



TO: District Superintendents
Superintendents of Schools
Public School Administrators
Charter School Administrators

Date: September 23, 2020

From: Marybeth Casey, Assistant Commissioner
Curriculum Instruction and Early Learning

Re: Frequently Asked Questions and Answers on School Reopening Regarding
Teaching and Learning

The New York State Education Department's (NYSED) Office of Curriculum, Instruction and Early Learning (CIEL) has compiled the following answers to questions collected from the field regarding NYSED's July 2020 School [Reopening Guidance](#): Recovering, Rebuilding and Renewing the Spirit of New York's Schools ("reopening guidance").

- [Scheduling](#)
- [Unit of Study/Instruction/Unit of Credit](#)
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Scheduling

- Q1. What flexibility exists for scheduling a combination of in-person and remote (hybrid) learning for schools?
- A. Under the reopening guidance, all schools must provide 180 days of instruction each school year to their students. Instructional days shall be counted for programs that are delivered in-person, remotely, or through a hybrid model. School districts determine their local schedules based on need.

If a school determines that their students are best served by a fully remote schedule, a rotating in-person schedule, combined with remote learning or a fully in person schedule, this is allowable under the guidance as long as the 180 days of instruction is adhered to, the plan for instruction is in the best interest of the students, and it includes regular and substantive interaction with an appropriately certified teacher regardless of the delivery method (e.g., in person, remote or hybrid).

Unit of Study/Instruction/Credit Requirements

Q2. The summary of the reopening guidance cites flexibility with the 180 minutes per week Unit of Study requirement. What flexibilities exist for the Unit of Study requirement?

A. The definition of a “unit of study” has been revised in Commissioner’s Regulations §100.1(a) to clarify flexibilities for student learning. The revised definition states, “**Unit of study** means at least 180 minutes of instruction per week throughout the school year, or the equivalent. Equivalent shall mean at least 180 minutes of instructional time for instruction delivered in a traditional face-to-face model or through alternative instructional experiences, including, but not limited to, through digital technology or blended learning, that represents standards-based learning under the guidance and direction of an appropriately certified teacher. Instructional experiences shall include, but not be limited to, meaningful and frequent interaction with an appropriately certified teacher academic and other supports designed to meet the needs of the individual student and instructional content that reflects consistent academic expectations with those of in-person instruction. Any alternative instructional experience must include meaningful feedback on student assignments and methods of tracking student engagement.”

The key question districts should consider when developing or adopting new modalities of instruction is: “Are the instructional experiences, when considered as a whole, comparable in rigor, scope and magnitude to a traditionally delivered (180 minutes/week) unit of study?”

Q3. What is meant by “instructional experiences” in the unit of study definition?

A. Instructional experiences represent time students spend engaged in standards-based learning under the guidance and direction of a teacher. This includes instruction delivered in a traditional face-to-face model and instruction delivered through alternative models.

Instructional experiences **must** include:

- meaningful and frequent interaction with an appropriately certified teacher;
- academic and other supports designed to meet the needs of the individual student; and
- instructional content that reflects academic expectations consistent with those which would be required for in-person instruction.

Instructional experiences *may* include, but are not limited to:

- completing online modules or tasks;
- viewing instructional videos;
- responding to posts or instructor questions;
- engaging with other class participants in an online or phone discussion;
- conducting research;
- doing projects; or
- meeting with an instructor face to face, via an online platform, or by phone.

Q4. The reopening guidance states, “Any alternative instructional experience must include meaningful feedback on student assignments and methods of tracking student engagement.” How can educators provide meaningful feedback when they’re not engaged in in-person instruction?

- A. Meaningful feedback can be provided whether students are engaged in in-person, remote, or hybrid (combination of in-person and remote) instruction. For example, a teacher may provide meaningful feedback by physically marking students’ work and returning it to them when in-person (if engaged in a hybrid approach), or via a delivery system established by the district or a digital platform, phone, email or text (if engaged in remote instruction).

Q5. The reopening guidance states, “Any alternative instructional experience must include meaningful feedback on student assignments and methods of tracking student engagement.” How might educators and schools track students’ engagement in alternative instructional experiences?

- A. Students’ engagement in alternative instructional experiences can be tracked by recording students’ inclusion in any instructional experience, including, but not limited to, time spent:
- completing online modules or tasks;
 - viewing instructional videos;
 - responding to posts or instructor questions;
 - engaging with other class participants in an online or phone discussion;
 - conducting research;
 - doing projects; or
 - meeting with an instructor face to face, via an online platform, or by phone.

Q6. Do students need to participate in a specific number of minutes of instruction in order to earn a unit of credit?

- A. The unit of study requirement of 180 minutes of instruction per week, or the equivalent, represents the educational opportunity provided for students’ engagement in a course of study. While schools should consider the time requirement of 180 minutes of instruction/week as a benchmark for comparison when designing and delivering instruction

aligned to the commencement level standards in alternative modalities, the instructional priority should be to prepare students to meet the learning outcomes for the course. It is required that students have substantive interaction with a certified teacher so that their learning is supported. Actual time spent to meet the learning outcomes may vary by student. Any student who achieves the learning outcomes for the course must be granted the unit of credit for such course, if applicable.

Q7. What should be considered when designing quality remote instruction?

- A. Remote instruction must be thoughtfully and strategically designed and will vary based upon available resources, and both student and teacher access to technological tools and connectivity. When designing the instruction that will be delivered remotely, schools should strive to provide an educational program that is comparable to that which students would have received if they were in attendance at the school building. The following questions should be considered when designing remote instruction:
- Is the remote instruction standards-based?
 - o Are all instruction, curriculum materials, assignments and projects based on the NYS learning standards?
 - Is the remote instruction student-centered and differentiated to meet individual students' needs?
 - o Does the provided instruction support students' prior knowledge?
 - o Is the provided instruction designed to progress learning?
 - o Are students' personal circumstances, level of home support, knowledge of technology, materials and access to connectivity and devices considered?
 - o Does the provided instruction accentuate student voice and choice?
 - Is the remote instruction interactive?
 - o Are there ample opportunities for students to connect and communicate with teachers and peers, utilizing one or more of the following:
 - email,
 - text,
 - exchange of written, audio, or visual communication (i.e., mail exchange, transfer of data storage device, etc.),
 - phone calls and teleconferencing, and/or
 - real-time video conferencing?
 - Does the remote instruction include personalized feedback to inform students of their progress, support students toward meeting the intended learning outcomes, and guide future instruction?
 - o Is teacher feedback provided on independent and group assignments?
 - o Are there opportunities to provide and receive peer feedback?
 - o Do students have opportunities to self-assess their learning?
 - o Are students provided opportunities or methods to seek support from teachers, as needed?

- Do teachers provide and allow time for reflective questioning during live discussion groups?

Additional information on Unit of Study flexibilities and Units of Credit can be referenced on pages 97-98 of the NYSED's [Recovering, Rebuilding, and Renewing: The Spirit of New York's Schools – Reopening Guidance](#).

Academic Intervention Services (AIS)

- Q8. How will schools determine which students are eligible for Academic Intervention Services (AIS) when the 3-8 State Assessments and the Regents examinations were cancelled for the 2019-2020 school year?
- A. Districts shall use a district developed procedure, to be applied uniformly at each grade level, for determining which students are entitled to such services. Districts may consider students' scores on multiple measures of student performance, which include, but are not limited to, one or more of the following measures:
- Developmental reading assessments;
 - Benchmark and lesson embedded assessments;
 - Common formative assessments;
 - Unit and lesson assessments;
 - Results of psychoeducational evaluations; and
 - Diagnostic screening for vision, hearing, and physical disabilities as well as screening for possible disabilities pursuant to Commissioner's Regulations Part 117.

Arts

- Q9. My district is changing course offerings at the middle and high school levels. What if schools and/or districts decide not to offer certain courses because of social distancing requirements or funding constraints?
- A. Decisions pertaining to course offerings are determined at the local level per the [Powers and duties of Boards of Education](#) (Ed Law §1709[3]). Note, however, that there have been no regulatory changes to the program requirements at the elementary, middle or high school level. Reference:
- [Program requirements for grades 5 through 8](#) (Commissioner's Regulations §100.4(c));
 - [Diploma Requirements](#) (Commissioner's Regulations §100.5(a) and (f)); and
 - [General School Requirements](#) (Commissioner's Regulations §100.2(h))

- Q10. How can I continue teaching music classes, such as band and chorus, that require social distancing of twelve feet in all directions if my school does not have the necessary space available?
- A. Classes such as band or chorus may be taught outside or redeveloped as small group or virtual experiences. Singing and wind instruments bring the highest risk; consider using other instruments (following [sanitation](#) protocols), and having students record and share their performances. Individualize instruction so that students may continue practicing their musical skills at home or during remote learning. Students could be given a virtual partner from within the school/district who is learning their instrument or vocals to practice with virtually.

Additional information on inclusion of the Arts in reopening plans can be referenced on pages 99-101 of the NYSED's [Recovering, Rebuilding, and Renewing: The Spirit of New York's Schools – Reopening Guidance](#).

Physical Education

- Q11. What is meant by understanding that hybrid schedules may limit face-to-face class time with a certified Physical Education instructor?
- A. Districts will need to ensure, to the fullest extent practicable, quality P-12 physical education programming that aligns with the NYS Physical Education Learning Standards is provided. Due to COVID-19 and social distancing measures, there may be circumstances where direct instruction by a certified physical education teacher may be provided via remote lessons. Districts should develop learning activities in which the classroom teachers and professional staff could potentially reinforce and support the physical education learning experience while under the direction and supervision of a certified physical education teacher. In addition, if a student is learning remotely, the physical education teacher would need to ensure that there is a menu of physical activities available that the student could do in a remote setting to support the student's mental health, physical health, and overall well-being.
- Q12. How will students meet the time requirement for physical education and participate in a specific number of minutes of instruction for physical education?
- A. Instructional experiences in physical education shall include all learning experiences that are aligned with the New York State Physical Education Learning Standards. Such experiences are not limited to in person and/or screen time interaction but also include alternative instructional experiences under the guidance or direction of a certified physical education teacher. Any alternative instructional experience must include meaningful feedback on student assignments and methods of tracking student engagement. For

additional information on instructional experiences, reference question 3 of this FAQ.

While schools should consider the time requirement of instruction/week as a benchmark for comparison when designing and delivering instruction aligned to the commencement level standards, the instructional priority should be to prepare students to meet the learning outcomes for the course.

Additional information on the inclusion of physical education in reopening plans can be referenced on pages 101-103 of the NYSED's [Recovering, Rebuilding, and Renewing: The Spirit of New York's Schools – Reopening Guidance](#).

Athletics

Q13. When can Athletics start?

- A. The Governor announced that some low risk interscholastic athletics may begin on September 21st while other athletics are only permitted to begin practices on that date. The Governor and the NYS Department of Health [issued guidance on interscholastic activities](#).

The following guidance will assist schools in maintaining the health and safety of their students and coaches.

- [Executive Orders of the Governor for Reopening Schools](#);
- New York State [Department of Health Guidelines for Reopening Schools](#); and
- New York State Education Department's [Recovering, Rebuilding, and Renewing: The Spirit of New York's Schools – Reopening Guidance](#).

The following guidance also exists to support reopening of sports and recreation programs:

- [Reopening New York: Sports and Recreation Guidelines](#)
- [CDC COVID-19 Reopening Guidance Web Page](#)
 - [CDC Consideration for Youth Sports](#), Guidance as of June 12, 2020
 - [CDC Cleaning and Disinfecting Community Facilities](#), Guidance as of June 12, 2020

The New York State Public High School Athletic Association (NYSPHSAA) has established a COVID-19 Task Force comprised of Athletic Directors and school district administrators, in addition to NYSED officials, responsible for providing guidance to allow New York high school student-athletes to return to athletics as soon and as safely as possible. The task force is reviewing State and local health guidelines, as well as NYSED guidance, regarding the 2020-2021 school year to determine, among other things, the

extent to which changes may be needed for each interscholastic sports season. For additional information, reference [NYSPHSAA's webpage](#)

Science/Laboratory Requirements

- Q14. What experiences can fulfill the laboratory requirements during the 2020-21 School Year?
- A. Per Commissioner's Regulations §100.5(b)(7), courses that culminate in a Regents examination in science must include 1,200 minutes of laboratory experiences. Due to the possibility of a hybrid or fully remote model of instruction as a result of COVID-19, the 1,200-minute lab requirement can be met through hands-on laboratory experiences, virtual laboratory experiences, or a combination of virtual and hands-on laboratory experiences coupled with satisfactory lab reports for the 2020-21 school year. This laboratory requirement is in addition to the course requirement and entitles a student to admission to a culminating Regents Exam.
- Q15. What is a school district's responsibility regarding laboratory instruction during the COVID-19 time period?
- A. The school district is responsible for aligning laboratory experiences specific to each science course; determining the mode or modes of instruction; and identifying a viable vetted list of acceptable virtual labs or a combination of virtual and hands-on labs that a student would need to complete for each science course that culminates in a Regents examination.

Schools must determine a method for students to record laboratory experiences and satisfactory lab reports. In a virtual environment, emphasis should be placed on the quality of the experience and the satisfactory completion of each laboratory experience rather than the time spent in completing such laboratory experience. Any student who has completed all laboratory experiences in accordance with teacher expectations shall be deemed to have met the 1,200-minute requirement.

CTE

- Q16. As part of the reopening plans, our CTE Programs are planning to incorporate and adopt (as best possible) the industry standards now in place during this crisis for the corresponding program of study e.g., PPE, Social Distancing requirements, use of and cleansing of equipment & tools, etc. With that said, much of the industry standards pertain to the cleaning/sanitation of workspace, tools and equipment after employee use. Will CTE programs be allowed to continue to incorporate the sanitation and safety curriculum based on the program's industry standards (which may lead to credentials and/or certifications,

i.e., ServSafe) that involve cleaning, sanitation and safety? (Ref: NYS Guidance Document, page 43: "...students will not be present when disinfectants are in use and should not participate in cleaning and/or disinfection activities....")

- A. CTE programs are allowed to continue to incorporate the sanitation and safety curriculum required of the program, and based on industry standards, that involve cleaning, sanitation, and safety. The reference cited, NYSED Reopening Guidance, page 43, focuses on school districts'/buildings' cleaning protocols. If students are participating in CTE programs where cleaning and disinfection are skills being monitored and assessed (in some situations leading to credentials/certifications) within the context of curriculum, then schools/districts should continue to offer these opportunities to students under the supervision of appropriately certified staff and while adhering to all state and federal health and safety guidelines.

Additional information on science laboratory requirements can be referenced on pages 98-99 of the NYSED's [Recovering, Rebuilding, and Renewing: The Spirit of New York's Schools – Reopening Guidance](#).