

## **Policies/Regulations First Reading August 19, 2020**

### **POLICY 1648 - Restart and Recovery Plan (M) (New)**

*Info: On June 26, 2020, the New Jersey Department of Education (NJDOE) published “The Road Back - Restart and Recovery Plan for Education” (NJDOE Guidance), a guidance document for reopening New Jersey schools in September 2020 during the COVID-19 pandemic. School districts are required to develop a Restart and Recovery Plan (Plan) for the reopening of schools for September 2020 that is consistent with the NJDOE Guidance. The NJDOE Guidance indicates each school district must develop, in collaboration with community stakeholders, the details of their Plan to reopen schools in September 2020. Strauss Esmay has developed a Plan Template a school district may use in developing their Plan.*

*The Plan Template includes items a school district should incorporate into their Plan referred to as “anticipated minimum standards” in the NJDOE Guidance and identifies those areas where the school district must develop protocols that best fit the district’s local needs. The Plan Template is designed to have a school district insert its locally developed protocols into an Appendices section of the Plan Template, which would complete the school district’s Plan.*

*Strauss Esmay has reviewed the NJDOE Guidance and identified those areas that require a Board Policy. In addition, we have identified areas in the NJDOE Guidance that indicate the school district “must” take specific action. Policy Guide 1648 – Restart and Recovery Plan is a Policy Guide that includes the areas in the NJDOE Guidance that require a Policy and areas in the NJDOE Guidance that indicate a school district must take specific action. Sections of the Policy Guide reference Appendices that must be attached to this Policy. These Appendices are the same locally developed protocols school officials included in the school district’s Restart and Recovery Plan.*

*The school district must attach Appendices C, E, F, G, K, N, and O from the district’s Restart and Recovery Plan to Policy 1648 in order to meet the Policy requirements of the NJDOE Guidance.*

*Strauss Esmay believes adopting one Policy that addresses the NJDOE’s Guidance and having to abolish just one Policy when this pandemic is over is preferred to revising six or seven policies now and then revising the same six or seven policies when this pandemic is over. This Policy Guide shall only be effective through the current COVID-19 pandemic and will take precedence over any existing district Policy or Regulation on the same or similar subject, unless determined otherwise by the Superintendent.*

*Policy Guide 1648 is Mandated*

On June 26, 2020, the New Jersey Department of Education (NJDOE) published “The Road Back - Restart and Recovery Plan for Education” (Guidance), a guidance document for reopening New Jersey schools during the COVID-19 pandemic. The Guidance provided school officials with the information necessary to ensure that schools reopen safely and are prepared to accommodate staff and students’ unique needs during these unprecedented times. The NJDOE required school districts in the State to develop, in collaboration with community stakeholders, a “Restart and Recovery Plan” (Plan) to reopen schools that best fits the district’s local needs.

The Guidance requires the Board of Education to adopt certain policies and the Board adopts Policy 1648 to address those policy requirements in the Guidance. Policy 1648 shall only be

effective through the current COVID-19 pandemic and will take precedence over any existing Policy on the same or similar subject, unless determined otherwise by the Superintendent.

A. NJDOE Guidance – Key Subject Area 1 – Conditions for Learning

1. Transportation

a. If the school district is providing transportation services on a district-owned school bus, but is unable to maintain social distancing, a face covering must be worn upon entering the school bus by all students who are able to do so in accordance with A.2.c. below.

(1) Accommodations for students who are unable to wear a face covering should be addressed according to that student's particular need and in accordance with all applicable laws and regulations.

b. The school district shall use best practices for cleaning and disinfecting district-owned school buses and other transportation vehicles in accordance with A.3. below.

c. District-employed school bus drivers and aides on district-owned school buses shall practice all safety actions and protocols as indicated for other school staff.

d. If the school district is using contracted transportation services, the contractor shall ensure all Board of Education safety actions and protocols are followed by the contractor and its employees and/or its agents.

[See Policy Guide 1648 – Appendix C for the protocols/procedures for “Transportation” which is also included in the school district’s Restart and Recovery Plan.]

2. Screening, Personal Protective Equipment (PPE), and Response to Students and Staff Presenting Symptoms

a. The school district shall screen students and employees upon arrival to a school building or work location for COVID-19 symptoms and a history of exposure.

(1) School staff must visually check students and employees for symptoms upon arrival (which may include temperature checks) and/or confirm with families that students are free of COVID-19 symptoms.

(2) Health checks must be conducted safely and respectfully, and in accordance with any applicable privacy laws and regulations.

(3) Results must be documented when signs/symptoms of COVID-19 are observed.

(4) The screening protocol will take into account students and employees with disabilities and accommodations that may be needed in the screening process for those students and employees.

(5) Students and employees with symptoms related to COVID-19 must be safely and respectfully isolated from others.

(6) If the school district becomes aware that an individual who has spent time in a school district facility tests positive for COVID-19, district officials must immediately notify local health officials, staff, and families of a confirmed case while maintaining confidentiality.

b. School staff and visitors are required to wear face coverings unless doing so would inhibit the individual's health or the individual is under two years of age.

(1) If a visitor refuses to wear a face covering for non-medical reasons and if such covering cannot be provided to the individual at the point of entry, the visitor's entry to the school/district facility may be denied.

c. Students are strongly encouraged to wear face coverings and are required to do so when social distancing cannot be maintained, unless doing so would inhibit the student's health. It is also necessary to acknowledge that enforcing the use of face coverings may be impractical for young children or individuals with disabilities.

(1) Accommodations for students who are unable to wear a face covering should be addressed according to that student's need and in accordance with all applicable laws and regulations.

d. Exceptions to the Requirement for Face Coverings

(1) Doing so would inhibit the individual's health.

(2) The individual is in extreme heat outdoors.

(3) The individual is in water.

(4) A student's documented medical condition, or disability as reflected in an Individualized Education Program (IEP), precludes the use of a face covering.

(5) The student is under the age of two and could risk suffocation.

[See Policy Guide 1648 – Appendix E for the protocols/procedures for “Screening, PPE, and Response to Students and Staff Presenting Symptoms” which is also included in the school district’s Restart and Recovery Plan.]

### 3. Facilities Cleaning Practices

a. The school district must continue to adhere to existing required facilities cleaning practices and procedures and any new specific requirements of the local health department as they arise.

b. A procedure manual must be developed to establish cleaning and disinfecting schedules for schools and school equipment, targeted areas to be cleaned, and methods and materials to be used.

[See Policy Guide 1648 – Appendix G for the protocols/procedures for – “Facilities Cleaning Practices” which is also included in the school district’s Restart and Recovery Plan.]

### 4. Wraparound Supports

#### a. Mental Health Supports

The school district’s approach to student mental health supports will be affected by the learning environment in place at the beginning of the school year. If in-person instruction is not feasible, the district must find other ways to assess and monitor students’ mental health.

[See Policy Guide 1648 – Appendix K for the protocols/procedures for “Academic, Social, and Behavioral Supports” which is also included in the school district’s Restart and Recovery Plan.]

### 5. Contact Tracing

a. Upon notification that a resident has tested positive for COVID-19, the local health department will call the school district to determine close contacts to whom they may have spread the virus, where close contact is defined as being within six feet for a period of at least ten minutes.

b. The school district shall assist the local health department in conducting contact tracing activities, including ongoing communication with the identified individual and/or their contacts.

c. The school district shall ensure adequate information and training is provided to the staff as necessary to enable staff to carry out responsibilities assigned to them.

d. A staff liaison(s) shall be designated by the Superintendent or designee and shall be responsible for providing notifications and carrying out other components that could help ensure notifications are carried out in a prompt and responsible manner.

e. School districts shall allow staff, students, and families to self-report symptoms and/or suspected exposure.

[See Policy Guide 1648 – Appendix F for the protocols/procedures for “Contact Tracing” which is also included in the school district’s Restart and Recovery Plan.]

B. NJDOE Guidance – Key Subject Area 2 – Leadership and Planning

1. Scheduling

a. The school district’s Plan must account for resuming in-person instruction and shall provide steps to shift back to virtual learning models if circumstances change and in-person instruction guidelines can no longer be followed.

b. The school district’s Plan accommodates opportunities for both synchronous and asynchronous instruction, while ensuring requirements for a 180-day school year are met.

c. The school district recognizes special populations will require unique considerations to ensure the continuity of learning as well as the health and safety of students and staff within the least restrictive environment.

(1) Special Education and English Language Learners (ELL)

(a) The school district shall provide educators with professional development to best utilize the accessibility features and accommodations tools made available through technology-based formats in accordance with this Policy.

- (b) The school district shall continue to ensure students receive individualized supports that meet the requirements of the IEP and 504 Plans.

[See Policy Guide 1648 – Appendix N for the protocols/procedures for “Scheduling of Students” which is also included in the school district’s Restart and Recovery Plan.]

## 2. Staffing

- a. The school district shall comply with all applicable employment laws when making staffing and scheduling requirements, including, but not limited to, the Americans Disabilities Act (ADA), the Health Insurance Portability and Accountability Act (HIPPA), and all applicable State laws.

- b. As the school district adjusts schedules, teaching staff members must maintain quality instruction for students pursuant to the minimum requirements set forth in NJDOE regulation.

[See Policy Guide 1648 – Appendix O for the protocols/procedures for “Staffing” which is also included in the school district’s Restart and Recovery Plan.]

## C. NJDOE Guidance – Key Subject Area 3 – Policy and Funding

### 1. School Funding

- a. Purchasing

The school district may likely need to purchase items not needed in the past and may experience increased demand for previously purchased goods and services to implement the Plan. The school district shall continue to comply with the provisions of the “Public School Contracts Law”, N.J.S.A. 18A:18A-1 et seq.

- b. Use of Reserve Accounts, Transfers, and Cashflow

The school district shall apply for the approval from the Commissioner of Education, prior to performing certain budget actions, such as withdrawing from the emergency reserve account or making transfers that cumulatively exceed ten percent of the amount originally budgeted.

- c. Costs and Contracting

The school district shall follow all New Jersey State laws and regulations applicable to local school districts for purchasing when procuring devices and connectivity or any technology related item.

D. NJDOE Guidance – Key Subject Area 4 – Continuity of Learning

1. Ensuring the Delivery of Special Education and Related Services to Students with Disabilities

a. The school district shall continue to meet their obligations to students with disabilities to the greatest extent possible.

2. Professional Learning

a. The school district shall prepare and support teaching staff members in meeting the social, emotional, health, and academic needs of all students throughout the implementation of the Plan.

(1) Professional Learning

(a) The school district shall grow each teaching staff member's professional capacity to deliver developmentally appropriate standards-based instruction remotely.

(2) Mentoring and Induction

(a) The school district shall ensure:

(i) All novice provisional teachers new to the district be provided induction;

(ii) One-to-one mentoring is provided to novice provisional teachers by qualified mentors;

(iii) Mentors can provide sufficient support and guidance to novice provisional teachers working in a remote environment;

(iv) Mentoring is provided in both hybrid and fully remote learning environments and that mentors and provisional teachers will agree upon scheduling, structure, and communication strategies they will use to maintain the mentoring experience; and

(v) The use of online collaborative tools for school staff to remain connected to other mentors, new teachers, and administrators to maintain a sense of communal support.

(3) Evaluation

(a) The school district has considered the requirements and best practices with provisional status teachers, nontenured educators, and those on Corrective Action Plans (including extra observations, extra observers, assuring more frequent feedback and face-to-face).

3. Career and Technical Education (CTE)

a. The school district shall implement innovative learning models for new learning environments regarding CTE.

b. Quality CTE Programs

The school district shall ensure students have access to appropriate industry-recognized, high-value credentials.

c. Work-Based Learning

The school district will ensure students are provided the opportunity to participate in safe work-based learning, either remotely (simulations, virtual tours, etc.) or in-person.

New Jersey Department of Education “The Road Back – Restart and Recovery Plan for Education”

Adopted:

**POLICY 1648.02 – Remote Learning Options for Families (M) (New)**

On July 24, 2020, the New Jersey Governor and the Commissioner of Education published a supplemental guidance document titled “Clarifying Expectations Regarding Fulltime Remote Learning Options for Families 2020-2021” as a result of the COVID-19 pandemic. This supplemental guidance includes an additional “anticipated minimum standard,” as this phrase is used throughout “The Road Back: Restart and Recovery Plan for Education” (NJDOE Guidance). This additional “anticipated minimum standard” provides that, in addition to the methods and considerations explicitly referenced in the NJDOE Guidance for scheduling students for in-person, remote, or hybrid learning, families/guardians (hereinafter referred to as “parents”) may submit, and school districts shall accommodate, requests for full-time remote learning.

Requests for full-time remote learning may include any service or combination of services that would otherwise be delivered to students on an in-person schedule, which may be a hybrid schedule, such as instruction, behavioral and support services, special education, and related services. A parent may request some services be delivered entirely remotely, while other services

follow the same schedule they otherwise would according to the provisions in the school district's Restart and Recovery Plan (Plan) and Policy 1648.

A parent may contact the Principal or designee of the building the student would attend with any questions on: a request to transition from in-person services to full-time remote learning; a request to transition from full-time remote learning to in-person services; the procedures of this Policy; and/or any other information regarding the school district's Plan and Policy 1648.

To ensure clarity and consistency in implementation of full-time remote learning, the Board of Education adopts this Policy that addresses the following:

A. Unconditional Eligibility for Full-time Remote Learning

1. All students are eligible for full-time remote learning.
  - a. Eligibility for full-time remote learning cannot be conditioned on a parent demonstrating a risk of illness or other selective criteria.
  - b. Unconditional eligibility for full-time remote learning includes students with disabilities who attend in-district schools or receiving schools (county special services school districts, educational services commissions, jointure commissions, Katzenbach School for the Deaf, regional day schools, college operated programs, and approved private schools for students with disabilities).

B. Procedures for Submitting Full-time Remote Learning Requests

1. A parent may request a student receive full-time remote learning from the school district by submitting a written request to the Principal of the school building their child would attend. The written request shall be provided to the Principal at least \_\_\_\_\_ calendar days before the student is eligible to commence full-time remote learning in accordance with B.2. below.

2. The student may only begin full-time remote learning

**[Choose one or more of the following:**

at the beginning of the school year.

at the beginning of a marking period.

at the beginning of a mid-year semester.

within \_\_\_\_\_ school days after receiving written approval of the Principal or designee.]

3. The written request for the student to receive full-time remote learning shall include:

- a. The student's name, school, and grade;
- b. The technology the student will be using to receive full-time remote learning, including the student's connectivity capabilities;
- c. A request for any service or combination of services that would otherwise be delivered to the student on an in-person or hybrid schedule, such as instruction, behavioral and support services, special education, and related services;
- d. For students with disabilities, the school district staff will determine if an Individualized Education Plan (IEP) meeting or an amendment to a student's IEP is needed for full-time remote learning; and
- e. Any additional information the Principal or designee requests to ensure the student, when receiving remote learning, will receive the same quality and scope of instruction and other educational services as any other student otherwise participating in school district programs.

- (1) The documentation required by the school district to be provided in the parent's request for full-time remote learning shall not exclude any students from the school district's full-time remote learning option, but rather be limited to the minimum information needed to ensure proper recordkeeping and implementation of successful remote learning.

4. Upon receiving the written request, the Principal or designee may request additional information from the parent to assist the Principal or designee in providing the student the same quality and scope of instruction and other educational services as any other student otherwise participating in school district programs.

5. The Principal or designee will review the written request and upon satisfaction of the procedures outlined in this Policy, the Principal or designee will provide written approval of the parent's request for full-time remote learning.

- a. In the event the request does not satisfy the procedures outlined in this Policy, the Principal or designee will notify the parent in writing of the issues that need to be addressed by the parent to satisfy the procedures outlined in this Policy.

6. The Principal's written approval of the request shall be provided to the parent within \_\_\_\_\_ calendar days of receiving the parent's written request.

- a. The written approval will include the date the remote learning program will commence for the student in accordance with B.2. above.

### C. Scope and Expectations of Full-Time Remote Learning

1. The scope and expectations of the school district's full-time remote learning program will include, but not be limited to, the following:

a. The length of the school day pursuant to N.J.A.C. 6A:32-8.3 and compliance with the Board's Attendance Policy and Regulation 5200; the provisions of the district's remote learning program outlined in the school district's Plan; and any other Board policies and regulations that govern the delivery of services to, and district expectations of, students participating in the remote learning program and their families;

b. The technology and the connectivity options to be used and/or provided to the student during remote learning; and

c. Any additional information the Principal or designee determines is needed to ensure the student, when receiving remote learning, will receive the same quality and scope of instruction and other educational services as any other student otherwise participating in school district programs (i.e. students participating in a hybrid model).

(1) This includes, for example, access to standards-based instruction of the same quality and rigor as afforded all other students of the district, the district making its best effort to ensure that every student participating in remote learning has access to the requisite educational technology, and the provision of special education and related services to the greatest extent possible.

d. The school district will endeavor to provide supports and resources to assist parents, particularly those of younger students, with meeting the expectations of the school district's remote learning option.

### D. Procedures to Transition from Full-Time Remote Learning to In-Person Services

1. A parent may request their student transition from full-time remote learning to in-person services, if in-person services are being provided, by submitting a written request to the Principal of the building the student will attend. This request must be submitted at least \_\_\_\_\_ calendar days before the student is eligible for in-person services.

2. A student is only eligible to transition from full-time remote learning to in-person services commencing

**[Choose one or more of the following:**

\_\_\_\_\_ at the beginning of the school year.

\_\_\_\_\_ at the beginning of a marking period.

\_\_\_\_\_ at the beginning of a mid-year semester.

\_\_\_\_\_ within \_\_\_\_\_ school days after receiving written approval of the Principal or designee.]

3. The written request from the parent for the student to transition from full-time remote learning to in-person services shall include:

- a. The student's name, school, and grade;
- b. The in-person program may only commence for a student transitioning from full-time remote learning to in-person services in accordance with D.2. above; and
- c. Any additional information the Principal or designee determines would be important on the student's transition from full-time remote learning to in-person services.

4. A student previously approved for remote learning wanting to transition into the school district's in-person program must spend at least

**[Choose one or more of the following:**

\_\_\_\_\_ one marking period in remote learning before being eligible to transition into the school district's in-person program.

\_\_\_\_\_ one semester (1/2 school year) in remote learning before being eligible to transition into the school district's in-person program.

\_\_\_\_\_ school days in remote learning before being eligible to transition into the school district's in-person program.]

a. This will allow parents to make the arrangements needed to effectively serve students' home learning needs and will support educators in ensuring continuity of instruction for the student.

5. The Principal or designee will review the request for compliance with this Policy, and upon satisfaction of the procedures in this Policy, will provide the parent of the student a written approval of the student entering the school district's in-person program.

a. In the event the request does not satisfy the procedures outlined in this Policy, the Principal or designee will notify the parent in writing of the issues that need to be addressed by the parent to satisfy the procedures outlined in this Policy.

6. Upon approval of the student's transition from full-time remote learning to in-person services, the school district will provide specific student and academic services to better assist parents anticipate their student's learning needs and help educators maintain continuity of services.

7. School districts that offer Pre-K will consult their Pre-K curriculum providers regarding appropriate measures to assess a Pre-K student's learning progress during the transition from full-time remote learning to in-person learning.

#### E. Reporting

1. To evaluate full-time remote learning, and to continue providing meaningful guidance for school districts, it will be important for the New Jersey Department to Education (NJDOE) to understand the extent and nature of demand for full-time remote learning around the State.

- a. The school district will be expected to report to the NJDOE data regarding participation in full-time remote learning. Data will include the number of students participating in full-time remote learning by each of the following subgroups: economically disadvantaged; major racial and ethnic groups; students with disabilities; and English learners.

#### F. Procedures for Communicating District Policy with Families

1. The school district will have clear and frequent communication with parents, in their home language, to help ensure this important flexibility is as readily accessible as possible. Communication must include, at a minimum, information regarding:

- a. Summaries of, and opportunities to review, the school district's full-time remote learning Policy/Plan;
- b. Procedures for submitting full-time remote learning requests in accordance with B. above;
- c. Scope and expectations of full-time remote learning in accordance with C. above;
- d. The transition from full-time remote learning to in-person services and vice-versa in accordance with B. and D. above; and
- e. The school district's procedures for ongoing communication with families and for addressing families' questions or concerns.

## G. Home or Out-of-School Instruction

1. No provision of this Policy supersedes the district's requirements to provide home or out-of-school instruction for the reasons outlined in N.J.S.A. 18A, N.J.A.C. 6A, or any applicable Board policy unless determined otherwise by the Superintendent or designee.
- 2.

[See the District's Restart and Recovery Plan – Appendix Q for the protocols/procedures for “Remote Learning Options for Families” which is outlined in the school district's Restart and Recovery Plan.

New Jersey Department of Education Guidance Document:

“Clarifying Expectations Regarding Full Time Remote Learning

Options for Families 2020-2021”

Adopted: