

The State's School Reopening Plan Leaves Unanswered Questions How Parents Can Influence Their District Reopening Plan

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On June 26, the New Jersey Department of Education (NJDOE Plan) published its reopening plan, [The Road Back, Restart and Recovery Plan for Education](#). It provides detailed guidance in areas such as education services for general education students and COVID-19 health and safety standards, but very little guidance for how schools must educate students with disabilities.

Parents, however, should play an important role in the development of the reopening plan. Don't miss the opportunity to have your voice heard!

The [NJDOE Plan](#) raises questions and possible cause for concern for all parents, but perhaps even more so for those of children with disabilities and other special populations such as ELL students, homeless, low-income and at-risk students.

How the needs of students with IEPs/504 Plans or those eligible for disability services will be met in the 2020-2021 school year remains unclear. Districts still have broad discretion regarding how to implement IEPs/504 plans. No further details have been provided regarding the obligations of school districts for these students other than what has already been stated by United States Department of Education and NJDOE since schools closed in March. Here are some issues parents/guardians should consider and how they can influence their district's reopening plan:

■ **Student's need for in-person instruction/related therapies.** The district's obligation to a student with a disability who has demonstrated that the remote model is not effective remains unclear. Note that in The Plan, "in-person instruction" is not defined "as student time spent in front of a teacher or in front of a screen," but rather when a student receives "standards based learning" under the guidance and direction of a teacher. Also, while districts are required to provide 4 hours of daily instruction, this can be satisfied by a combination of in-person, hybrid and remote models.

◇ If the school will not provide in-person instruction, the parent may make a written request for an IEP/504 plan meeting to discuss in-person instruction and demonstrate why it's necessary.

■ **Compensatory education.** The NJDOE Plan re-states the district obligation to review data/student progress, assess where critical skills were lost and impact of missed services and determine the need for additional services to address learning. It recognizes a "high likelihood that students made less than a full year of academic growth." Due to anticipated delays in completing child study team evaluations and assessing the impact of missed services, what is a district's obligation to prevent further harm to students caused by school closures and to ensure continuity of learning? Child study teams and parents can consider this:

◇ An IEP/504 team could presume compensatory education is needed to create a new IEP. Thus, additional services can be provided while waiting for the child study team evaluations.

◇ The IEP/504 team can rely on appropriate existing outside evaluations or agree to reimburse parents for outside evaluations if this speeds up the evaluation/assessment process.

◇ If there isn't enough school staff to provide make-up services within a reasonable time, parents may request that the district reimburse or pay for community-based therapies.

■ **Attendance.** Districts are encouraged to consider creative, flexible solutions based upon things such as a parent's schedule or the fact that some students may better engage in learning at night.

◇ Parents should ask how attendance policies will be implemented equitably so students aren't unfairly disciplined, and get education services that comply with their IEP/504 plan.

■ **Scheduling.** To maintain social distancing/cleanliness standards, districts may choose a hybrid scheduling plan to reduce class sizes. The Plan offers examples such as creating cohorts of students by grade and alternating in-person class instruction with remote learning at home.

◇ Parents may wish to question enforcing this protocol for students in a self-contained or resource room settings, which have much fewer students.

■ **Technology.** Districts must ensure all students have access to technology as soon as possible.

◇ Ask your district what it is doing to address any technology gaps.

■ **Transportation.** Districts may choose to eliminate "courtesy" bussing if it's too burdensome to transport students in compliance with social distance/cleanliness guidelines.

◇ Parents should ask how a student whose IEPs requires transportation will be provided safe transportation to school.

■ **Career and technical education.** Parents of students whose IEP requires career and technical education and work-based learning should ask the district how these services will be provided in a safe manner.

■ **Social-Emotional Learning (SEL).** The Plan advises districts to implement SEL programs that address any trauma students may have suffered as a result of the COVID-19 pandemic. In order to create connections and reflection among students, families and staff, districts are also advised to hold virtual town meetings, small group online meetings and use surveys. Students with disabilities are entitled to special considerations since their SEL needs may require additional services than general education students.

◇ Parents may request that SEL be considered in the IEP/504 plan development/amendment for the 2020-2021 school year.

■ **Mental health needs.** A student's mental health needs and gaps may be addressed by their districts through a mental health needs assessment tool such as the "SHAPE" system.

◇ Parents who believe that their child may benefit from mental health supports should make a written request to the child

study team/504 team and their school principal for an assessment.

■ **Struggling students without an IEP/504 plan.** School districts should offer Multi-tiered Systems of Support (MTSS) to address the needs of students that are struggling academically. Districts are encouraged to use a universal screening tool, in person or remotely to assess the student's needs and "to drive instructional decisions." If the district uses a remote screening tool, it must ensure that students have all necessary software, hardware and internet access.

◇ Parents may write to their school principal and guidance counselor to request that their child receive this screening tool.

HOW PARENTS CAN INFLUENCE SCHOOL DISTRICT REOPENING PLANS

Districts have been asked to try to complete and share a reopening plan at least four weeks prior to the start of school with the directive to include stakeholders' input in the development process. The district must appoint a "Restart Committee" made up of school administrators, board members, local education associations, content experts, parents, students and educators.

Districts should engage families in developing the reopening plan by: surveying parents, involving parents on district level planning teams, communicating plans using multiple platforms and languages and conducting virtual town hall meetings and home visits. Parents, especially those of students with special needs, have an opportunity to address some of the questions that remain unanswered.

How parents can ensure they are included in the reopening plan:

- Contact the district's Board of Education to ask how they will engage a diverse group of parents that represent the interests and needs of all the district's special student groups;
- Ask the superintendent/board president how to be part of the Restart Committee;
- Ask if the district will use surveys and how it will ensure all families complete a parent survey before a reopening plan is finalized;
- Ask whether and where parent survey results will be posted and how results will be used, and;
- Request details about any virtual town hall meetings.

For assistance, contact Nina Peckman, Staff Attorney at npeckman@acnj.org or (973) 643-3876 x226.