



STATE OF NEW JERSEY  
**DEPARTMENT OF EDUCATION**

A Memo from the New Jersey Department of Education

Date: May 5, 2020  
To: Chief School Administrators, Charter School and Renaissance School Project Leads, Directors of Approved Private Schools for Students with Disabilities  
Route To: Building Principals, School Nurses, School Staff  
From: Lamont O. Repollet, Ed.D.  
Commissioner of Education  
Deadline: May 22, 2020

### **Required Updates to District Public Health-Related School Closure Plans**

On March 16, 2020, Governor Phil Murphy signed Executive Order No. 104 (EO 104) implementing aggressive social distancing measures to mitigate further spread of COVID-19 in New Jersey. Among other directives, Governor Murphy's Executive Order indefinitely closed all public, private, and parochial preschools and elementary and secondary schools to students beginning on March 18, 2020. Executive Order No. 107, signed on March 21, 2020, superseded EO 104 and continued the necessary closure of all schools. As detailed in guidance issued by the New Jersey Department of Education (NJDOE) on March 5, 2020 and supplementary guidance issued on March 13, 2020, in order to count days during this closure period toward the statutory requirement to provide public school facilities for 180 days, school districts, charter schools, Renaissance School Projects and Approved Private Schools for Students with Disabilities (APSSD) were required to develop school health-related closure preparedness plans. These plans were designed to address continuity of critical school services such as remote instruction, special education and related services, and nutrition benefits. As a guidepost for districts in developing remote instruction plans, the NJDOE cited its regulations regarding home instruction due to a temporary or chronic health condition (*N.J.A.C. 6A:16-10.1*).

#### **Requirement to Update District, Charter, Renaissance School and APSSD Public Health-Related School Closure Plan**

On May 4, 2020, Governor Murphy announced that all New Jersey school buildings would remain closed for in-person instruction for the remainder of school year 2019-2020. Private schools with longer academic years will remain closed until at least June 30, 2020. To ensure that New Jersey students continue to receive high quality, standards-based instruction through the end of the school year, and to provide appropriate transparency, **each school district, charter school, Renaissance School Project and APSSD must update and post to its website its school health-related closure preparedness plan.** Pursuant to P.L. 2020, c.27, the revised plans must be approved by the district board of education or board of trustees. The NJDOE's COVID-19 webpage contains an updated [Checklist for School Health-Related Closure Plans](#). At a minimum, updates must include the following:

- Delivery of virtual and remote instruction
  - **Differentiate** instructional time, class assignments, independent work, and measures of student learning by grade bands. **In each grade band, design virtual, and remote learning plans to maximize student growth and learning to the greatest extent possible.**
  - Detail how remote instruction meets the needs of English Language Learners (ELL) and Students with Disabilities to the greatest extent possible, including the provision of related services.
  - Describe the district's plan for measuring and addressing any ongoing digital divide that continues to exist, whether it be network access or lack of sufficient access to devices.
- Attendance
  - Describe the district's attendance policies, including how the district determines whether a student is present or absent, and how a student's attendance will factor into promotion, retention, graduation, discipline, and any other decisions that will affect the student.

- Describe how the district is following up with the family when a student is not participating in online instruction and/or submitting assignments.
- Students with Disabilities
  - Describe the delivery of remote/virtual instruction to implement Individualized Education Plans (IEPs) for students with disabilities to the greatest extent possible, including accessible materials and platforms.
  - Describe the methods used to document IEP implementation including the tracking of services, student progress as well as the provision of accommodations and modifications.
  - Describe how case managers follow up with families to ensure services are implemented in accordance with IEPs to the greatest extent possible.
  - Describe how the district conducts virtual IEP meetings, evaluation, and other meetings to identify, evaluate, and/or reevaluate students with disabilities
- English Language Learners
  - Describe the provision of ESL and bilingual education to meet the needs of ELL.
  - Describe how the district communicates with ELL families, including the translation of materials and directions.
  - Describe how the district uses alternate methods of instruction, differentiation, access to technology, and strategies to troubleshoot ELL access challenges.
- Safe delivery of meals
  - Provide an updated plan for the continued safe delivery of meals to students.
- Facilities
  - Provide an outline of how the building will be maintained throughout this extended period of closure.
- Summer Programming
  - Provide a preliminary outline for the provision of summer services, including:
    - Extended School Year (ESY) for students with disabilities including how ESY will be delivered
    - 21<sup>st</sup> Century programs
    - Assessment of credit loss or shortages for high school seniors and an initial plan to address credit recovery
    - Assessment of learning loss and an initial plan for potentially addressing learning loss
    - STEM or other programs using reallocated grant funds
    - Title 1 extended learning programs
- Requirements specific to APSSDs: The APSSD's plan must follow all existing guidance for districts, including submission to the county office, and must also be shared with all sending districts, and address how the APSSD is complying with the APSSD COVID-19 guidance. The NJDOE is currently developing guidance on APSSD contracting issues and will issue that guidance shortly.

Plans must be submitted to the [County Offices of Education](#) no later than May 22, 2020. If board of education or board of trustees approval of the plans has not been obtained by the submission date, districts, charter schools, renaissance school projects, and APSSDs will submit to the County Office without board approval. Once board approval has been obtained at the next scheduled meeting, the district, charter school, renaissance school project, or APSSD will forward the approval to the County Office of Education.

c: Members, State Board of Education  
 NJDOE Staff  
 Statewide Parent Advocacy Network  
 Garden State Coalition of Schools  
 NJ LEE Group