



Updated: Option to Provide Virtual Instruction



Attn: DDC, Curriculum, ENL, Special Ed,
District Admins

FYI

Helpdesk: DWTShelp@esboces.org

The New York State Offices of: Bilingual Education and World Languages, Standards and Instruction, Special Education, and Religious and Independent School Support, have issued a memorandum addressing the option of providing virtual instruction to individual students who may be averse or unable to attend school. This includes English Language Learners, immigrant, and migrant students as well as others who may be affected and reluctant to attend school in person due to concerns about their safety and security.

- [Full Memo Here](#)
- [Part 100.2 \(U\)\(3\) - Virtual Instruction Regulation](#)
- [NYSED FAQ for Virtual Learning](#)

Memo Highlights

“[LEAs] are allowed, but not required, to leverage virtual instruction to provide uninterrupted learning opportunities to individual students who may be unable or averse to attending school, including during times of political uncertainty.”

“...virtual instruction consists of synchronous or a combination of synchronous and asynchronous instruction provided by a teacher, designed for delivery in a virtual learning environment with regular and substantive interaction between the student and teacher.”



“Fully asynchronous instruction is not allowed. “Office hours” do not constitute “regular and substantive interaction,”

“...parents or legal guardians must opt into virtual instruction, as students cannot be placed into a virtual setting without parental consent.”

“Instruction must also align with applicable New York State Learning Standards, be provided in accordance with students’ Individualized Education Programs (IEPs), and include mechanisms for documenting student mastery of learning outcomes.”

“For students with disabilities, the committee on special education (CSE) must ensure that all the services and supports necessary for the student to continue to receive a free appropriate public education (FAPE) can be provided through virtual instruction.”

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