

III.A.

AMENDED RESOLUTION
CONNECTICUT STATE BOARD OF EDUCATION
Hartford

TO BE PROPOSED:

August 11, 2020

WHEREAS, Connecticut General Statutes (C.G.S.) Sections 10-15 and 10-16 require that school districts provide not less than 180 days of actual school sessions and 900 hours of actual school work during each year (450 hours for ½ half day kindergarten) (“180 day/900 hour requirement”); and

WHEREAS, C.G.S. Section 10-15 permits the State Board of Education (SBE) to (1) “authorize the shortening of any school year for a school district, a school, or a portion of a school, on account of an unavoidable emergency,” and (2) “authorize implementation of scheduling of school sessions to permit full year use of facilities which may not offer each child one hundred eighty days of school sessions within a given school year, but which assures an opportunity for each child to average a minimum of one hundred eighty days of school sessions per year during thirteen years of educational opportunity in the elementary and secondary schools”; and

WHEREAS, Governor Ned Lamont, on March 10, 2020, declared a public health emergency and civil preparedness emergency in connection with COVID-19; and

WHEREAS, due to the public health emergency and civil preparedness emergency public school classes were cancelled beginning on March 17, 2020 for the remainder of the 2019-2020 school year; and

WHEREAS, on July 14, 2020, the SBE passed a resolution to waive up to three days of the 2020-2021 school year to provide staff and families with additional time to build capacity to safely transition back to in-person classes; and

WHEREAS, due to these unprecedented circumstances related to this unavoidable public health emergency, and their responsibility to protect to the greatest extent possible the health of staff and students, school districts anticipate the need to utilize a hybrid learning model, or potentially suspend in-person learning for some portion of the 2020-21 school year, and seek clarity as to how such action would affect their obligations under C.G.S. Sections 10-15 and 10-16; now therefore be it:

RESOLVED, that during the 2020-2021 school year only, the SBE temporarily authorizes local and regional Boards of Education, the Connecticut Technical Education Career System, approved state charter schools, and other similarly situated districts (“school district” or “school districts”), to shorten the school year related to the 180-day/900 hour requirement for unavoidable emergency.

Regardless of the instructional approach used (in-person, hybrid, or remote), districts should implement an instructional framework with equity at its core. This Board's authorization for hybrid or remote programming due to unavoidable emergency is contingent upon school districts providing rigorous learning and engagement opportunities that are aligned with State standards and Board expectations, whether the education is in person or remote. These should include, but are not limited to, opportunities for students to be engaged on a daily basis, for students to access grade level standards, and for students to be provided the necessary academic and social-emotional supports. This anticipates that classrooms will provide on-grade instruction that accelerates learning and incorporates the requisite scaffolds and supports.

The school district must make a good faith decision that implementation of hybrid remote learning programming, which has a portion of the student population in a school building on certain designated days or hours, and learning remotely on others, or the suspension of classes and use of a full-time remote learning model, is necessary to protect the health and promote the safety of the school community based on:

- (a) then-current public health data for the geographic region within which such district is located; and
- (b) the actual incidence or the potential spread of COVID-19 in the community.

Action taken by a school district to implement a hybrid learning model or suspend a class or classes and use a full-time remote learning model will be deemed necessary if a school district makes a good faith decision within the recommended range of leading and secondary indicators and also assessing the additional considerations in the guidance published by the Connecticut State Department of Education (SDE) and the Connecticut Department of Public Health (DPH), and based upon the totality of the circumstances, to protect the health and safety of the school/s community, and after consultation with appropriate public health authorities.

Action taken by a school district to suspend classes and use a full-time remote learning model, at a time when the county-wide data indicators support in-person or hybrid models based upon the recommended range of leading and secondary indicators published by the SDE and the DPH requires submission of a justification for such exception to the SDE and review by an administrative panel with representatives from the SBE, the Office of School Construction, the SDE, and the DPH. This panel may also receive the justification and request for review from a county, region or statewide if required by public health data and analysis of the leading and secondary indicators, and additional considerations, published by SDE and DPH.

In all cases, the basis for the school districts' decisions must be included in writing in the records of the school district.

Hybrid or remote programming must maintain the State Board of Education's expectations for rigorous engagement of the student population aligned with grade level outcomes, and the use of this authorization should be done to the minimum extent feasible.

The SBE directs the Commissioner to take the necessary action, including issuing binding guidance from the SDE as necessary to implement this resolution.

Approved by a vote of _____ this _____ day of August, Two Thousand Twenty.

Signed: _____
Dr. Miguel A. Cardona, Secretary
State Board of Education

CONNECTICUT STATE BOARD OF EDUCATION
Hartford

TO: State Board of Education

FROM: Dr. Miguel A. Cardona, Commissioner of Education

DATE: August ____, 2020

SUBJECT: 180 Day Waiver for the 2020-2021 School Year due to the COVID-19 Pandemic and the Provision of Hybrid and/or Remote Learning Models

Executive Summary

Introduction

Connecticut General Statutes (C.G.S.) Sections 10-15 and 10-16 require that school districts provide not less than 180 days of actual school sessions and 900 hours of actual school instruction during each year (450 hours for ½ half day kindergarten). C.G.S. Section 10-15 allows the State Board of Education (SBE) to authorize boards of education to modify the school calendar to have fewer than 180 days of school due to “unavoidable emergency.” In the past, the SBE has rarely granted such waivers unless the school district can show that it has made every possible attempt to schedule the lost days before the end of the school year on June 30th.

However, the COVID-19 pandemic has caused historic disruption in Connecticut’s educational system and nationally. Therefore, the Connecticut State Department of Education (SDE) requests this prospective waiver of the 180-day/900 hour requirement for its schools that comply with the requirements outlined herein.

Rationale

On March 10, 2020, Governor Ned Lamont declared a public health emergency and civil preparedness emergency in connection with COVID-19. Shortly thereafter, Governor Lamont ordered all school classes cancelled across the state for the remainder of the school year.

Since then, school district leadership, educators, and other members of the school community have been working tirelessly to safely plan to resume in-person classes for the 2020-2021 school year. Nothing replaces in-school learning, and the educational community has been preparing to maximize in-person access to school for all students who wish to attend. Despite these efforts, some school districts anticipate the need to transition back into in-person classes without the full school population immediately starting in-person, or to use a hybrid model. In addition, school district leaders will need to have the authority for quick decision making should future public health data suggest classes be held remotely.

The Department of Public Health (DPH), with input from the Office of the Governor, the SDE, and the Office of Early Childhood, developed a recommended range of leading and secondary indicators to assist districts in making informed decisions with regards to school operations.

(Appendix A.) At the time of this report, all counties in Connecticut are considered “low risk” based upon this data, which would favor more in-person educational opportunities.

This proposed resolution requests that you prospectively authorize the shortening of the school year pursuant to C.G.S. 10-15, while also placing reasonable boundaries linked to the public health indicators, to safeguard the importance of in-person education for the children of Connecticut. It would allow local decision making by school district leadership to use an in-person model or hybrid model based upon the current data.

Should Connecticut indicators shift to high risk (red), this resolution will authorize school districts to move to fully remote education without additional action. However, if the school leader determines not to provide an in-school option while in the low or moderate category, such as at present, an exception review is required from a panel with representatives from SDE, the SBE, and the DPH.

Recommendation

The Commissioner recommends approval of this request to allow local district leaders to determine the model for schooling due to the COVID-19 emergency, so long as this good faith decision is driven by the public health data and falls within the public health indicators published by the SDE and DPH.

Prepared by:

Jessa Mirtle, Legal Director

Division of Legal and Governmental Affairs

Approved by:

Deputy Commissioners Charlene Russell-Tucker and Desi Nesmith

Addendum 4

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

Connecticut State Department of Education



Interim Guidance for Decision-Making Regarding the Use of In-Person, Hybrid (Blended), or Remote Learning Models in Connecticut Schools during COVID-19



Revised August 3, 2020

In order to guide decisions on remote vs. in-person learning for Pre K-12 education, the Connecticut Department of Public Health and Department of Education have developed key metrics and considerations for informing local district decision-making. (There are many preschool in public schools under the auspices of public schools)

Decisions on remote vs. in-person learning should be based on indicators of the spread and prevalence of COVID-19 in the community; and on the physical and operational ability of schools to implement critical mitigation strategies. A combination of these considerations should inform decision making.

For the key leading metric for community spread, we recommend using the number of new cases, adjusted for population, and suggest thresholds for differential risk categories ([Table 1](#)). In addition, there are several secondary indicators that can help inform an assessment of risk levels when considered for the directional trend and speed of change of the data. While these leading and secondary indicators can be loosely stratified into categories for low, moderate, and high risk, any use of those stratifications should be considered relative, and not an assumption of individual risk of COVID-19 infection in a school or other setting. These metrics were adapted from recommendations by the Harvard Global Institute and supplemented by existing DPH measures.

Because the size of Connecticut's population is relatively small in comparison to many other states, infection and disease rates for many conditions (including COVID-19) can become extremely unstable as statewide statistics are analyzed by smaller geographic areas. As such, analyzing any of the suggested leading or secondary indicators at the individual town or school district level in our state will result in rates that are too unstable to be of any use in continuous decision-making. In addition, daily reporting of metrics that may be somewhat unstable can cause unnecessary alarm and trigger changes where none may be needed. Therefore, the Connecticut Department of Public Health recommends analysis of leading and secondary indicators be performed on a weekly basis and be limited by geography to include statewide data and data for each county.

Table 1: Leading and Secondary Indicators of COVID-19 Infection Levels in Communities for Consideration of Learning Models for School Reopening in Connecticut.*

Leading Indicator	LOW Favors more In-Person Learning	MODERATE Favors moving to Hybrid Learning	HIGH Favors moving to Remote Learning
Number of new cases of COVID-19 (7 day rolling average of new cases per 100,000 population per day)	< 10 new cases per 100,000 population	10 to < 25 new cases per 100,000 population	25+ new cases per 100,000 population

Secondary Indicators	LOW Favors more In-Person Learning	MODERATE Favors moving to Hybrid Learning	HIGH Favors moving to Remote Learning
Percent positivity rate (# of positive tests/ # of total tests, 7-day rolling avg.)	Direction of Change: Secondary Indicators trending down to flat	Direction of Change: Secondary Indicators trending flat to upward	Direction of Change: Secondary Indicators trending upward
Number of new COVID-19 hospitalizations per 100,000 population (7-day rolling avg.)	Speed of Change: No statistically significant changes to Secondary Indicators	Speed of Change: Any statistically significant changes upward to Secondary Indicators	Speed of Change: Consistent, statistically significant changes upward to Secondary Indicators
COVID-like and Influenza-like Illness (CLI and ILI) Syndromic Surveillance			

* Adapted from: the Harvard Global Health Institute’s publication *The Path to Zero and Schools: Achieving Pandemic Resilient Teaching and Learning Spaces*. July 2020.

Additional Considerations in moving from in-person to remote learning:

While leading and secondary indicators give school decision-makers a sense for the level of COVID-19 spread in the community surrounding their schools, there are also many structural and procedural considerations within school districts and individual schools that administrators should assess on a continual basis, as these may also influence whether schools should consider more in-person, hybrid, or remote instruction. As part of their decision-making process, school administrators, local elected officials, and medical advisors should include consideration of the following “Other Key School Characteristics.”

- Design of the physical space:
 - Classroom space available for physical distancing
 - Outdoor space
 - Entrance/Exit design to avoid crowding
 - Overall population of school
- Cohorting:
 - Ability of the school to consistently group students in small cohorts and minimize interaction with other cohorts throughout the school day
- Compliance with self-screening:
 - Frequency of students and staff arriving at school with symptoms of COVID-19
 - Frequency of students and staff attempting to return to school with symptoms of COVID-19
- HVAC:
 - Well-functioning and maintained central HVAC system(s) (or the functional equivalent) are in place
- Cleaning and Disinfection:
 - Plans in place in accordance with DPH and SDE guidance regarding cleaning protocols
 - Adequate supplies and implementation of Cleaning and Disinfection plan

How will these metrics be used?

Leading and Secondary Indicators will be updated by DPH on a weekly basis. Representative experts from the State Departments of Education and Public Health and local health departments will review the data on a weekly basis and make any recommended changes between the “Low” “Moderate” and “High” categories by county each week.

The “low” and “moderate” categories indicate conditions in the area are appropriate for schools to provide at least a partial in-school option to students. The district and building-level decisions will ultimately be made at the local level. However, should a district determine not to provide an in-school option while in the low or moderate category, an exception review is required from a panel with representatives from the State Department of Education, the State Board of Education and the Department of Public Health. Superintendents should consider developing a local structure to include the school medical advisor, local health director, and school nurse leader to consult when making decisions.