

FAQ for Oregon's School District Leaders Responding to COVID-19

Last Update: March 15, 2020

As part of ODE's ongoing response to school closure and in support of districts responding to the COVID-19 outbreak, ODE will publish and regularly update this document, titled "FAQ for Oregon's School District Leaders Responding to COVID-19". The future document will be sectioned into categories for ease of navigation by topic and will include updates on nutrition services flexibility and waivers.

We will notify school district and ESD superintendents and when this FAQ is placed online so that you can bookmark the site and regularly check for updates. We are also working to set-up a series of online superintendent meetings – the purpose will be to review specific guidance and answer questions. ODE will work with partners at COSA to prioritize questions for these superintendent meetings. ODE, time permitting, will also review the feasibility of smaller online meetings with superintendents by region or district size in an effort to provide more customized support.

Between March 23rd and 27th, state authorities will re-evaluate where we are with school closures and other COVID-19 measures.

1. How will ODE facilitate good flows of information and be responsive to ongoing questions?

Every K-12 partner has an important role at this time. ODE will send an update to district and ESD superintendents each time this FAQ is updated and highlight the changes made.

ODE will establish a dedicated email address, which will be shared in our next update, to receive any new questions emerging from the field.

ODE will host regular online meetings with superintendents during the closure and beyond as needed. Superintendents will receive an email with dates/times. ODE will work with COSA to prioritize highest-need topics for these meetings.

2. Can a district decide not to close?

No. Governor Kate Brown, Oregon's Superintendent of Public Instruction, [announced](#) statewide school closure for students in Oregon from Monday, March 16 through Tuesday, March 31.

3. Can districts have people in district buildings working?

Yes, at this time no school in Oregon is closed due to exposure of COVID-19 and it is safe for staff to be present. Schools that do open should comply with the [social distancing guidance](#) issued by Governor Brown.

Districts are tasked with developing plans to continue nutrition services during the closure, which may require staff to be onsite. Districts may open their buildings to child care as they are able. Districts may also be asked to assist with child care for our most vulnerable families, as well as health care professionals and first responders.

4. Will there be any state direction to continue paying employees, particularly classified/hourly, contract service providers, or those employed less than 12 months? If districts continue to pay employees during closure *and* must make up school days, will there be additional state resources to pay for this unanticipated cost (most likely for classified employees). Which staff must report to work? Can we require key staff to report to work during a state-mandated closure?

At this time these are local decisions. Districts are encouraged to consider their collective bargaining agreements; HR policies; and engage in agreed upon protocols, memorandums of understanding, memorandums of agreement, or letters of agreement with local bargaining units.

Watch for further updates to this response. ODE and the Governor's Office are actively working on additional statewide supports and solutions to support schools and employees.

5. Can we continue to use district spaces for child care or community use?

Yes. Oregon's schools were closed because they were challenged to functionally operate schools due to workforce issues and student absences. Schools were experiencing critical shortages in staff, and superintendents are concerned for school personnel who are at elevated risk such as those over age 60 and those with underlying medical issues. The schools were not closed to stop the spread of the coronavirus - under current [CDC guidelines](#), this strategy is not warranted at this time.

Governor Brown's memo offers [guidelines](#) to mitigate the spread of COVID-19. If the use of the space cannot meet the recommendations, then school spaces should not be used for events, gatherings, child care use, meal service, etc. However, where the [guidelines](#) can be met, schools have local authority to use their sites.

6. Please share the requirements and guidance related to online or distance learning during an extended school closure.

The impact to students during a school closure can be significant. The learning time and support students receive at school are not easily supplemented or replaced. Understanding the desire and responsibility of parents and educators alike to provide continuity for every student in their learning, many school districts are assessing the feasibility of providing online learning in the event of extended school closures. In looking at this option, it is important to consider the practical steps necessary to appropriately serve every student equitably and the extent to which a traditional school environment can be quickly replicated online. It is not a simple task, nor is it one that should be attempted without serious consideration of equity and access.

This guidance is aimed at supporting schools in evaluating this approach, understanding their legal obligations, and the standards for the delivery of instruction and student supports that must be adhered to in moving to fully online school.

At this time, Oregon does not have the statewide capacity, infrastructure or expertise to equitably move to online learning in the event of prolonged school closures. ODE does not expect districts to transition to online learning as schools close for health and safety reasons. Should districts opt for providing online learning, ODE has a responsibility to ensure all students are served appropriately.

Districts or schools in some areas may have the capacity to explore expanding or offering online learning. If a district or school is seeking to build capacity for online learning, carefully consider the regulations that need to be met to replace your current in-person “brick and mortar” school with an online school:

1. **All** students in the school or district have full access to the learning, the educators, and required materials (including technology).
2. The online learning system effectively supports the district’s different learning and teaching needs, including the ability to provide differentiated instruction as well as one-on-one support for students who need it.
3. Online instructional materials are aligned to Oregon State Standards.
4. Specially Designed Instruction (SDI) identified on a student’s Individualized Education Program (IEP) or required supports for a 504 plan must be provided if the district is operating school online.
5. Support and instruction for emerging bilingual/English Learners must be provided if the district is operating school online.
6. Supports for talented and gifted students must be provided if the district is operating school online.
7. Ensuring equal student access to the instruction and assessments associated with dual credit courses.
8. Providing training to staff, students, and parents and guardians on how the online system works and the expectations of the district.
9. Attendance is tracked and reported for both students and staff.
10. Online systems are secure and will not allow for the release of protected student or staff information.
11. Students have access to school meals.
12. Students have access to school counseling services.

Districts should apply an equity lens when considering operating fully online schools. Districts should consider the impacts on underserved groups, including students of color, students with disabilities, emerging bilingual students, students experiencing poverty and homelessness, and students who belong to other protected classes. Consider whether the model will improve or worsen disparities between populations. Consider barriers to equitable implementation and unintended consequences.

Shifting from a “brick and mortar” school environment to online learning that meets the regulations of holding “school” is a complex task that requires thoughtful planning, serious consideration of practicality, and assessment of risk. The ODE does not recommend schools consider a transition to online learning *unless* the district can ensure, at a minimum, each of the above considerations are met. ODE also does not recommend that district’s seek to deploy new technological platforms at this time. If you have questions about quality online learning strategies, please contact [Carla Wade](#), ODE Digital Innovations Lead.

7. Can districts respond creatively to meet the needs of young people and families?

Yes. In the event of extended school closures, ODE *does* recommend districts encourage students and families to stay engaged in informal or supplemental learning by creatively utilizing online and offline resources. The best starting point is likely to be resources that are already being used in the district and are familiar to students, families and staff. While school may not be in session, school districts and educators can be a vital community resource for students and families. Creative responses to meet community needs and leverage strengths don’t need to be limited to sharing online resources and could include finding ways to support nutrition and find ways to get information to families who might be at a distance or not have digital access.

In the coming days, ODE will be providing a compilation of possible resources for school districts that may be helpful to support student learning and family and community engagement while schools are closed.

8. Will schools still receive State School Funds (SSF) during the March 16-31 school closure as directed by Governor Brown?

Yes. The regular SSF distribution is one of ODE’s highest priorities in support of school operations in Oregon.

This question does not address the impact of closure on the SSF formula over time. Watch for updates to this response to further address impacts on SSF.

9. What kind of staff activity is allowed or expected in the next two weeks?

At this time these are local decisions. Districts are encouraged to consider their collective bargaining agreements; HR policies; and engage in agreed upon protocols, memorandums of understanding, memorandums of agreement, or letters of agreement with local bargaining units.

Districts are tasked with developing plans for beginning operation with students on April 1 and plans to continue nutrition services during the closure, which may require staff to be onsite. Districts may also be asked to assist with child care for our most vulnerable families, as well as health care professionals and first responders. Staff will be required for these efforts.

Watch for further updates to this response. ODE and the Governor's Office are actively working on additional statewide supports and solutions to support schools and employees.

10. Will school boards be expected/allowed to meet?

If following [social distancing guidance](#) issued by Governor Brown, a school board meeting, in-person or virtually is possible, but remains a local decision. School board processes have important public meeting law and public comment components. The Oregon School Boards Association (OSBA) is preparing guidance for open public meetings under COVID-19 measures, watch for guidance [here](#).

11. With school closures, are there changes to required professional learning for Oregon teachers?

The [social distancing guidance](#) issued by Governor Brown offers guidance related to settings for professional learning.

The Teacher Standards and Practices Commission is taking the following actions:

1. Required professional development for all Oregon licensed educators will be reduced by 12 units for this current reporting period. This will include requirements for license renewal and Advanced Professional Development Program plans for licensure advancement, subject to any district requirements and collective bargaining agreements.
2. In lieu of the reduced professional development requirements, educators are encouraged to consider independent study of trauma-informed practices and culturally responsive instruction.

The current pandemic further demonstrates our role as educators to support the needs of our students, communities, and each other. Today reminds us of how important our profession is to the sustainability of our communities beyond the classroom. Educators may contact TSPC Executive Director, [Dr. Anthony Rosilez](#) for further information.

12. Does extended ADMw help mitigate funding concerns based on decreases in attendance before or after school closures?

Extended ADMw would help districts experiencing reduced average daily membership due to students being out for extended periods of time. Even if a district's ADMw changes during the 2019-20 school year due to COVID – 19 absences, their ADMw could never dip below the extended ADMw.

District extended ADMw (extADMw) is current ADMw or ADMw of the prior year, whichever is greater. The 2019-20 SY is comparing 2018-19 against 2019-20 ADMw and using the higher of the two for the state school fund payment calculation.

Watch for further updates to this response. ODE and the Governor's Office are actively working on additional statewide supports and solutions to support schools and employees.

13. What about the possible impacts on state assessments?

We recognize the very challenging position the loss of instructional time puts on the already delicate balance schools and teachers seek in offering meaningful learning aligned to state standards. We also understand the administrative and communication challenges to help students, families, and teachers navigate state assessment processes under normal circumstances, much less now.

Oregon offers a long testing window for statewide summative assessments from January 7 - June 5. A 7-day closure for students does not yet warrant a change in our statewide summative assessment system.

The [U.S. Department of Education is offering flexibility and waivers](#) that may be needed in the future. Watch this response for future updates.

In cases where circumstances directly prevent a school from completing testing within the statewide test window, [Oregon law](#) does include a provision for districts to request an extension to the test window.

Finally, districts should be aware that other assessments (SAT, ACT, AP, IB, and others) are not controlled by ODE. Districts should work with their partner organizations to understand how they will respond flexibility in regards to assessments.

14. Can Virtual Charter Schools remain open during the March 16-31 closure?

Generally yes, Virtual Charter Schools may remain open and continue virtual education and services to students. Below are some considerations:

1. All instruction and support should be offered virtually, ceasing activities that require in-person participation.
2. Work with your district to discuss how students with special needs will be served during this time. Failure to provide equitable services is not acceptable for our students and may open your school to complaint.
3. Employees delivering instruction from in-person facilities should follow the guidance provided by OHA.

Continue watching for updated guidance to this response. This is a rapidly evolving situation and new guidance maybe released.

15. What is expected from a nurse practicing in a school setting?

Nurses can play a vital role in supporting all district personnel in better understanding how to respond and communicate about COVID-19. Nurses could play an important role even while

schools are closed. Nurses should consult with their supervisor regarding specific expectations and caring for their own health and well-being.

The [National Association of School Nurse's Message to School Nurses](#) has provided sound general advice which we've re-produced here.

School nurses lead health promotion and disease prevention in schools. School nurses can decrease fears and promote prevention of COVID-19, the flu, and other illnesses.

School nurses can continue to be proactive by advising students, families, and staff to:

- **Stay home when you are sick.** If possible, stay home from work, school, and errands when you are sick. You will help prevent others from catching your illness. Avoid close contact with people who are sick.
- **Avoid touching your eyes, nose, or mouth.** Germs spread this way.
- **Cover coughs and sneezes.** Use a tissue to cover coughs and sneezes, then dispose of the tissue. When a tissue is not available, cough or sneeze into your elbow.
- **Clean and disinfect surfaces or objects.** Clean and disinfect frequently touched surfaces at home, work or school, especially when someone is ill. [Find additional CDC resources on how to clean and disinfect schools.](#)
- **Wash hands for 20 seconds.** Washing hands often under clean, running water can help prevent the spread of germs. For more guidance see the [CDC: When and How to Wash Your Hands](#). If you cannot wash your hands, use alcohol-based hand sanitizer with at least 60-95% alcohol.

School nurses should:

- Provide factual updates, as needed, regarding flu rates in the area, COVID-19 and tips to help decrease public fears.
- Consult with primary care providers, local, and state health departments if they observe individuals with symptoms or circumstances that seem to match those related to COVID-19 exposure.

16. How is ODE or how can districts respond to instructional hour requirements?

Under current law, school districts are required to provide a minimum number of hours of instructional time. This is a Division 22 standard.

If a school is required to close for a significant amount of time, the district has three options:

1. Add time to their district calendar;
2. Notify the Department that the district is out of compliance and complete corrective action; or
3. Apply to the State Board for a waiver of the Division 22 standard.

For option 1, a district should make this decision through the local school board. No action by the Department or State Board is required.

For option 2, the district should send a letter, addressed to Director Colt Gill, stating that the district is out of compliance and proposing corrective action. The Department will approve the corrective action or work with the district to develop appropriate corrective action. The District should then report on the 2020-21 Division 22 assurances that the district was out of compliance on instructional time in 2019-20 but has already completed the required corrective action.

For option 3, the district should send a letter, addressed to Director Colt Gill, requesting a waiver. The Division 22 waiver rule is [581-002-0035](#). Director Gill will review the waiver request to determine whether to recommend the waiver to the State Board. If Director Gill does recommend the waiver to the State Board, the District Superintendent would be expected to attend the State Board meeting to provide information and answer questions.

There is no need for a district to take immediate action on option two or three.

ODE can also put forward a temporary rule for the State Board to consider. A temporary rule could waive or alter the instructional time requirement for all school districts for the 2019-20 school year.

If adopted by the State Board, the temporary rule will be in effect for six months. At the end of six months, the temporary rule will expire and the current instructional time standard will once again be in effect.

ODE will explore the need for this statewide option over the next several weeks. Watch for updates to this response.

17. Can schools share personally identifiable information (PII) with health care providers?

The [US Department of Education has issued guidance](#) outlining health and safety exemptions allowing schools to share PII with health care providers when necessary. The following excerpt most directly answers this question:

Although educational agencies and institutions can often address threats to the health or safety of students or other individuals in a manner that does not identify a particular student, FERPA permits educational agencies and institutions to disclose, without prior written consent, PII from student education records to appropriate parties in connection with an emergency, if knowledge of that information is necessary to protect the health or safety of a student or other individuals. 20 U.S.C. § 1232g(b)(1)(I); 34 C.F.R. §§ 99.31(a)(10) and 99.36. This “health or safety emergency” exception to FERPA’s general consent requirement is limited in time to the period of the emergency and generally does not allow for a blanket release of PII from student education records. Typically, law enforcement officials, public health officials, trained medical personnel, and parents (including parents of an eligible student) are the types of appropriate parties to whom PII from education records may be disclosed under this FERPA exception.

18. What services may be available for students who are experiencing homelessness during school closures?

Districts are encouraged to contact and get expertise from their McKinney-Vento Act liaison.

The following resources can also be helpful:

- Oregon's regional [Continuums of Care](#) are networks of state and local programs assisting community members with housing and other services.
- [211-Info](#) connects people with social and health services, shelter and transitional housing, food banks and homelessness assistance.
- [Community Action](#) programs in many areas are providing assistance to families and individuals navigating poverty.
- The U.S. Interagency Council on Homelessness has posted [recommendations](#) for planning, preparation and mitigation of coronavirus spread.
- [School House Connection's website](#) provides excellent resources for schools and early learning programs to address homelessness during this time.

19. Will there be additional time related to Student Investment Account (SIA) applications?

The SIA team is considering the impact that COVID-19 may have on the SIA application requirements and processes. We anticipate sharing an update as soon as next week. The variables being considered at this time include:

- The value of asking districts to submit whatever they have ready (even if not complete) by April 15th to allow for responsive support and attempting to manage the law's process requirements.
- The benefits of a delay to allow for public comment and board decision-making processes.
- The potential that districts may want to adjust some of their plan based on COVID-19 given that one of the core purposes is to support student mental and behavioral health.
- The unintended impacts of delaying funding and implementation of SIA at the district.