# Northwest Ohio ESC

**August 7, 2020**

Ohio's Superintendent Association

# Remote Learning Plan

- Permits public schools to adopt a plan to provide instruction using a “remote” learning model for the 2020-2021 school year

- An “approved plan” is due to ODE by **August 21**
  - Board of Education should approve the plan

- <u>Submitted</u> to ODE but not approved by ODE
    - Will be posted on ODE website

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# Remote Learning Plan

- School districts submitting the the plans **will be considered compliant with minimum-hour requirements and funding eligibility criteria** (for the 2020-2021 year only)

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# Remote Learning Plan Submission to remotelearning@education.ohio.gov

**Check all the boxes that apply.**

- ☐ I am submitting my district's Remote Learning Plan.
- ☐ I am providing an amended version of my district's Remote Learning Plan. ← Notice

School Year: _____

District/Name: _____

IRN: _____ County: _____

Name and Title: _____

Signature: _____ Date: _____

Email: _____

Phone: _____

# Attendance:
# Tracking vs. Reporting

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# Attendance

- Tracking
  - Remember, your Remote learning plan assures minimum-hour requirements and funding eligibility
  - How are you tracking and documenting attendance to monitor and support student ***access*** and ***exposure*** to learning opportunities?
  - **"The tracking of attendance does not have to be so precise as to know what every student is doing at every moment with regard to the student's educational experience."**
  - Attendance related to in-school activities should be taken in the same manner as it normally is when students are in school. For students engaged in remote learning opportunities, districts and community schools must develop processes to track attendance.

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# Attendance

- Reporting
  - Regardless of the way attendance is tracked, districts and schools must ***convert to and report* attendance in hour increments**

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# Attendance

- Policies
  - Districts and community schools should update their attendance and absenteeism policies before the start of school to align with their remote learning plans or blended learning declarations.
  - Every district must have an approach to addressing attendance and excessive absenteeism outlined in their district truancy and attendance policies (Ohio Revised Code section 3321.191)

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# Liability

JULY 21, 2020

## Potential liability and defenses related to COVID-19 for public educational institutions

# Liability

- Have a discussion with your district's liability carrier regarding coverage for these types of claims.

- School boards and employees have significant statutory immunity available to them for conduct that occurs during the course of employment under Ohio Revised Code Sections 2744.02 and 2744.03

- However, conduct that occurs with "malicious purpose, in bad faith, or in a wanton or reckless manner" are exceptions to statutory immunity

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# Liability

- HB 606
  - Extends immunity to business owners—you already have that
  - Takes it one step further and identifies that there is no cause of action for contracting a virus

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# Sick Leave

## Families First Coronavirus Response Act (FFCRA) At-A-Glance

| Type of Leave | Reason for Leave | Leave Benefit |
|---|---|---|
| **EMERGENCY PAID SICK LEAVE** (available immediately upon employment) | • Governmental quarantine<br>• Isolation order related to the pandemic<br>• Shelter-in-place or stay-at-home order | • Up to 80 hours (2 weeks/10 days)<br>• Full pay up to $511/day and an aggregate of $5,110 |
| | A health care provider's recommendation to self-isolate because the employee has been exposed to COVID-19 or when an employee's pre-existing health condition makes them particularly vulnerable to the virus. | • Up to 80 hours (2 weeks/10 days)<br>• Full pay up to $511/day and an aggregate of $5,110 |
| | A medical diagnosis when an employee is experiencing COVID-19 symptoms, such as fever, chills, shortness of breath, cough, sore throat, or a new loss of taste or smell. | • Up to 80 hours (2 weeks/10 days)<br>• Full pay up to $511/day and an aggregate of $5,110 |
| | To care for an individual who is subject to quarantine or has been advised to self-quarantine and is unable to care for themselves. | • Up to 80 hours (2 weeks/10 days)<br>• 2/3 pay* up to $200/day and an aggregate of $2,000<br>**The employee may choose to supplement with other applicable leave to receive full pay.* |

# XXXXXX LOCAL SCHOOLS
# FFCRA Emergency Paid Leave Request Form

I am requesting **Emergency Sick Leave** due to my inability to work or telework and:

1. _____ I am subject to a quarantine or isolation order imposed by Federal, State or Local Government Order (name of entity issuing order:_____).
2. _____ I am in quarantine or self-isolation on the advice of a health care provider (name and contact information for health care provider issuing instruction:_____).
3. _____ I am experiencing symptoms and seeking a medical diagnosis of COVID-19 (name and contact information of health care provider:_____).
4. _____ I am needed to care for an individual subject to quarantine or isolation imposed by a governmental order or health care provider (name of entity/health care provider issuing order:_____; name of individual and relationship:_____).
5. _____ I am needed to care for my child whose school or regular child care provider is closed or unavailable for reasons related to COVID-19 and no one else is caring for the child during my requested leave (name and age(s) of child(ren):_____; name of school/childcare provider:_____).
    a. I confirm that no other suitable person is available to care for my child(ren) during my work hours: ____ (place initials here)

# Funding

- CARES Act K – 12 Emergency Relief Funds
  - $440 million
  - Distribution based on Title 1 allocations
- Additional funding approved by the Controlling Board on July 13
  - $100 million
  - Coronavirus Relief Fund
- Discretionary Funds
  - $50 million for ODE
  - $100 million for Governor's Emergency Education Relief Fund (GEERF)
    - Allocated by next spring
- BroadbandOhio Connectivity Grant Program
  - $50 million in additional funds
- Additional Federal Funding?

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# Funding--$100 Million approved by Controlling Board from Coronavirus Relief Fund (CRF)

- Loaded into CCIP yesterday
  - Communication coming to Superintendents and Treasurers today
  - Includes detailed guidance and FAQ's

- The CARES Act requires the payments from the **CRF** only be used to cover expenses that:
  - Are necessary expenditures incurred due to the public health emergency with respect to COVID-19;
  - Were ***incurred during the period that begins on March 1, 2020 and ends December 30, 2020***.

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# Funding--$100 Million approved by Controlling Board from Coronavirus Relief Fund (CRF)

- Some permissible uses:
  - Expenses of providing paid sick and paid family and medical leave to public employees who are infected/directly impacted to enable compliance with COVID-19 public health precautions
  - Equipment related to supporting remote learning plans, including Chromebooks or iPads for those students for whom equipment has not been made available
  - PPE and cleaning supplies

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# Funding--$100 Million approved by Controlling Board from Coronavirus Relief Fund (CRF)

- *Districts should upload assurances and complete the application in CCIP by September 30, 2020*

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# BroadbandOhio Connectivity Grant Program

- ODE is working with MCOECN who will likely house the application and ITCs will likely lend their support to help districts apply

- Funds are part of the larger Coronavirus Relief Funds. Funds are for expenses through December 30, 2020
  - Seeking to make funding retroactive to July 1, 2020

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# BroadbandOhio Connectivity Grant Program

- Funds will be used to support connectivity for students - hot spots, internet connectivity to a student's home, public WiFi on a school bus, etc.

- The funds are not for devices (Chromebook, etc.) unless the devise independently connects to the internet (iPad with cell capability)

- There will be a fairly short window for schools to apply so grants can be awarded asap

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# Worth Looking At

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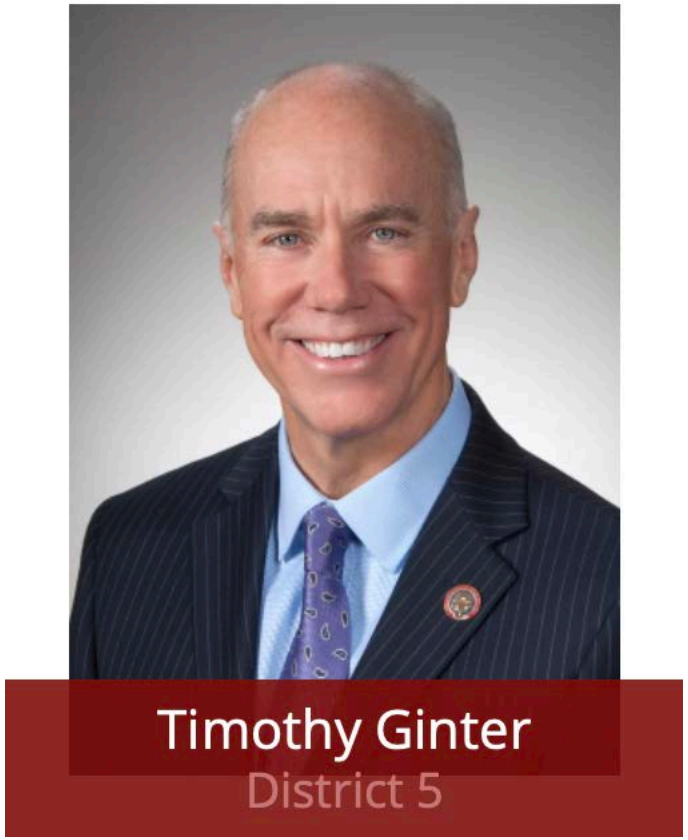
# H.B. 164—Ohio Student Religious Liberty Act

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# H.B. 164—Ohio Student Religious Liberty Act

- Authorizes students to engage in religious expression before, during, and after school hours in the same manner and to the same extent that a student may engage in secular activities or expression before, during, and after school hours
  - Students who wish to meet for the purpose of religious expression have the same access to school facilities given to secular student groups
  - School districts cannot limit the exercise or expression of religion to lunch periods or other noninstructional time periods

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# H.B. 164—Ohio Student Religious Liberty Act

- Prohibits public schools from restricting a student from engaging in religious expression in the completion of homework, artwork, or other assignments

- Prohibits public schools from rewarding or penalizing a student based on the religious content of the student's homework, artwork, or other assignments

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# H.B. 164—Evaluations

- **Prohibits school districts from using value-added data or student growth measures for 2020-2021 evaluations (teachers and principals).**
  - Districts must still address negotiated agreement requirements

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# H.B. 164—End of Course Exams

- Students who were not able to take a required end-of-course exam in 2019-2020 may use the student's final course grade in lieu of an exam score to satisfy conditions for a high school diploma.
  - If first time taking the exam, use final course grade from that year
  - If it was a re-take, use the final course grade from that year or a prior year

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| Final Grade | Exam performance level | Graduation points |
|---|---|---|
| “A+”, “A”, or “A-” | Advanced | 5 |
| “B+”, “B”, or “B-” | Accelerated | 4 |
| “C+”, “C”, or “C-” | Proficient | 3 |
| “D+”, “D”, or “D-” | Basic | 2 |
| “F” | Limited | 1 |

“C” or above = Competency

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# H.B. 164—End of Course Exams

- If Pass/Fail:
  - Failing = “F” and Limited
  - Pass = district determines exam performance level
  - Pass = competency

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# H.B. 164—Third Grade Reading Guarantee

- Prohibits the State Board of Education from reviewing and adjusting upward the promotion score for the third grade English language arts assessment for the 2020-2021 school year

- Exempts a teacher assigned to provide intense remediation reading assistance to a student in the 2020-2021 school year under the Third-Grade Reading Guarantee from certain criteria otherwise required under continuing law.

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# H.B. 164—Third Grade Reading Guarantee

- **For the 2020-2021 school year only, prohibits a school district from retaining third-grade students who did not pass the English language arts assessment**
  - **The student's principal and reading teacher agree that other evaluations of the student's skill in reading demonstrate they are academically prepared to be promoted to the fourth grade**

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# H.B. 164—Academic Assessments for Home-Schooled Students

- Exempts parents of students receiving home instruction from the requirement to submit an “academic assessment record” for the 2019-2020 school year as a condition of allowing the student to continue receiving home instruction for the 2020-2021 school year.

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# H.B. 164—Services to Students with Disabilities

- Permits personnel providing professional services to students with disabilities to provide services electronically or via telehealth communication for the entirety of the 2020-2021 school year.
  - Speech and Hearing
  - Occupational Therapy
  - Physical Therapy
  - Athletic Trainers
  - School Psychologists
  - Counselors
  - Social Workers
  - Family Therapists
  - Intervention Specialists

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# H.B. 164—Grade Band Flexibility

- Permits a school district to employ or reassign a licensed teacher to teach a subject area or grade level for which the teacher is not licensed for the 2020-2021 school year
  - Teacher is licensed in the subject area
  - Teacher has three or more years teaching experience
  - Assignment is within 2 grade levels of the teacher's licensure

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# H.B. 164—Online Bus Driver Training

- Requires the Department to develop an online training program to satisfy the classroom portion of pre-service and annual in-service training for school bus driver certification for the 2020-2021 school year.
  - “30-day” removed from ODE bus driver online training program

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# H.B. 166—Territory Transfer Law

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# H.B. 166—Territory Transfer (RC 3311.242)

- Allows electors living in a township that is split between 2 or more districts to petition for the transfer of territory to another adjacent school district
- Requires the proposal to be placed on the ballot at the next election after the board of elections certifies the proposal
- The State Board is required to approve the agreement and provide written notification to each district board
- The district boards and township trustees are required to equitably divide funds and indebtedness between the districts.

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# H.B. 166—Territory Transfer (RC 3311.242)

- Plain LSD
  - Jackson LSD
  - North Canton LSD
- Bowling Green
  - Eastwood LSD
  - Elmwood LSD
  - McComb LSD
  - Otsego LSD
  - Patrick Henry LSD
- Fremont
  - Gibonsburg LSD
- Logan Elm Local
  - Logan-Hocking LSD

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# H.B. 166—Territory Transfer (RC 3311.242)

- Bowling Green
  - 8 petitions on the ballot on Tuesday (funded by BG School Board)
  - If all would have passed, BG would have lost $150 million of tax valuation and 200 students
  - Four issues failed by votes of:
    - 253 to 66
    - 3 to 19
    - 2 to 7
    - 137 to 176
  - Four issues were approved by votes of:
    - 48-20
    - 1-0
    - 1-0
    - 32-17

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# Vouchers

- 2020-2021 eligibility list of 1,227 buildings is halted
- Vouchers eligibility for 2020-2021 is instead based on the current 2019-2020 eligibility list of 517 buildings
- Application window began April 1 and runs for 6o days
  - **ODE Re-opened window July 1 for rolling application period**
- Applications for 2021-2022 list are open on February 1, 2021
- Income-based vouchers are unaffected

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# Questions?

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