FAQ FOR PARENTS ON PROTECTING YOUR CHILD’S RIGHT TO AN EDUCATION AMID COVID-19

NYC schools are closed for the remainder of the 2019-2020 school year. During the COVID-19 crisis, your child still has the right to receive an education and to access the services they need to learn. The Department of Education has adopted many helpful policies to facilitate remote learning, and federal and state laws protect your right to access the special education services that your child needs. Knowing these policies and laws can help you protect your child’s access to education. If you believe that your child’s education rights are being denied, contact Legal Services NYC at 917-661-4500 to seek legal assistance.

Q: What can I do if my child does not have a device to access remote learning?
A: The Department of Education is providing remote learning devices to students in grades 3K-12 who need them. You are entitled to receive one device for every child in your home that needs one. To access the device, complete the Remote Learning Device Request Form (https://coronavirus.schools.nyc/RemoteLearningDevices) or call (718) 935-5100 and press 5. The form is available in 10 languages. Families who speak a language other than the 10 languages included in the form should call the phone number.

Q: My child attends a charter school or non-public school. Are we still eligible for devices?
A: Yes. Charter school students and non-public school students may request a device. Students who reside in shelters, who are in foster care, who live in doubled up housing, or who receive special education services will be prioritized. Students in charter schools and non-public schools may need to wait longer for their device to arrive.

Q: How can I help my child learn while we wait for our device(s) to arrive?
A: If you have submitted a device request but have not yet received your device, the DOE will mail general grade-level schoolwork to the address listed on your device request. For individualized schoolwork, talk to your child’s school. Public schools have been instructed to prepare packets of schoolwork for students who do not yet have access to remote learning devices. Those packets should be sent to your home or to the DOE Regional Enrichment Center located closest to your home, where you will be able to pick them up. If you are having trouble getting your school to prepare or send a packet, contact your Superintendent or Michele Martinez-Gugerli at MMartinezgugerli@schools.nyc.gov.

Q: I requested a device but I haven’t received it yet. What should I do?
A: To check on the delivery status of a device, follow up with your child’s school or email schooldevices@schools.nyc.gov or call 718-935-5100. If your child has an IEP but your child has not yet received the device you requested, contact
specialeducation@schools.nyc.gov. If you live in a shelter but your child did not receive a device when devices were distributed at your shelter, please complete the following form or contact Erin Lester at ELester3@schools.nyc.gov: https://docs.google.com/forms/d/e/1FAIpQLSdvputUsrIFierSqvFhrE6z1Oo74ymAFh4t5yWlhFdlfxeUA/viewform.

Q: I don’t have internet. How can my child access remote learning?
A: Many providers are offering Wi-Fi access for 60 days to households that do not already have a subscription. The DOE is working with providers to ensure that families are not denied access to this offer because of past outstanding balances. Companies providing this offer should not charge you an installation fee. If you believe a provider is attempting to charge you unfairly, contact your child’s Principal. You can access service at the following phone numbers or links:
- Spectrum, 1-844-488-8395 or 8398
- Comcast/Xfinity, 1-855-846-8376 (English); 1-855-765-6995 (Spanish)
- Altice/Cablevision, 1-866-200-9522 (Optimum region); 1-888-633-0030 (Suddenlink region)
  - You can also sign up online at: https://order.optimum.com/Buyflow/Storefront?source=aai or by emailing optimumstudent@alticeusa.com.
  - This opportunity is also available to college students and their families.

Q: I have a device. How can I access remote learning?
A: You can access the remote learning platform that your child’s school is using by contacting the school or logging on to your child’s NYC Schools Account. For information about how to create a NYC Schools Account and get started on your child’s remote learning platform, visit https://www.schools.nyc.gov/learning-at-home/digital-learning-tools/doe-student-accounts. You will need to enter your child’s 9-digit OSIS ID. You can find this on your child’s DOE documents, including report cards, IEPs, and transcripts.

Q: I’m having trouble using my device/my school’s remote learning platform. Where can I go for help?
A: The DOE has provided a number of tech support resources.

- If you are having trouble accessing wi-fi on a device provided to you by the DOE, contact the DOE Help Desk at (718) 935-5100.
- If you are having trouble using an iPad provided to you by the DOE, visit https://www.schools.nyc.gov/learn-at-home/technical-tools-and-support or contact AppleCare Support for the NYCDOE by calling (800) 919-2775 and entering the PIN 692363.
- For help with remote learning platforms, visit these links:
Q: My child has an Individualized Education Plan (IEP). Will my child’s services still be provided while schools are closed?
A: Yes. The federal law that protects your child’s right to special education services, the Individuals with Disabilities Education Act, is still in effect. Your child’s school has been instructed to reach out to you to develop a Special Education Remote Learning Plan that specifies how your child’s services will be delivered during school closures. Your input is critical to the process, and your child’s plan should not be developed without your meaningful participation.

Your plan will detail when your child will receive services each week and the duration of those services. If your child receives related services like counseling, speech therapy, or others, those services should be provided by video or by phone. If your child receives simultaneous services, like paraprofessional supports. SETSS, or placement in an Integrated Co-Teaching Class (ICT), your child’s teachers should ensure that those services are delivered during instructional time. Your plan will also detail what assistive technology or additional materials your child needs to learn. Those resources should then be sent home to you. If for any reason one or more of your child’s services cannot be delivered remotely, your child’s team must work with you to develop alternative ways to support your child’s needs. This may include parent coaching or other strategies.

You are entitled to receive a copy of your child’s plan once it is complete and any time that it is updated or amended. Your child’s plan should be launched in full by April 20th. If you have not yet received a Remote Learning Plan and your child’s school is not working to address that issue, contact your District Superintendent and copy Michele Martinez-Gugerli at MMartinezgugerli@schools.nyc.gov.

Q: I received my child’s Special Education Remote Learning Plan, but I don’t agree with it. Can I change it?
A: You have the right to request that your child’s Special Education Remote Learning Plan be changed. Your child has the right to receive all of the services mandated in their IEP at the same frequency and duration indicated in their IEP. If your child’s plan does not include all of the services listed in their IEP, you have the right to request that it be amended to include all of your child’s services.

You may also request that your child’s plan be updated to adjust for the amount of screen time your child can sustain, whether or not you want your child’s services to include a video component, and whether the frequency and duration of services is working for your child.

If you disagree with the method being used to deliver your child’s services, you may also request a change. If your child prefers not to use a screen, phone therapy may be more
appropriate. If your child needs visual engagement, you are entitled to receive video therapy. If neither phone or video is working for your child, you are entitled to request an alternative method of support.

Q: My child isn’t benefiting from remote services the way they benefited from services in school. What can I do to support my child?
A: Reach out to your child’s teacher and service providers to give them feedback and seek adjustments. Keep a notebook and document how remote services are impacting your child. Make a note of what strategies are not working, how your child’s academics are being impacted, and any regression you are noticing. You may be entitled to compensatory services for your child in the future, and these notes can help you file for those services.

Q: My school isn’t providing the services in my child’s IEP/Special Education Remote Learning Plan. What should I do?
A: Contact your Principal or District Superintendent and copy specialeducation@schools.nyc.gov. Each week, make a note of the services that your child did not receive. You may be entitled to compensatory services for your child in the future, and these notes will help you file for those services.

Q: My child has an evaluation/annual IEP meeting coming up. What happens now?
A: The DOE is still working hard to develop guidance about which evaluations can be conducted remotely and which must wait until schools reopen. Stay in touch with your child’s IEP team about their plans to conduct your child’s evaluations. In the meantime, your child’s IEP team can and should conduct your child’s IEP meeting by phone as long as they have sufficient evaluation material. If you believe the team has sufficient evaluation material, you can request that the IEP meeting be scheduled. If you believe that the IEP team does not have sufficient evaluation material, you have the right to request that the meeting be postponed until those evaluations can be completed.

You have the right to meaningfully participate in your child’s IEP meeting. If you cannot access the meeting remotely or cannot be available for the meeting because of scheduling issues related to the crisis, you have the right to postpone the meeting. Guidance issued by the New York State Education Department advises schools to accommodate postponement requests from parents.

Q: My child was in the process of being evaluated when schools closed. What happens now?
A: The DOE is still working hard to develop guidance about which evaluations can be conducted remotely and which must wait until schools reopen. Stay in touch with your child’s IEP team about their plans to conduct your child’s evaluations and any new information they may have received from the DOE.

Q: My child’s special education needs have changed and I think they need to receive new evaluations. Can I request a reevaluation while schools are closed?
A Yes. To make a referral for a reevaluation, contact your child’s Principal. You can also contact specialeducation@schools.nyc.gov.

Q: My child hasn’t received special education services in the past, but I think they may need to be evaluated. Can I make a referral while schools are closed?
A: Yes. To make a referral for an initial evaluation, contact your child’s Principal. You can also contact specialeducation@schools.nyc.gov.

Q: My child is a Multi-Lingual Learner/English Language Learner. Will they still receive support during remote learning?
A: Yes. Your child should receive a Remote Learning Plan that includes targeted instruction in English and appropriate supports in their home language. If your child receives simultaneous bilingual support, your child’s plan should ensure that your child’s bilingual provider is present during remote instruction.

Q: My child has an IEP and attends a charter school or non-public school. Is my child still eligible to receive related services?
A: Yes. Charter school and non-public school students will receive SETSS, SEIT, and related services remotely in the same manner that such services are provided to public school students. If your child is not receiving their special education services, contact specialeducation@schools.nyc.gov.

Q: My child is a Pre-K/3K student. Are they eligible for remote learning and remote special education services?
A: Yes. Contact your child’s program to find out how they are conducting remote learning. If your child receives related services, SEIS, Special Education Itinerant Teacher (SEIT) services, or special class placements, your child’s program must make every effort to continue to provide instruction from the same special education teacher(s) and classroom paraprofessional(s) that usually teach them.

Q: How will attendance, promotion, and grading decisions be made while schools are closed?
A: Schools have been instructed not to penalize students who are having difficulty accessing remote learning. Students must be assessed primarily on their academic performance, and cannot fail their courses because of an absence. For the remainder of the year, schools will not include attendance in grade calculations.

Students are expected to complete their remote learning assignments in the same way that they would complete their school assignments. Grades will be assigned for remote work, and teachers will monitor academic progress during remote learning. Schools have been advised to be flexible, particularly where students do not have full access to devices or other supporting materials.

Students in Kindergarten through 8th grade will receive grades of “S” for satisfactory or “N” for needs improvement. No student will be left behind.
High school students will be assessed according to their school’s grading policy, with one important difference. Students will not fail, but will instead be given an “Incomplete” mark that can be remedied with support moving forward.

**Q:** Where can I give feedback about remote learning?
**A:** Through May 1st, you can give feedback on Remote Learning via a survey located at [www.schools.nyc.gov/learn-at-home/remote-learning-survey](http://www.schools.nyc.gov/learn-at-home/remote-learning-survey).

**Q:** Where can I find more resources to help with remote learning?
**A:** You can access learning resources and at-home activities at [https://www.schools.nyc.gov/learn-at-home](https://www.schools.nyc.gov/learn-at-home) and [https://www.schools.nyc.gov/learn-at-home/activities-for-students](https://www.schools.nyc.gov/learn-at-home/activities-for-students). The DOE is working hard to develop more resources.