



STATE OF CONNECTICUT

STATE DEPARTMENT OF EDUCATION



CSDE Guidance Regarding the Future of Remote Learning in Connecticut Schools

July 15, 2021

Introduction

The future of remote learning was shaped substantially during the Spring 2021 legislative session, when the General Assembly passed [Public Act 21-46](#), “An Act Concerning Social Equity and the Health, Safety and Education of Children.” Governor Lamont signed this Public Act into law on June 16, 2021. The law was further amended through the budget implementer, signed on June 23, 2021, linked [here](#). These legislative actions collectively will be referred to in this Guidance as the “2021 Remote Learning Legislation.” In this Guidance, we will provide a summary of that new statutory language, as well as address the expectations for remote learning going forward.

After the rapid adaptation of traditional school classrooms to remote (at-home) learning and hybrid learning models during the COVID-19 pandemic, school communities and families are eager to know how remote learning will be approached during upcoming school years. Based on recent legislation in this area, as described below, the term “remote learning” is defined as instruction by means of one or more internet-based software platforms as part of a remote learning model.

The use of a remote learning model during the spring of 2020 and the 2020-2021 school year was necessary because of the state of emergency due to the COVID-19 pandemic. The use of a remote learning model was made possible by state government’s expanded authority during public health and civil preparedness emergencies, Governor Lamont’s executive orders issued pursuant to that expanded authority, and actions of the Connecticut State Board of Education (CSBE). Moving forward, our shared commitment to equity requires refocusing on in-person learning opportunities. We want all students to have the opportunity to be in the classroom, where they learn best, and where they have peer and adult support, access to nutrition and health resources, and the social-emotional interaction that is so imperative to their personal and educational development and long-term success.

Brief Background

Before the COVID-19 public health emergency, there was no provision in Connecticut state law to allow public schools to count remote (at-home) learning toward fulfilling a district's 180-day requirement. In addition, a student needed to be physically present at their assigned school to be considered “in attendance,” with limited exceptions for an activity sponsored by the school such as a field trip, per the [CSBE policy on absences](#).

As a result of the COVID-19 pandemic, Connecticut schools had to pivot and were granted permission by [CSBE resolution](#) for use of remote or hybrid learning in lieu of in-person school, limited to the 2020-2021 school year, due to unavoidable emergency. School districts were also required by the Connecticut

State Department of Education (CSDE) school reopening document, [Adapt, Advance, Achieve, and associated addenda](#), to allow any and all students access to at-home learning options. This requirement was made binding by Executive Order, and all school districts developed at-home learning programming for the 2020-2021 school year.

In May of 2021, the CSDE issued [Interim Guidance for Remote Learning 2021-2022 School Year](#), establishing that there will be no mandate requiring a voluntary remote (at-home) option for next year.

New Statutory Permission for Remote Learning in High School starting July 1, 2022, with Board Approval, and the Commissioner’s Remote Learning Standards

The 2021 Remote Learning Legislation is the first Connecticut legislation that specifically addresses “remote learning,” although there was existing permission for districts to grant credit to students to engage in online coursework towards graduation requirements captured in C.G.S. Section 10-221a.¹ The 2021 Remote Learning Legislation establishes local board of education authority to authorize remote learning for students in grades 9-12, starting July 1, 2022. Therefore, students enrolled in grades K-8 should not be included in district policies relating to remote learning as a regular part of the curriculum.

More specifically, the 2021 Remote Learning Legislation requires that the Commissioner of Education publish standards for remote learning (“Commissioner’s Remote Learning Standards”) by January 1, 2022. Then, using the Commissioner’s Remote Learning Standards, starting in the 2022-2023 school year, local or regional boards of education may authorize use of remote learning for students in grades 9-12, so long as the local board adopts a policy to ensure the remote learning program:

- (1) is in compliance with the Commissioner’s Remote Learning Standards, and
- (2) includes requirements for student attendance during remote learning that is:
 - a. in compliance with the Department of Education's guidance on student attendance during remote learning; and
 - b. counts the attendance of any student who spends not less than one-half of the school day during such instruction engaged in (i) virtual classes, (ii) virtual meetings, (iii) activities on time-logged electronic systems, and (iv) the completion and submission of assignments.

¹ C.G.S. Section 10-221a was typically applied in a more limited fashion than anticipated by this “remote learning” legislation. Since 2010, C.G.S. Section 10-221a has provided that such policies must ensure, at a minimum, the following:

- (A) the workload required by the on-line course is equivalent to that of a similar course taught in a traditional classroom setting,
- (B) the content is rigorous and aligned with curriculum guidelines approved by the State Board of Education, where appropriate,
- (C) the course engages students and has interactive components, which may include, but are not limited to, required interactions between students and their teachers, participation in on-line demonstrations, discussion boards or virtual labs,
- (D) the program of instruction for such on-line coursework is planned, ongoing and systematic, and
- (E) the courses are (i) taught by teachers who are certified in the state or another state and have received training on teaching in an on-line environment, or (ii) offered by institutions of higher education that are accredited by the Board of Regents for Higher Education or Office of Higher Education or regionally accredited.

Attendance During Remote Learning

By July 1, 2021, the CSBE must amend its definitions of “excused” and “unexcused” absence to exclude from that definition a student’s engagement in the following activities: virtual classes, virtual meetings, activities on time-logged electronic systems, and the completion and submission of assignments (collectively “virtual learning activities”), provided engagement in these activities accounts for at least half the school day during remote learning. This expanded definition will only apply when those remote learning activities are authorized consistent with the 2021 Remote Learning Legislation which requires they be authorized by the local board for high school students only starting in the 2022-2023 school year.

Remote Learning Days as an “Actual School Session”

The provision of the law that requires school districts to provide 180 days and 900 hours of instruction (C.G.S. Section 10-16), is also amended by this legislation to require that remote learning shall be considered an “actual school session” – provided that remote learning is carried out in accordance with the Commissioner’s Remote Learning Standards, i.e., only may be authorized by the local board of education for students in grades 9-12 beginning in the 2022-23 school year.

Isolation or Quarantine, Localized Outbreak, Vulnerable Family Members, and other Accommodations for Individualized Circumstances

In making any decisions regarding remote learning, school districts must be aware of their existing legal obligations to provide accommodations on an individualized basis, which may include the use of remote education options.

Any student who is unable to attend school due to a verified medical reason must be provided with homebound and hospitalized instruction where attendance in a school even with reasonable accommodations is not feasible. As the CSDE has previously reminded schools, 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 planning and placement team (PPT) recommendation that instruction in the home provides the student with free appropriate public education (FAPE) in the least restrictive environment and would be reflected in the student’s individualized education plan (IEP). Where appropriate, students with these needs should contact their district to discuss review their Health Plan, 504 Plan, and/or IEP.

While school districts, as outlined in this guidance, are not authorized by legislation to provide a remote learning program except for high school students starting in the 2022-2023 school year, and even then are not required to provide voluntary remote learning options, the evolving COVID-19 pandemic presents the possible need for a continued emergency declaration and future Executive Order or other action addressing narrow access to remote learning as a direct public health necessity. Accordingly, school districts are also encouraged to develop a local policy to address how remote learning might be used to provide continued educational opportunities: (1) for students who must be in COVID-19 isolation or quarantine, (2) to address localized outbreaks in a school or specific school district, and (3) in rare and individualized circumstances, for students with elevated risks from COVID-19 exposure due to co-habiting family members with documented vulnerability to COVID-19. Such policy should squarely

document eligibility with equity and consistency in mind, and address the frequency and with what restrictions access will be granted. School districts may want to consult with their local Regional Educational Service Center (RESC) to discuss existing RESC remote programming that might support limited local need for remote learning as a direct public health necessity.

The Future of Remote Learning

Despite these legislative changes, there continues to be limited legal authority for remote learning for students younger than 9th grade. However, the legislature has directed the CSDE to prepare for the potential for more expansive use of remote learning.

As required by this legislation, the CSDE will be establishing the “Connecticut Remote Learning Commission” to analyze and provide recommendations about remote learning for public school students in grades K-12. This Commission is expected to publish a report analyzing the impact of remote learning on various subgroups, and also address the feasibility of creating a statewide remote learning school serving grades K-12.

Legislation also requires the CSDE to develop a plan to create and implement a statewide remote learning school for grades K-12, as well as to conduct a comprehensive audit of the provision of remote learning provided in the 2019-2020 and 2020-2021 school years due to the COVID-19 pandemic.

In conjunction with taking the actions described in this summary of the 2021 legislation on remote learning, the CSDE will work with the CSBE and continue to actively engage stakeholders in developing the Commissioner’s Remote Learning Standards, and on the deliberate, judicious, and strategic use of technology in education.

We hope this information is helpful to districts in defining the parameters regarding the use of remote learning in schools going forward.