

# Comprehensive Distance Learning Requirement Overview



The purpose of this checklist is to provide a summary of all requirements for Comprehensive Distance Learning (CDL). This may especially be helpful for any school operating with a CDL instructional framework for purposes of planning and/or upon completion of the CDL Operational Blueprint to ensure full compliance.

## Comprehensive Distance Learning Requirements for 2020-21

### Safeguarding Student Opportunity Clause (1C)

- Guarantee a full academic learning experience through Comprehensive Distance Learning for any student who may not be able to access On-Site or Hybrid instruction due to health-related issues.
- Districts shall not make a decision for any student that limits opportunity to progress within a course sequence, or to determine grade promotion or retention, placement in an advanced course, sports, access to clubs/Career and Technical Student Organizations such as Future Farmers of America, forecasting opportunities, or modified diploma option for the 2020-21 school year based on performance during spring of 2020 during extended school closures.
- Do not retain or hold back any student due to impacts of the spring 2020 school closure (final term of 2019-20 school year).
- Develop a Credit Earning Assurance Plan pursuant to *Distance Learning for All* requirements that can be completed with students and families by the end of September 2020, for any student who has received “Incomplete(s)” (or local equivalent) during the final term of the 2019-20 school year. Credit-Earning Assurance Plans may include but are not limited to academic support courses, consolidated/combined content courses, personalized academic tutoring, summer school, online course offerings, peer tutoring, zero period learning opportunities, and/or project-based learning opportunities. Complete Credit-Earning Assurance Plans prior to the beginning of the 2021-22 school year.
- Hold students who received an “Incomplete” (or local equivalent) during the final term of the 2019-20 school year to the same (not higher) standards of essential learning for any course they are making up in their Credit-Earning Assurance Plan.
- Any cohort design must guarantee all students maintain access to general education, grade-level learning standards, and peers. Students shall not be placed into full-time cohort groups based on any demographic or disability criteria (e.g., students with complex medical needs, students with IEPs, students receiving language services, etc.). Additionally, student cohorting shall not be determined by performance and/or level of engagement during *Distance Learning For All* (See Section 1d).

### Services for Students During Comprehensive Distance Learning (1D)

- Review and adhere to the requirements in the [Ensuring Equity & Access: Aligning Federal and State Requirements Companion Guidance](#).
- All Districts receiving Title Grant Awards of any kind, not solely Title VI, are required to consult with tribal organizations.
  - IN GENERAL.—To ensure timely and meaningful consultation on issues affecting American Indian and Alaska Native students, an affected local educational agency shall consult with appropriate officials from Indian tribes or tribal organizations approved by the tribes located in the area served by the local educational agency prior to the affected local educational agency’s

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submission of a required plan or application for a covered program under this Act or for a program under title VI of this Act. (20 USC § 7918)

- The majority of each student's services under ESSA, 504, or IDEA should be mostly teacher-facilitated and can be synchronous or asynchronous to meet service requirements while in distance learning. When considering asynchronous methods, the instruction must be specific to the student challenges and skills.
  - Meet this requirement through a variety of modalities, including but not limited to:
    - Online video or audio conferencing,
    - Offline approaches, such as phone calls or [two-way communication/messaging tools](#), while using shared points of reference (i.e., the student and teacher are each working with the same learning materials as they engage in discussion around them via the phone), or
    - Collaborating on assignments in a cloud-based office suite while also engaged in simultaneous two-way conversation.
- Provide access to the general curriculum for all learners, with access to general education instruction, teachers, educators, and peers as appropriate.
- Make instruction accessible for all learners. All learning platforms must adhere to ADA requirements for visual accessibility. Teams should consider both the needs of the student as well as family/caregiver support for access.
- Design experiences using research-based design principles, such as Universal Design for Learning ([UDL](#)), that improve access to learning for all participants. Students supported under ESSA, ADA, and IDEA require an approach of supported instruction and all students can benefit from planning and design.
- Districts that receive federal funding through various Title grant programs must continue to provide supplemental supports and services to students during Comprehensive Distance Learning.
- Districts are required to implement the strategies as outlined in their approved plans.
- Family engagement activities are required and should be adjusted as appropriate for the Comprehensive Distance Learning context.
- Meet all fiscal requirements (e.g., allowability of expenditures, supplement not supplant, and expenditure tracking).
- Provision of health services to a student may be required per a student's IEP under IDEA or as an accommodation under Section 504 of the Rehabilitation Act. Schools must continue to provide health services and educationally relevant therapy while in CDL. See [Ensuring Equity & Access: Aligning Federal and State Requirements Companion Guidance](#) for more information.

## **Title 1A Improving Basic Programs**

- Hold an annual Title I-A meeting with families, reflecting the current school plan. Meetings should be virtual if metrics for in-person are not met.
- Build parent capacity to assist their students at home.
- Staff funded through a Targeted Assistance Program must continue providing services to identified students.
- Close and Frequent Proximity: Instructional assistants to continue delivering services, with monitoring and feedback loops adjusted for the modality.

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## **Title III / Emergent Bilinguals - Language Instruction**

- Conduct evaluations that were delayed or interrupted due to the extended school closure. Refer to [Remote Identification of English Learners for 2020-21](#) for additional information.
- Maximize collaboration, co-planning and co-teaching between the English language specialist, academic content area certified classroom teacher, and the parent or guardian.
- Provide for instruction that includes continuous access to trained certified staff for distance learning that is not virtual (paper/pencil in nature); make sure that the content is comprehensible, and that Emergent Bilingual students have meaningful opportunities for academic discourse.

## **Students Protected under ADA, Section 504, Equity and Access to School Services, Programs, and Activities**

- Review the student's current 504 plan.
- Adjust the student's 504 plan for distance learning context as necessary.
- Meet with the parent/guardian to develop or revise the 504 plan as necessary.
- Ensure all accommodations and supports are available to students through all remote courses and remote learning.

## **Individuals with Disabilities Education Act (IDEA) Serving Students Experiencing Disability**

- All Child Find obligations as described in [OAR Chapter 581, Division 15](#) must continue to be met while operating under Comprehensive Distance Learning models.
- Review Individualized Education Programs (IEPs) for each eligible student to ensure the student receives FAPE under a Comprehensive Distance Learning model at the beginning of the school year. If unable to implement the IEP as written, hold an IEP meeting or adjust the IEP through a written agreement to plan the services required to enable the provision of FAPE.
- Implement services provided under IDEA, as written, in each eligible student's IEP in order to provide the student with the opportunity to make progress.
- Provide parent/guardian with the opportunity to provide meaningful input if asynchronous services are recommended for a student protected under IDEA.
  - Provide services asynchronously if the team, including the parent, determines asynchronous services are recommended during an appropriate meeting. Document the relevant decisions.
  - As in any dispute, if the parent does not agree to services being provided asynchronously, the team should note the disagreement, provide a Prior Written Notice of the district's decision, and ensure the parent/guardian has access to the dispute process.
- Ensure access to the Least Restrictive Environment (LRE) when in Comprehensive Distance Learning.
  - Provision of teacher-facilitated or synchronous services cannot be used as the justification for denial of access to general education settings, curriculum, teachers, or peers.
  - Cohorting cannot be based on disability status in any instructional model, including CDL.
- Consider the specific student circumstances as well as family/caregiver support in the Specially Designed Instruction (SDI) format.
- Ensure access to the Least Restrictive Environment (LRE) when in Comprehensive Distance Learning.
- IEP teams must plan to provide FAPE through CDL; this may require additional planning time to address any IEP changes required to provide FAPE.
  - Limited In-Person Instruction cannot be the first means through which IEP teams seek to provide FAPE when schools are in CDL; this also cannot be the only offer of FAPE during CDL.
- When the data indicates that a child may not be receiving FAPE through services provided through CDL,

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the IEP team must meet to plan how the child will be able to access FAPE. This could include:

- Providing adaptations and modifications to the services to make them accessible through a CDL framework.
- Providing Limited In-Person SDI or related services when possible under exceptions for CDL.
- While in CDL, parents and caregivers are partners for instruction. Some parents/caregivers may need consultation, training, and coaching to provide ongoing instructional support for their child to access FAPE.
- Providing related services during CDL may be provided in multiple platforms. Schools must consider the family/guardian and home context when determining how services will be provided.

Waivers will not be allowed for any IDEA requirement.

## Students who Receive Talented and Gifted (TAG) Services

- Review TAG plans and ensure there is a district process for TAG identification and services.
- Provide opportunities for educational acceleration, which has long been used to match high-level students' general abilities and specific talents with optimal learning opportunities.
- Design learning experiences that allow for curriculum compacting, which condenses, modifies, or streamlines curriculum to reduce repetition of previously mastered material.

## Teaching and Learning (2A)

- Provide whole group or individual orientations to ensure all students and parents know and understand the tools and procedures for participating in CDL, including offline, online, and hybrid approaches.
- Before instruction begins, ensure that each student is provided an opportunity to meet and begin building a relationship with their teacher(s).
- Instruction is based on grade-level (or above grade-level) academic content standards.
- Provide at least one synchronous opportunity for every student each day (though not necessarily for every course or content area).
- Provide access to a well-rounded education and opportunities to fill learning gaps in the service of grade-level and integrated learning experiences.
- Provide consistent and timely student feedback and documented assessment of learning toward academic content standards. Leverage formative assessment practices to grow student's ability for independent learning.
- Incorporate time and strategies for check-ins and peer interactions; develop classroom culture, even when the "classroom" is remote.
- Clearly define roles and responsibilities of educators, students and families (see Figure F).

## Instructional Time (2B)

- Meet the Division 22 instructional time rules for School Year 2020-21 as outlined in [OAR 581-022-2320<sup>1</sup>](#) (pending State Board of Education approval to modify the OAR to allow for up to 90 hours of professional development and up to 90 hours of parent/family training and support, communication and parent/teacher conferences).

<sup>1</sup> Due to potential ongoing disruptions in learning due to COVID-19, there may be future modifications to Division 22 requirements.

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- At least 50% of instructional time (as defined above) must meet the criteria for teacher-facilitated learning.**
- Teacher-facilitated learning** is a synchronous (either on-site or off-site) or an asynchronous learning experience planned and guided by a licensed teacher (or, possibly, a registered teacher in a charter school). The experience is structured to develop, deepen, and assess new knowledge and understanding relative to academic content standards. Teacher-facilitated learning is often used when the teacher is planning for all students to have a common experience related to specific learning targets. Teacher-facilitated learning may be accomplished asynchronously through learning management systems, teacher-produced videos, or learning packets, each being structured to create strong learning progressions. Synchronous opportunities must be provided daily and may include full group instruction, peer interaction, two-way communication (e.g. phone calls), small group breakouts, or individual office hours.
  - Teacher-facilitated learning may include time that supports students beyond the core instruction, including specially designed instruction, language instruction, or specific services under ESSA or IDEA.
- Applied learning** experiences allow for students to apply knowledge and skills that extend from the teacher-facilitated learning. Students have access to instructional support during applied learning activities, provided by educational assistants, teachers, and/or related service providers. These learning experiences are intentionally designed by the teacher to meaningfully deepen student engagement, allow for peer interaction, and to support family and community involvement. Applied learning experiences likely require scaffolding and supports so that students are able to engage with them independent of teacher or adult support. Applied learning experiences must be designed to support independent learning routines, independent practice, and independent application of skills or learning. As with a typical school year, homework assignments are not considered as instructional minutes.
- Communicate teacher-facilitated learning time and daily school schedules/routines with staff, families, and students.
- Provide designated educator “office hours” to ensure consistency and access to students and families. “Office hours” indicate when each teacher will be accessible (online or via telephone) for consultation.
- Provide frequent and regular opportunities for students to interact with their teacher(s) and peers.

## **Grading and Reporting Progress (2C)**

- Develop and implement an equitable grading policy for Comprehensive Distance Learning.
- Progress monitor student learning, especially for younger students.
- Evaluate goals and objectives based on progress markers for students supported with emergent bilingual supports, an IEP, and/or 504 plan.
- Regularly report progress to students and families, in alignment with Division 22 requirements.
- Provide opportunities to redo, make up, or try again to complete, show progress, or attempt to complete work without penalty and retaining the highest earned grade.

## **Statewide Assessment Balanced Assessment System (2D)**

- Plan for student participation summative assessments at required grade levels in English Language Arts (ELA), mathematics, and science in the event that a statewide summative assessment administration is feasible in 2020-21.
- For students who cannot participate in in-person screening for English learner status, adhere to ODE’s Administration of English Learners in 2020-21 tool (see [CDL Tools](#) section).

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## **Nutrition (3A)**

- Provide access to meal services for all students.
- Work with nutrition services staff to develop meal service plans.
- Adhere to all applicable public health requirements in [Ready Schools, Safe Learners](#) for meal service delivery and food safety.
- Communicate nutrition plans to families.

## **Attendance (3B)**

- Grades K-5 (self-contained): Attendance must be taken at least once per day for all students enrolled in school, regardless of the instructional model (On-Site, Hybrid, Comprehensive Distance Learning, online schools).
- Grades 6-12 (individual subject): Attendance must be taken at least once for each scheduled class that day for all students enrolled in school, regardless of the instructional model (On-Site, Hybrid, Comprehensive Distance Learning, online schools).
- Alternative Programs: Some students are reported in ADM as enrolled in a non-standard program (such as tutorial time), with hours of instruction rather than days present and days absent. Attendance must be taken at least once for each scheduled interaction with each student, so that local systems can track the student's attendance and engagement. Reported hours of instruction continue to be those hours in which the student was present.
- Online schools that previously followed a two check-in per week attendance process must follow the Comprehensive Distance Learning requirements for checking and reporting attendance.
- Provide families with clear and concise descriptions of student attendance and participation expectations as well as family involvement expectations that take into consideration the home environment, caregiver's work schedule, and mental/physical health.

## **Clubs and Extracurricular Activities (3C)**

- Ensure that all additional activities are available and accessible to all students to the extent possible.

## **Equity and Access (4A)**

- Review and apply the school's equity stance, principles, and/or commitment.
- Ensure that no student is subjected to discrimination, as defined in ORS 659.850 and by rule based on race, color, religion, sex, sexual orientation, national origin, marital status, age, disability. EO 20-29 specifically states that ORS 659.850 must be complied with to continue to receive SSF. The protected classes listed are directly from this statute.

## **Mental, Social, and Emotional Health (4B)**

- Ensure the safety, belonging, and mental health of each student as a foundation for learning. This includes recognizing race, culture, gender, and sexual identity (see [Pitfalls and Recommendations of SEL and Equity](#)).
- Prioritize care and connection, and ensure that each student is consistently connected to their teacher(s) and peers. This means regular contact with teachers and peers through synchronous learning experiences.
- Provide health education that includes social-emotional learning skills, including bullying, violence, sexual assault, and child abuse prevention. Meet the legal requirements of [Erin's Law](#) (see [Erin's Law Toolkit for Distance Learning](#)).

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- Daily opportunity for peer interaction *or connection* (Online: morning circles for elementary students, author shares, advisories, study groups, peer tutoring; Offline: recording video messages to share asynchronously, writing letters to each other, appropriately monitored texts, phone calls, and in-person connections that adhere to health and safety protocols).
- School districts must implement [comprehensive school counseling programs](#) (see specific guidance for CSCP during distance learning for [Seniors](#), [High School \(9-11\)](#), [Middle](#), [Elementary](#)).
- Establish predictable routines for building connection, relationships and sense of belonging.

## Partnering with Parents, Families, and Caregivers (4C)

For each of the following requirements, honor home language strengths and needs by ensuring all families have access to high quality translation, equal access to information and communication, and culturally responsive family engagement.

- Begin the year with family conferences, such as [Virtual Home Visits](#), *telephone conversations*, or *in-person visits that follow health and safety protocols*, as a proactive way to re-engage families and learn about student [funds of knowledge](#). Identify family/student strengths and needs relative to engaging with Comprehensive Distance Learning.
- Provide family and student orientation in online or offline formats, as required, that specifically address online/offline distance learning tools and procedures.
- At least four times a year conduct online or offline family conferences/home visits, honoring home language and translation needs and adhering to health and safety protocols.
- Clearly communicate roles and responsibilities during Comprehensive Distance Learning for staff, students, and families.
- Ensure that policies allow for telephone and electronic communication with students by appropriate personnel (e.g., teachers, school counselors, school social workers, administrators, educator paraprofessionals, McKinney-Vento Liaisons and TAPP Family Advocates) to facilitate the educational experience. In revising and developing these policies, families should be consulted. [COSN Privacy Considerations Checklist](#).
- Communicate often, and use multiple channels (e.g., text, letters, email, social media).
  - o Set a predictable time when communication will be sent, such as a weekly newsletter or video announcements.
  - o Ensure parents and caregivers understand the roles in Comprehensive Distance Learning
  - o Provide communication support to families in preferred home language
  - o Use digital tools, such as a texting platform to provide information, reminders, and learning tips. See [Messaging Apps and Websites for Students, Teachers, and Parents](#) for more information.
  - o Discuss important routines and school structures, including supplemental learning resources, how to access meals, and what community supports and services are available for families.
  - o Discuss what IEP, 504, or TAG services will look like in a distance learning model.
- Develop and implement a plan for administrators to be consistently “visible” to parents and students in a comprehensive distance learning setting (e.g., weekly “Principal Talk” session or “mail box” video or weekly newsletter to respond to questions or concerns).
- Educator office hours, posted publicly, for students and families to access (include a process to request and schedule translation services as needed).

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- Collect feedback multiple times a year (at least three) from students and families regarding their experiences during comprehensive distance learning.
- Engage families as critical partners in designing and implementing special education processes to meet student needs and support student growth.

## Privacy and Security (5A)

- Pay close attention to [FERPA](#), [COPPA](#), [CIPA](#), and OSIPA laws and also look specifically for references to how student data is used.
- Districts must secure ownership of their student data.

## Infrastructure (5B)

- To the extent possible, reliable Internet access for every student; if not at their home, other flexible solutions provided.
- To the extent possible, reliable Internet access for every teacher; if not at their home, other flexible solutions provided.

## Devices (5C)

- To the extent possible*, every student has a computing device capable of using digital learning software and accessing the internet.
- Every *educator that is assigned to teach or support students online* has a computing device capable of using digital learning software and accessing the internet.
- Every device must be equipped with a filtering mechanism for compliance with the [Children’s Internet Protection Act](#).
- Devices must be configured, with appropriate apps, and maintained by the school/district. *See Section 2c in [Ready Schools, Safe Learners](#) for device cleaning requirements.*

## Software Systems (5D)

- If providing online instruction and supports*, select and implement a learning management system.
- If providing online instruction and supports*, select a secure online meeting platform for synchronous learning experiences.

## Digital Content (5E)

- Coordinate existing and, where necessary, new digital content in support of educator-facilitated learning.
- Digital content must align with [academic content standards](#) and ensure access to grade level or above content learning.

## Professional Learning & Training (5F)

- Provide ongoing professional learning and training to all school staff around best practices in comprehensive distance learning as well as technical “how-to” trainings for operational functions.