Addendum 1

Adapt, Advance, Achieve: Connecticut's Plan to Learn and Grow Together

Connecticut State Department of Education

Temporarily Opting into Voluntary Remote Learning Due to COVID-19

(July 27, 2020)

This guidance outlines the expectation that school districts provide temporary remote learning opportunities for those parents and students voluntarily opting into remote learning programming while other students attend in-person instruction. This voluntary family choice is not intended to be the same as the opportunities provided when classes are cancelled for a broader population, should public health data require it. Communication will be a key component as school districts, educators, and families move forward with this unique option during the 2020-2021 school year. School districts should develop models that take into consideration educator input and avoid setting unreasonable expectations for staff.

This guidance *does not* change any of the school districts' obligations to provide access to educational opportunities to students where an existing legal requirement exists, such as instruction for students whose participation in-person is limited due to a verified medical reason. This guidance also does not address the circumstances where a full remote learning model applies for all students.

Relationship Between Opting Into Remote Learning and Requirement for Schools to Provide 180 days/900 hours of Actual Instruction

Generally, schools are obligated to provide in-person schooling consistent with Connecticut state and federal statutes and regulations. Unless public health data related to the COVID-19 pandemic requires action by the State, the requirement is that boards of education provide "no less than one hundred and eighty days of actual school sessions for grades kindergarten to twelve, inclusive, [and] nine hundred hours of actual school work for full-day kindergarten and grades one to twelve…"

If public health data continues to support full time access to in-person instruction and for school buildings to be open, the current requirement for the school district to provide the opportunity for students to access 177 days of school and 900 hours of instruction should be fulfilled.[1] Any individual student's choice to opt into remote learning should not affect the school district's obligation.

Proper Notification

School districts should make every effort to provide a comprehensive remote learning experience, while also making sure parents are aware of any limitations that apply. School districts should prioritize notification to families of the implications of the choice to temporarily participate in remote learning.

The notification should include as much specific information as possible for families making this voluntary choice, including but not limited to:

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1. On July 14, 2020, the SBE passed a resolution to waive up to three days of the school year to provide staff and families with additional time to build capacity to safely transition back to in-person classes. Therefore, for districts that choose to avail themselves of this opportunity, the current requirement is for 177 days/900 hours for the upcoming 2020–2021 year.

- limitations that exist under the district's planned remote learning programming (what will not be provided for students and families under this option);
- the expectations for the family to supervise and support student attendance and engagement, as noted below;
- that the nature of the voluntary remote learning programming may not result in matching instructional hours 1:1 with an in-person learning model and as such, identification of the anticipated active instructional time;
- what model the district will employ (including but not limited to: district-run models that pool students by grade district-wide and assign them to a teacher who needs to work remotely, even for students in different school attendance zones; cooperative models within a region; programs operated by another public school district or RESC; or use of an online program consistent with the school curriculum);
- the temporary nature of the remote learning programming, as described further below;
- protocols regarding opting into remote learning and a local procedure to request parents provide notice if the student will return to in-person classes (and establishing the boundaries around opting into voluntary remote learning, such as the requirement the option be exercised as a full day, not selection of some classes in-person and others remote); and
- confirmation that this voluntary family choice be **clearly differentiated from the circumstance where classes are cancelled for a broader population, should public health data require it.**

School districts should develop local protocols and procedures setting expectations for families to continue the remote learning programming. It would not be appropriate to exclude students from in- person school if the school is offering that option to all other students. However, the option being outlined in this guidance does not require an "a la carte" model for families. Districts may choose to require that, in order for students to participate in school activities not related to the core curriculum (such as extracurricular activities or electives), students must be attending in school in-person and not have opted into remote learning programming.

For the health and safety of both the student resuming in-person classes, and the school community, it is appropriate to request notice for a reasonable preparation time before students change their learning location. Providing schools a reasonable time for students changing their learning location will be of the utmost importance for proper planning.

Obligations of the Parents and Family

While the 2020–2021 school year unquestionably presents unique challenges, school districts must communicate with families to ensure the understanding that Connecticut law continues to require children to engage in public school education unless they receive equivalent instruction elsewhere. It is our expectation that school districts will adapt to this unique circumstance during the 2020-2021 school year. Notwithstanding this expectation, families continue to have a legal obligation to engage in public school education unless the children are receiving equivalent instruction elsewhere (such as through home-schooling or in non-public schools), as set forth in Connecticut General Statutes Section 10-184. Therefore, in collaboration with the school district, parents who decide to opt into voluntary remote learning will also be expected to supervise and engage their children to fully and effectively access the remote learning programming that is offered through the public school district.

Temporary Nature of the Remote Learning Programming

Should public health data support a changed approach, the policy directives from CSDE related to the provision of this option may change to determine there is no longer a need for this temporary option. It is important to notify families that the school district's remote learning programming is temporary, and it may not be available the full year.

Funding and Enrollment

While the unique circumstances outlined here are unprecedented, this guidance anticipates that the students opting to temporarily participate in remote learning programming remain enrolled in the school they otherwise would have attended, unless the families determine they will fully pursue home-schooling or another mode of education and unenroll their children.

Where the students remain enrolled and in attendance via remote learning programming, they remain students of the district and should be reported to the CSDE through the Public School Information System (PSIS) and included in the October PSIS collection. This includes students who attend choice programs and opt to temporarily participate in remote learning through their choice program. Reporting these students in PSIS will ensure that they are included in the count for the purpose of funding and support, as well as accountability.

The CSDE will be collecting student-level data that specifically identifies those who opt-in to remote learning programming, and may also collect data including but not limited to: the availability of a device and adequate connectivity in the home. *More specific guidance on these topics will be provided by the CSDE.*

Curriculum, Prescribed Courses of Study, and Graduation Requirements

The intent of the school district's voluntary remote learning programming should be to make best efforts to develop these options without penalty for families/students who choose to participate. It will also be important for school districts to consider remote learning programming in line with the district expectations, because students will transition back into in-person classes after this temporary option is no longer available. Therefore, to the extent possible, curriculum and grade progression should be made accessible. For high school students, school districts should consider Conn. Gen. Stat. Sections 10-16b and 10-221a in their planning.

Tracking Attendance for State Reporting

All districts will be expected to track attendance on a daily basis for students who opt in to remote learning. This tracking should be consistent with the State Board of Education's definition for attendance which states that "A student is considered to be 'in attendance' if present at their assigned school, or an activity sponsored by the school (e.g., field trip), for at least half of the regular school day."

The CSDE will provide additional guidance on the variety of approaches that could be used by local districts to track this attendance for state reporting purposes; in addition to attendance in synchronous online classes, these may include presence in virtual meetings, time documented in electronic systems, and extent of daily work completed. Districts may continue to track attendance in other ways that meet their local needs so long as they can satisfy the state reporting requirement.

Assessments

Students participating in remote learning programming will be expected to access statewide assessments in-person, unless the assessments are available remotely. Other optional district assessments that are not mandated by federal or state laws/regulations are subject to local decision, depending upon whether those assessments are available online and can be administered remotely.

Special Education

In order for a district to provide a student with a free and appropriate public education (FAPE) and implement the student's individualized education program (IEP) as designed, special education and related services are typically programmed for in-person access. This method of instructional delivery generally affords the student with the most equitable educational experience in the least restrictive environment (LRE).

State and federal laws, and the associated guidance, do not address the provision of special education services via remote learning as a matter of choice, which constitutes a different circumstance than a state or local public health mandate, individual medical necessity, or a determination made by a planning and placement team (PPT). The CSDE will be providing further guidance regarding special education students who voluntarily opt into remote learning.

The requirements under state law for the provision of homebound and hospitalized instruction for special education students remain unchanged. Districts are still required to provide homebound and hospitalized instruction to special education students who are unable to attend school due to a verified medical reason which may include mental health issues.

Homebound and hospitalized instruction, pursuant to state law, should not be confused with instruction in the home, which is an articulated placement on the continuum of educational placements outlined in the Individuals with Disabilities Education Act (IDEA). Such placement would occur as the result of a PPT recommendation that instruction in the home provides the student with FAPE in the least restrictive environment and would be reflected in the student's IEP.

Labs/Electives/Extracurricular Activities

While the curriculum and instructional practices are unique to each elective and extracurricular activity, some methods will be able to be delivered in remote, virtual settings. School districts should determine the level of availability and notify parents and students of these options when they make their choice to opt into remote learning.

While allowing access to the mandatory aspects of public education cannot be restricted, school districts should consult with board counsel regarding proper notification and acknowledgement of families that when they opt into temporary remote educational programming, this may mean access to certain classes or activities is not possible from a health and safety and planning perspective.

Future Guidance

The CSDE plans to continue its efforts to provide guidance in this unprecedented arena. Additional considerations include, but are not limited to, student nutrition, discipline in the context of remote learning, and use of remote learning for students exposed to COVID-19 and quarantined.