and instructions have been shared with them? Which teacher has called to make sure it's clear what assignments are and what they're to do to complete them?

As a matter of fact my children have been in Schoology, ST Math and Imagine Literacy. For example, please see a picture attached of [REDACTED] time today on ST Math for 70 minutes and 45 puzzles. Even over the weekend [REDACTED] was working on his math and reading. I even ordered "Esperanza Rising" for my 5th grader from Amazon after finding out they are reading it in class, not because of any communication directly from her teacher or school to me and what they're doing in class with the book or how to answer any questions they're working on in class. I've also bought with my own money grade level workbooks that they work in each subject daily. Yet, we haven't received any grade level instructions from any FCPS teacher despite requests for ADA accommodations for virtual learning. Additionally, when my children logged in to check work it says things like will discuss in class or links not working and absolutely no information has been sent to us on how to complete assignments or what is the content required in the assignments to be uploaded. Furthermore, it is / on who on several instances asked for homework and class work to be sent home for them to do. Why hasn't FCPS sent any classwork or homework home for them despite my pleas to send the work home or me offering to pick it up from [REDACTED]?

You said you remain extremely concerned that the children have not attended face to face instruction? This is the first instance of anyone from FCPS, including you, expressing "concern" to me, why are you saying remain? Why now are

you showing concern? Because I've exercised my rights under the ADA and have filed an OCR complaint that OCR is now looking into since the last time I emailed you?

I have submitted to you numerous times the medical directive from the Pediatric Cardiologist dated 8/17/2021 where it says the children should continue distance learning because of a substantial risk of death from Covid-19. Please also see the letters attached again for your reference. [REDACTED] in particular has had a lot of Covid-19 cases even in my children's assigned classroom. I asked for a reasonable accommodation under the ADA. ADA is very clear on asking for reasonable accommodations.

1. Why are you saying to attend face to face as an option when their Pediatric Cardiologist has said no?
2. The information you originally sent regarding the virtual program stated the two criteria is documentation and documentation from a medical professional or even a counselor. I've sent you medical documentation from a Pediatric Cardiologist. I've asked before, what else exactly is needed from the doctor and I'll ask the Pediatric Cardiologist on your behalf to send the specific info you're requesting. So again, what specific info are you requesting from the Pediatric Cardiologist?
3. The Pediatric Cardiologist has submitted documentation regarding continuing virtual learning because of a substantial risk of death from COVID-19 for [REDACTED] and [REDACTED]. We've requested this be accommodated under the ADA. I've sent this to the Social worker, several FCPS managers and you as well. Why are you pushing us to Homebound services, instead of providing reasonable accommodations under the ADA?
4. The Pediatric Cardiologist has submitted documentation regarding continuing virtual learning because of a substantial risk of death from COVID-19 for [REDACTED] and [REDACTED]. We've requested this be accommodated under the ADA. I've sent this to the Social worker, several FCPS managers and you as well. Why are you pushing us to Homeschool instruction, instead of providing reasonable accommodations under the ADA?
5. The Pediatric Cardiologist has submitted documentation regarding continuing virtual learning because of a substantial risk of death from COVID-19 for [REDACTED] and [REDACTED]. We've requested this be accommodated under the ADA. I've sent this to the Social worker, several FCPS managers and you as well. Why are you pushing us to a private or parochial program, instead of providing reasonable accommodations under the ADA?

Lastly, this forcing into options other than simply providing reasonable ADA accommodations is retaliation. ADA requires the public entities provide reasonable accommodations, not discriminate against persons with disabilities, and not retaliate against those exercising their rights under the ADA. I'd really appreciate answers to all of my questions.

Thank you,  
[REDACTED]

On Mon, Sep 27, 2021 at 3:45 PM Gros, Penny <[pmgros@fcps.edu](mailto:pmgros@fcps.edu)> wrote:

Good morning [REDACTED],

I am writing to follow-up again on your request for the virtual program for [REDACTED] and [REDACTED]. We remain extremely concerned that the children have not attended face to face instruction at [REDACTED] at all this school year after participating this summer in face to face instruction. In addition, your children have not accessed any of the assignments and instruction that have been provided through Schoology for them. The Code of Virginia requires that all children, aged five to eighteen, attend school each day unless excused for