

Questions for the Commissioner

Updated March 23, 2020

Subject to ongoing updates during the rapidly changing circumstances, please continue to consult updated guidance and

<https://portal.ct.gov/Coronavirus/Information-For/School-Resources> and the SDE website.

Calendar	
<p>15 Superintendents asked:</p> <ul style="list-style-type: none">• Is there an expected or clearer sense of how long this closure more realistically can be?• My biggest question is clarification on what days need to be made up or not. I read his last directive to mean that we do not need to make up the days that we started missing this week. We have provided work to students everyday that we have been out, and beginning this coming Monday we will be providing more directed work and more teacher contact. To me, I feel that I can now count all these days. Is that accurate?• If the state expects an extended closure beyond March 31, can the SDE or Governor’s office communicate that sooner rather than later. We are starting to get a lot of questions from local media. It would seem likely that we will be closed through at least April 30. Without guidance people are just speculating, which doesn’t help continuity of our plans. If there is a rationale for not identifying a new date, that would be helpful too.• Please confirm that “ We are following are established calendar “from the beginning of the year and ending on the last day without adding any emergency days relating to weather or closure days from the virus. Thanks• The governor has closed schools through March 31. Obviously we will not be opening on April 1. I think we need to be as definitive with parents as we can be in such an uncertain time. What is the status of current discussions	<p>While in-school classes are currently cancelled until March 30, 2020, federal guidance suggests closures will likely extend beyond that timeframe. CSDE has asked school districts to immediately begin providing opportunities for continuity of education, as well as meeting other basic needs, for all students to the greatest extent possible and consistent with federal and state guidance.</p> <ul style="list-style-type: none">• All schools may end at the most recently scheduled end-date before the COVID-19 outbreak (which may be before June 30), as long as they are providing opportunities for continued learning to the greatest extent possible. Districts that temporarily held off continuity of instruction may add days to their regularly scheduled end date.• Normally scheduled end-date means the last date you announced or published prior to the COVID-19 pandemic. It includes any days added due to previous storms.• Districts should be considering <i>reasonable</i> approaches to opportunities for continuity of education. The Executive Order says learning should continue “to the greatest extent possible” but does not suggest that this learning can, or should, be directly comparable to a school session. Call it what you will – distance learning, supplemental learning, interim learning opportunities --

regarding future closures and when might we expect an announcement related to this?

- Is there discussion that schools may not reopen this school year?
- Right now, I think the million dollar question is are we closing for the year. We know it's going to be way past March 31st but no one wants to put anything out independently because they feel the governor will come out with something at least taking us through April vacation.
- The Commissioner's March 16 memorandum said that districts could end their year on the date currently listed as the final day of school. This could be well before June 30 for many of us. Is that truly what was meant? (He earlier had said we can go no later than June 30, and should make every effort to get as many days as possible in by June 30, even without the 180-day requirement.)
- There still seems to be some confusion regarding a district's ability to end the school year on their regularly scheduled end date. I assume they are leaving it to the local district to determine if school days missed are no longer required to be made up.
- For planning purposes, is the CSDE being told of an extension to the current school closure date of March 31, 2020? It would be beneficial for planning purposes to know if we are in this for an additional 2-weeks, month, etc...
- As a result of the most recent guidance, I have already notified families about the last day of school and that April break won't be impacted. I am hoping there will be no changes to the direction that "COVID days" don't need to be made up.
- Is there any discussion about closing schools through the end of June, or are we waiting on that as well?
- Is there any idea as to when the Governor will announce plans regarding the closure status of schools? I anticipate that the closure will be extended given the escalation in the number of cases. Knowing sooner would be of great assistance in notifying

consider each districts resources, and make your best effort to ensure the impact of an extended closure is mitigated. Also, the thinking is shifting away from 6 hours of seat time for students or teachers given the changes in home routines for all.

- **In determining what opportunities you provide, also consider your employees, many of whom are caring for their own families. This is a different societal construct, and to expect staff who have no option for daycare or school to engage in the exact fashion they would on a typical school day may not be possible.**

Determining how to approach April break is a local decision.

- **As of the time of this writing, communication on extending the closure has been made to the Office of the Governor. Our delivery of your messages about the need for planning time will continue today.**
- **At this point, we are working on some feedback related to attendance. We recognize that for students without technology, there is no system for assessing if they are accessing materials. Having a system of reaching out to each student is advisable, even if it is through the phones. Paraeducators may be able to assist.**

families and planning out our distance learning.

- There is mixed messaging coming out over the closing of schools for the "rest of the year". Is that the case or the plan? What is meant by that? Close physical locations and just go online? Things like graduations and student closing activities help over the summer at district's discretion?
- It would be helpful to know if the Governor and/or Commissioner plan to extend the duration of the closure statewide. I ask because I believe it will help all of us to plan for the longer term. Essentially, it is different to plan distance learning as a "classroom replacement" versus a true distance learning experience, and a signal from the Governor and/or Commissioner that we should plan for a longer time may help districts make the right decisions now as their plans are coming together. Essentially, we want to plan understanding today and anticipating tomorrow.
- Can we please get clarity on the 180 days. I thought I understood it when the governor said start distance learning and schools just end on the day they were supposed to end on – even if it is not 180 days, but then in the commissioners March 17 letter, the message to end as close to the regular end of the school year seemed to imply we might need to go past the original end date. And people kept using the word waiver, but there were really 2 waivers – one to have distance learning count as school days and one if a district would not meet 180 days and now it's less clear which waiver we do not have to complete.
- This isn't an answer but more of an observation – it seems some colleagues believe we will just be back on April 1 and are not putting a lot of thought into longer term planning. Maybe we will be back then, but an end date to the mandatory school closure (which is likely impossible to give) or some caution/push to plan for a longer closure may be helpful.
- What are we supposed to do for attendance reporting? We are getting no information from the state. Some schools are making these days as "C19" days because we cannot really tell if the students are or are not here.

SPED	
<p>8 Superintendents asked:</p> <ul style="list-style-type: none"> I'm sure I'm not the only one who will ask this but clarity or assurances on distance learning and the federal requirements on special education delivery is the most important issue we have. A clear, singular answer is needed from the state, not many different opinions or vague statements such as "do your best". We have been doing remote/distance learning since Monday of this week and as you are aware, special education is a challenge. We are following the current guidance to <i>do the best that you can for students with disabilities and create educational opportunities for these students to the extent possible</i>. If I decide to continue to pay my paraprofessionals and tutors through the duration of our closure, is there any concern with me training and requiring 1:1 virtual student support using special education paras and tutors? My student service director has been awaiting official approval/guidance for such practices. I am trying to consider all options for making their time valuable while better meeting the needs of our students with technology and direct virtual support. We need guidance on special education services and compensatory time. For instance, we are doing "e-learning" and it is going very well. Our school day is from 9-1pm. We have reduced the school day for all students, what is the expectation to provide services for special education? We are providing services of course...but we are reducing service times for all special education students and would like input on the procedures for this change. As far as I'm concerned, this is the biggest question. We have a lot of other questions as well, but we are working things out for the most part. What should we be doing with PPT's? Is there guidance on holding PPT's? We are hearing from some NOT to hold any group video or audio meetings because of possible FERPA violations. If there are remote PPT's/meetings, must we use software/technology that meets Student Data Privacy requirements? 	<ul style="list-style-type: none"> SDE is engaged in providing resources, feedback and support to our Districts as this unprecedented pandemic unfolds, and will be publishing a Special Education Guidance document soon. COVID-19 school resources that we have already published are compiled here: https://portal.ct.gov/Coronavirus/Pages/School-Resources. We are already engaged with districts who believe they are successfully accessing students with disabilities, to seek information about their approach, which we will share. We have already noted for districts, and will again emphasize, the importance of communication: <p><i>Special Education Considerations: The federal law related to special education and students with disabilities does not specifically address a situation in which school would be closed for an extended period due to exceptional circumstances, such as a pandemic influenza. School districts, however, may not discriminate on the basis of disability when providing educational services, and remain responsible for the free appropriate public education (FAPE) for students. Districts are encouraged to have broad-based teams, which should include Special Education Directors, to plan ahead on issues around special education.</i></p> <ul style="list-style-type: none"> Carefully consider the language in the most recent executive order and our guidance. It does not mean that all school districts, overnight, will provide fully operationalized teaching to students. Communication is very, very important. We have received feedback that some districts communications to parents do not acknowledge that they are either implementing a plan around special education, or at least are considering how to approach it. Even if you have not yet determined the approach, please ensure all parents and staff know that you are working on it.

<ul style="list-style-type: none"> • Is there a timeline for release of guidance from Special Ed Office? Is there a “hold” period while waiting for guidance? • Guidance regarding special education students - making sure across the state we are dealing with referrals, testing, etc...the same would be beneficial. • Will the SDE be issuing any further guidance on annual reviews, students with assessment timelines etc. I want my staff to focus on the virtual learning, but they are worried about timelines etc. • What is the current thinking about additional supports and resources (beyond resources recently posted/sent out) related to the provision of compensatory education as a result of distance learning and inability to meet sped needs in districts? Example: out of 19,000 Hartford Public Schools students, 3,900 are special ed students that will need accommodations. • I am concerned about the cost we will incurred for compensatory services/ESY that are unbudgeted for 2020-2021. I am wondering if there would be some “relaxation” to our fiscal years that would allow us to pay compensatory costs incurred as a result of COVID 19 (and during FY 19-20) even if those services were provided during FY 20-21. Basically, I believe I will have money left in this year’s budget and I would like to be able to use that to address all the compensatory services we may need to provide in the summer. 	<p>While we cannot nor would it be appropriate to, waive obligations related to special education for your students, we can continue to provide guidance and all work together to share effective practices. It is possible there will be compliance issues, and you should work with your legal counsel to try to best avoid those and consider that you may ultimately have to provide compensatory services. However, providing no continued educational opportunities certainly also presents a risk, and as the lead educational agency we have determined that in the face of longer term closures, we must encourage continued educational opportunities, to the greatest extent possible.</p> <ul style="list-style-type: none"> • As clearer guidance from the USDOE comes in, we will provide it for you with our Office of Special Education interpretation and guidance.
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Learning / Timelines	
<p>7 Superintendents asked:</p> <ul style="list-style-type: none"> • There seems to be a mixed sense of urgency; is the continuity of learning better to get right then to get something frantically in place? No CSDE timeline correct? • As districts are developing learning plans, is there any guidance that the State can offer on their specific expectations for GRADING? • While the resources are helpful, is there any further guidance regarding how to get technology access to disadvantaged 	<ul style="list-style-type: none"> • There is not a timeline around your learning plan. In this unprecedented situation, we must think creatively and engage all of our best efforts to provide continuing education to our learners. Consider it an evolving approach – what you provide today, could be improved for tomorrow. • We are working on access to curriculum and technology.

<p>students? Unfortunately, this pandemic has truly brought to light the varying economic conditions across the state. There is major inequity between those working on technology and those being forced to work on paper.</p> <ul style="list-style-type: none"> • I think we need to provide some guidance. Related to this is concerns our counselors have about e-counseling. • I'm worried about teachers who might think they are video-chatting with a student or students but find themselves alone with a student who might be broadcasting from a bedroom. • Can teachers hold live video interactive classes via Google Hangout (or other method) when such videos can be seen in individual homes? We have concerns about student privacy when parents can see what's going on in a classroom. But, we do want teachers and students to be able to interact either while during instruction or just to check in. • What do we do for students who do not have access to WiFi nor devices to use if we use online activities? Teachers cannot go back in schools to make packets. • Will the State waive the requirement to apply for waiver for distance learning? 	<ul style="list-style-type: none"> • We also understand the issues with virtual connection and videos and privacy. Ensure that parents are aware and comfortable with the teacher-student interactions. At this time, the guidance around video is to consider one-sided video where a teacher is providing instruction or updates, but where students do not engage on the video. This could also be done with asynchronous learning opportunities. • Students could, however, engage with teachers 1:1 via chat or telephone calls. • The Governor has not shut schools down as of 3/23, he has cancelled classes. Schools are still open for staff to conduct essential business, however, social distancing is required and large groups are prohibited. Understand that many staff currently have children at home or have health issues that prevent movement out of the home. • There is currently no waiver for distance learning. All districts should engage in Continuity of Learning which may include variations of materials and online learning.
Evaluations	
<p>5 Superintendents asked:</p> <ul style="list-style-type: none"> • This is to get this issue on CSDE radar. Has any thought gone into the nonrenewal timeline of non-tenured staff of the May 1 deadline whether it be for budgetary or performance reasons and the regulations around this issue? • It is conceivable we won't have face to face access to staff between now and then etc. • The other obvious questions are around assessments and teacher evaluations but I would assume they are already on this and will give us guidance soon. • Specificity or guidance on non-renewals....has the notice date certified staff changed? And how is time being counted for non-tenured teachers, both for 40-month and 20-month. • Can we drop TEAM requirements this year? 	<ul style="list-style-type: none"> • The Governor in his executive order 7C provided the Commissioner authority to address teacher evaluations during the pandemic. The Commissioner has indicated he will provide guidance related to evaluations, which should not be the focus at this time. • We are discussing the nonrenewal timelines, and we have asked CAPSS to coordinate input. At this time, the notice date has not changed. • The Governor has not issued authority for the Commissioner to change TEAM requirements.
Credit Attainment / Graduation	

<p>5 Superintendents asked:</p> <ul style="list-style-type: none"> • How will credit attainment work for our high school students? How do we determine who graduates? • This may not be an immediate priority but an idea to put on the table now -Colleges are beginning to move to Pass Fail grading. Is this something our state would consider, particularly for high school students, if we are engaged in distance learning for an extended period of time? The impact of some schools doing it and others not doing it could impact our students' college admissions. We all know this transition to distance learning will have bumps and we are concerned about this pandemic negatively impacting students future academic opportunities. • Will any guidance be issued about graduation ceremonies? Colleges are already cancelling them. I am happy with waiting. • Consider guidelines, flexibility, and perhaps waivers for high school seniors transitioning to college (I.e., final grades and transcripts) • Flexibility for graduation requirements may also need to be considered. • What do we do for our high school seniors? Do we waive seat time credits and graduation requirements? 	<ul style="list-style-type: none"> • The Governor in his executive order 7C provided the Commissioner authority to address these issues during the pandemic. • We are discussing the credit/graduation questions, and we have asked CAPSS to coordinate input. We will provide updated guidance.
<p>Assessments and Testing</p>	
<p>3 Superintendents asked:</p> <ul style="list-style-type: none"> • Can you elaborate on when a ruling on SBA and NGSS will be made? • updates on State testing... • The other obvious questions are around assessments and teacher evaluations but I would assume they are already on this and will give us guidance soon. 	<ul style="list-style-type: none"> • On March 20, 2020, SDE was notified they were granted a Federal Waiver to Suspend Assessments for the Current School Year. • We plan to have additional information on state assessments shortly.
<p>Labor</p>	
<p>3 Superintendents asked:</p> <ul style="list-style-type: none"> • Many districts have entered MOU using the CEA template while others have not; is there a recommendation from CSDE to sign or not? What are the reasons for or against it? • How do we keep our part time workers compensated since many are on special funds as this is the humane thing to do? Can there be 	<ul style="list-style-type: none"> • At this time, the contract with your unions or employees are controlling, and because they are individualized, there may not be specific answers that the SDE can provide. Please consult with your board attorney on specific employment related decisions.

<p>waivers for these grant funded positions in times of crisis?</p> <ul style="list-style-type: none"> Does the emergency declaration trump union contract rules? 	<ul style="list-style-type: none"> Related to working with unions, whether it be via MOU or otherwise, we certainly endorse working closely with your staff representatives. SDE is drafting FAQs to help address grant-payment questions related to employees. This will be available shortly. Please email Kathy.demsey@ct.gov if you have routine questions related to payment. At this time, all union contract rules remain in effect.
<p>Data Privacy</p>	
<p>2 Superintendents asked:</p> <ul style="list-style-type: none"> Can Data Privacy Contracts be entered into retroactively? Can we ask Commissioner Cardona to address student data privacy tomorrow? Can he petition the Governor to amend CT legislation and drop the standards back to the Federal level? 	<ul style="list-style-type: none"> There will be a guidance memo going out later today or early tomorrow on the student privacy contracting requirements. In response to the input from multiple Superintendents and questions about these contracting rules, the Commissioner was provided authority through Executive Order to waive requirements and will exercise that authority. The expectation will be that districts access educational technology solutions provided by companies that have provided digital assurances that they comply with Connecticut's law by signing the <u>Connecticut Student Data Privacy Pledge</u>.
<p>Transportation</p>	
<p>2 Superintendents asked:</p> <ul style="list-style-type: none"> If we are looking at possibly being out for the rest of the year, should we be coordinating a state-wide response to bus vendors. It will be in no one's best interest if half or all of the bus vendors go bankrupt. We have been contacted by our bus company requesting that we continue to pay our bill. They ask this so that they are able to continue paying their employees. While I feel for their plight, I would not be a good steward of public dollars if we kept paying for a service not provided. It would be very helpful to have a unified solution to this from the Governor or Commissioner rather than 160+ unique solutions. 	<ul style="list-style-type: none"> At this time, payment of transportation bills would be dependent upon the specific contract that was agreed to by the district and the company, so we would urge you to consult with your board attorneys. This may be a ruling in an upcoming Executive Order. To the extent that a coordinated response is possible through CAPSS, that seems reasonable.
<p>Attendance</p>	
<p>2 Superintendents asked:</p> <ul style="list-style-type: none"> A major question is whether attendance must be taken and accounted for in PSIS. We are having a hard time figuring out how to make that happen. 	<ul style="list-style-type: none"> We will provide updated guidance on attendance reporting during a day when in-school classes have been cancelled.

<ul style="list-style-type: none"> As districts are developing learning plans, is there any guidance that the State can offer on their specific expectations for ATTENDANCE? 	
Payroll	
<p>2 Superintendents asked:</p> <ul style="list-style-type: none"> Paying our hourly staff seems to be a pressing issue among many supers. We think it is prudent from a human and business perspective to pay them most immediately, but doing so in perpetuity isn't realistic for many. Does Miguel have any awareness of state or federal intervention which may help this? How do we keep our part time workers compensated since many are on special funds as this is the humane thing to do? Can there be waivers for these grant funded positions in times of crisis? 	<ul style="list-style-type: none"> At this time, the contract with your unions or employees are controlling, and because they are individualized CBAs, there may not be specific answers that the SDE can provide. Please consult with your board attorney on specific employment-related decisions. Related to working with unions, whether it be via MOU or otherwise, we certainly endorse working closely with your staff representatives. SDE is drafting FAQs to help address grant-payment questions related to employees. If you have questions after receiving that guidance, please contact Kathy.demsey@ct.gov.
Grant Spending	
<p>2 Superintendents asked:</p> <ul style="list-style-type: none"> How will the other offices at the state accommodate for grant spending – Alliance? As we likely cannot spend the money in this fiscal year – can this one time it be rolled into next year? How do we deal with the varied grants that should end June 30, 2020? 	<ul style="list-style-type: none"> SDE is drafting FAQs to help address grant-payment questions related to employees. If you have questions after receiving that guidance, please contact Kathy.demsey@ct.gov.
Nutrition	
<p>1 Superintendent asked:</p> <ul style="list-style-type: none"> Can the state remove the nutrition reimbursement obstacle that students/families have to pick up the food – we had a delivery service and it worked but have had to pull back and now families and students are not being fed 	<ul style="list-style-type: none"> We will look into this question and provide a response as soon as possible.
Pre-School	
<p>1 Superintendent asked:</p> <ul style="list-style-type: none"> We would love to have guidance on how to handle Pre-School Tuition. We have folks on a sliding scale with School Readiness and folks paying full price. Our expenses are not going 	<ul style="list-style-type: none"> SDE is drafting FAQs to help address payment questions related to payments between districts and otherwise. If you have questions after receiving that guidance, please contact Kathy.demsey@ct.gov.

<p>away with the closure and some families are asking for refunds or not to pay in April. Any guidance is appreciated.</p>	
<p>Communication</p>	
<p>1 Superintendent asked:</p> <ul style="list-style-type: none"> • 2. Communication: I very much understand the news cycle and that there are many fingers in the pot, but we are often hearing things from governor's orders or the news with no context. I very much understand we may not be able to be notified ahead of time, but a follow up with intention and direction would help. Right now you have well intentioned district conflicting with each other and people pointing fingers. You also have districts unaware of information and not offering programs or opportunities to kids. One district learned yesterday that they could feed all students, not just F/R ones. Is there a way to distribute or add some commentary to the Governor's orders? Even with the removal of 180 mandate and ability to end school on "our original date" was the intent to still try to make up days, do the snow days we had no longer need to be made up? If we are online does it matter? I understand that no one may have the answer, but with all of us interpreting on our own or in our local PLCs, there are lots of mixed messages and conflicts happening. 	<ul style="list-style-type: none"> • We are determining how to best disseminate information, but we certainly agree and will continue to try to get any information to you as quickly as possible. • Superintendent updates will be done by our Chief of Staff. Also, social media is the quickest way to get information that can alleviate misinformation from being spread. FB/Twitter. Lastly, we will use the Superintendent's Digest, on the CSDE website to post updates in real time.