



NORTH BELLMORE SCHOOL DISTRICT

ADMINISTRATION OFFICES

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March 19, 2020

Dear Parents/Guardians,

I am writing to share that on March 18, at 6:30 p.m., I have received the below preliminary advice regarding the provision of educational programming and services for students with disabilities. At this time we await Guidance from the New York State Education Department (NYSED). The below information describes how North Bellmore will respond to each of the expectations for the delivery of special education programs and services. If the NYSED provides different information we will proceed accordingly. I am setting up a teleconference with our CSE Chairpersons to review this information and to ask them to begin reaching out to our families and staff to schedule meetings and to commence services to the extent we are able. As we receive updated Guidance, I will share information with you. In the meantime, please e-mail me at ceskew@northbellmoreschools.org with any questions you may have.

If a School District closes its schools and does not provide any educational services to the general student population, then the school district would not be required to provide services to students with disabilities during the same period of time. However, if a school district provides educational opportunities to the general student population, it must then ensure that students with disabilities have equal access to the same opportunities.

- In Phase I of our Home Learning Plan, general education and special education students were provided with instructional materials and resources. Resources and materials for special education students were modified to meet the individual needs of students in Co-taught and Self-Contained classes, thus meeting the above requirement to provide equal access to instruction to our special education students.

Pending information from New York State, Special Education services should be structured to meet the mandates of the student's IEP in the same manner that general education students access distance learning.

- In many instances, this may not be possible or practicable if students' disabilities preclude remote teaching. In such instances, alternative methods such as instructional telephone calls and other curriculum-based instructional activities may be required.



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While neither the federal government nor New York State have waived the requirement to amend an IEP upon a change of placement, clarification from NYSED regarding this issue has been requested but has not yet been received.

- Until clarification is provided by the New York Special Education Department, no changes will be made to the IEP placements of North Bellmore special education students.

If school closures extend longer than currently ordered (April 1, 2020), school districts must conduct annual review meetings to ensure that each student has an IEP in place before the commencement of the 2020-2021 school year. Parents must have a meaningful opportunity to participate in the development of the IEP. Meetings are not required to be held in person while schools are closed.

- Members of the CSE need not all be present at the meeting.
- Members of the CSE may participate by alternative means (teleconferencing, video conferencing or other remote participation).
- All documents must be provided via e-mail or other means, to all members of the CSE (including the parents).
- Confidentiality of documents must be maintained.
- Parents must have a meaningful opportunity to participate in the development of the IEP.

If an evaluation or re-evaluation requires a face-to-face assessment or observation, the evaluation/re-evaluation needs to be delayed until school reopens.

- If an evaluation/re-evaluation does not require a face-to-face assessment or evaluation, it may take place so long as a student's parent/guardian consents.
- The same principles apply to students with a disability who have a plan developed under Section 504 or who are being evaluated under Section 504.

Preliminary guidance indicated that special education and related services could be provided in the home setting or at an alternate location. NYSED guidance permitting services in the home setting indicated that the decision to provide services in the home is subject to a determination by school officials that the provision of services in the home is in compliance with appropriate health



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guidelines and considers the risk of transmission of the virus in connection with the provision of such services.

- North Bellmore has determined that special education related services will not be provided in students' homes.
- Special education services will be provided to the extent practicable via alternative means such as teleconferencing or other modalities.

If students are unable to receive special education and/or related services through distance learning, eligibility for compensatory services will be assessed and provided where required.

- Special education and related service providers will keep records regarding the provision of services and of services missed.
- A review of these records will be undertaken for each student in order to assess whether and to what extent compensatory services may be required including to make up for lost skills.

The sixty (60) calendar day timeline for convening a CSE meeting and the sixty (60) school day timeline for implementation of services has not been waived.

- North Bellmore will continue to make all reasonable efforts to comply with the applicable timelines and to reschedule any CSE meetings missed during the initial days of the school closure.
- CSE meetings will be scheduled or re-scheduled at times that are mutually convenient for parents and CSE members and will be conducted by teleconference.
- All evaluation materials will be provided to parents in advance of the scheduled meetings to ensure that parents are able to meaningfully participate in their child's CSE or Section 504 meeting.

I know that parents of students with special needs have been waiting patiently for the above information. There are many regulations governing special education and information has flowed slowly. We are waiting for subsequent guidance from NYSED, New York State, and the Federal Government, and doing our best to get information to you as soon as it is received.

Sincerely,

Carol A. Eskew

Carol A. Eskew, Deputy Superintendent