THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

OFFICE OF EDUCATIONAL DESIGN & TECHNOLOGY
89 Washington Avenue, Room 880 EBA
Phone: (518) (518) 474-5461; E-mail: edtech@nysed.gov
www.nysed.gov/edtech

OFFICE OF STUDENT SUPPORT SERVICES
89 Washington Avenue, Room 318-M EB
Phone: (518) 486-6090
http://www.p12.nysed.gov/sss/

TO: BOCES District Superintendents
                    Superintendents of Public School Districts

FROM: Kathleen DeCataldo, Assistant Commissioner, Office of
                    Student Support Services

                    Paul Cardettino, Coordinator, Office of
                    Educational Design & Technology

SUBJECT: Emergency Remote Instruction Plan Guidance

DATE: May 4, 2023

Experiences during COVID-related school closures emphasized the importance of planning for emergency conditions that might require district- or school-wide remote learning. A recent amendment to Commissioner's Regulation §155.17 requires districts add emergency remote instruction provisions to their annual District-wide School Safety Plan (DWSSP).

Beginning with the 2023-2024 school year, all public school districts and boards of cooperative educational services (BOCES) must develop a plan that addresses six different regulatory components related to how they will provide remote instruction under emergency conditions.

These Emergency Remote Instruction Plans (ERI Plans) will serve to ensure that there is a common understanding about remote instruction amongst district or BOCES staff, teachers, families, and students.

ERI Plans must include the methods by which districts and BOCES will ensure the availability of devices and internet access, provision of special education and related services for students with disabilities, and the expectations for time spent in different remote modalities, should an emergency require the district or BOCES to transition to remote instruction.

ERI Plans must be informed by the district's Student Digital Resources data collection, which is to be completed *annually* in the Student Information Repository System (SIRS). For more information in the Students Digital Resources data collection, please reference the related memos from June 2021, September 2021, and January 2022 or see the SIRS manual.

Please note that ERI Plans are required for _all_ public school districts and BOCES even if the entity does not intend to utilize the available regulatory flexibility to provide remote instruction on days when the school or district would otherwise close due to an emergency, and count these instructional days towards the minimum requirements (previously referred to as the "Snow Day Pilot").

While there is no specific required template, all ERI Plans must include the six components required by regulation. Plans must be written in a manner that is informative and accessible to parents, guardians, teachers, and other school personnel, and must be publicly posted on the district or BOCES website. Consideration should also be given to the differing impact of short-term versus long-term closures.

The guidance included at the end of this memo includes the six required components of the plan, along with a series of questions to consider for each component. Districts and BOCES are encouraged to use this guidance to craft their ERI Plans.

Districts and BOCES are also encouraged to attach the ERI Plans to their yearly DWSSPs as an appendix. This will ensure the ERI Plans meet the following conditions as described in regulation:

- Plans must be developed and updated annually by a district-wide school safety team and a building-level emergency response team
- Plans must be adopted by the local board of education by September 1st of each year.

Districts and BOCES are required to submit a URL of their public-facing DWSSPs to NYSED through a survey located in the SED Monitoring and Vendor Performance System (SEDMON), accessed through the Business Portal. An additional field has been added to the DWSSP survey for districts and BOCES to provide the URL for their posted ERI Plan. URLs may NOT be direct links to shared documents (such as Google Docs). The deadline to submit both the DWSSP and ERI Plan into SEDMON for the 2023-24 school year is October 1, 2023.

More information on Emergency Remote Instruction can be found on the Department's Emergency Remote Instruction Plan FAQs.

Questions on Emergency Remote Instruction Plans may be sent to the Office of Educational Design and Technology at edtech@nysed.gov or 518-474-5461.

Questions on District-wide School Safety Plans may be sent to the Office of Student Support Services at studentsupportservices@nysed.gov.

Emergency Remote Instruction Plan

	Required Component	Suggested Considerations
1.	Policies and procedures to ensure computing devices will be made available to students or other means by which students will participate in synchronous instruction. *§155.17(c)(1)(xxi)(a)*	How will the district ensure that all students have access to a computing device? How will the district disseminate computing devices to students? How will the district communicate with families about the dissemination of computing devices? How will devices be serviced and/or replaced? If not using computing devices, how will students participate in synchronous instruction? Is your plan consistent with the information provided by families in the Student Digital Resources data collection?
2.	Policies and procedures to ensure students receiving remote instruction under emergency conditions will access internet connectivity. *§155.17(c)(1)(xxi)(a)*	How will the district determine the need for access to internet in students' places of residence? How will the district ensure that all students have access to internet? How will the district work with community organizations and local public spaces to ensure students have access to Wi-Fi access points? Is your plan consistent with the information provided by families in the Student Digital Resources data collection?

	Required Component	Suggested Considerations
3.	Expectations for school staff as to the proportion of time spent in synchronous and asynchronous instruction of students on days of remote instruction under emergency conditions with an expectation that asynchronous instruction is supplementary to synchronous instruction. *§155.17(c)(1)(xxi)(b)*	How will the district ensure that school staff has the necessary tools, including device and Wi-Fi, to deliver emergency remote instruction from their places of residence? What portion of the school day will be spent on synchronous instruction? What portion of the school day will be spent on asynchronous instruction? How will instruction be personalized to support students individualized needs, including supporting ELL/ML students? What training is provided to teachers in order to help adapt their instruction to the district expectations?
4.	A description of how instruction will occur for those students for whom remote instruction by digital technology is not available or appropriate. *§155.17(c)(1)(xxi)(c)*	How will the district determine which students for whom remote instruction via digital technology is not appropriate? How will the district provide synchronous instruction for those students for whom remote instruction by digital technology is not appropriate? How will the district provide synchronous instruction for those students who do not have adequate internet access?

	Required Component	Suggested Considerations
5.	A description of how special education and related services will be provided to students with disabilities and preschool students with disabilities, as applicable, in accordance with their individualized education programs to ensure the continued provision of a free appropriate public education. *§155.17(c)(1)(xxi)(d)*	How will the district ensure that special education and related services will be provided remotely? How has the district coordinated with special education teachers, support staff, and service providers in the district to ensure that each student with an IEP is receiving the same quality of services that would occur in an in-person environment?
6.	For school districts that receive foundation aid, the estimated number of instructional hours the school district intends to claim for State aid purposes for each day spent in remote instruction due to emergency conditions pursuant to section 175.5 of this Chapter. *§155.17(c)(1)(xxi)(e)*	This provision allows for districts to determine the number of hours per day that the district plans to provide instruction during emergency remote learning. How many hours of instruction will the district plan to claim for each day of an emergency closure?