



# COVID-19 Considerations for Reopening Schools

December 18, 2020

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## Preparing for Reopening in January 2021

On Friday, Dec. 18, 2020, Gov. Andy Beshear issued [Executive Order No. 2020-1041 \(EO 2020-1041\)](#), which outlines requirements and recommendations for the reopening of schools in January 2021. This guidance document provides an overview of EO 2020-1041 and an explanation of the content therein.

### **Recommendations for Reopening Plans**

Districts are encouraged to continue to follow prior reopening guidance established by the Kentucky Department of Education (KDE) and the Kentucky Department for Public Health (DPH). This includes the use of the [COVID-19 Daily Case Incidence Rate Maps](#) and the [COVID-19 Mode of Instruction Metrics for K-12 Education](#) to determine which methods of instruction are appropriate given local community transmission.

In addition, KDE and DPH recommend the following for school districts:

- Consider setting reopening dates no earlier than Jan. 11. This date provides for an adequate quarantine window after the holidays and may help to lessen the spread of disease.
- Those in counties designated as “red” by the state incidence map should provide a more aggressive hybrid model – meaning they should further reduce the overall capacity of their buildings and strongly consider returning to a fully virtual option.
- Consider staggering building reopening plans by prioritizing learners at greater risk of learning loss or schools in areas with larger challenges to successful remote learning.
- When planning for reopening, do not include for consideration the availability of a COVID-19 vaccination as vaccination timelines are still undetermined.

### **Maintaining Rigorous Virtual Options**

When schools reopen to in-person instruction, districts should ensure they continue to offer robust and rigorous virtual options for all students. Students who participate in virtual learning options should have the same access to rigorous instruction and course work that they would have access to in-person. This includes access to Advance Placement courses and opportunities to complete required hands-on career and technical education.

As districts refine their participation options, they are encouraged to review the following guidance previously provided by KDE:

- [COVID-19 Considerations for Reopening Schools – Orientation and Targeted Services \(UPDATED – December 1, 2020\)](#)



# COVID-19 Considerations for Reopening Schools

December 18, 2020

---

- [COVID-19 Considerations for Reopening Schools – Exceptional Learners and Preschool Students \(UPDATED – September 17, 2020\)](#)
- [COVID-19 Considerations for Reopening Schools – Truancy and Compulsory Attendance \(September 8, 2020\)](#)
- [COVID-19 Considerations for Reopening Schools – Flexibility for Assigning Staff in the COVID-19 Instructional Settings \(July 24, 2020\)](#)
- [COVID-19 Considerations for Reopening Schools – Academic Re-entry Stage Two: Meeting Learners’ Academic Needs \(July 13, 2020\)](#)
- [COVID-19 Considerations for Reopening Schools – Alternative Learning Design Strategies \(June 8, 2020\)](#)

Finally, to promote the equity and inclusion of all students, districts are encouraged to create plans to locate and follow-up with families who have selected virtual learning options but have not fully participated during the school year. This may include reviewing records beyond student attendance, such as assignment completion rates or meetings/communications with their teacher, to ensure students are receiving an adequate education.

## Healthy at School

As schools reopen in January, the use of cloth face coverings will continue to be a vital step in suppressing community spread of the virus. Schools in Kentucky should continue to practice the health and safety expectations outlined in the [Guidance on Safety Expectations and Best Practices for Kentucky Schools, updated Dec. 7, 2020](#), including those regarding:

- Social distancing;
- Cloth face coverings, school health policies, and personal protective equipment;
- Screening and school exclusion;
- Sanitation and environmental factors; and
- Contact tracing.

Schools also should continue to maintain any best practices that were in place prior to the suspension of in-person learning in November.



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December 18, 2020

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## Requirements for Daily COVID-19 Reporting

Schools must resume the daily COVID-19 reporting to DPH when they reopen in January. Schools will complete the daily reporting process following the same procedures used before schools were closed to in-person learning in November. Instructions for reporting are provided by DPH in the document [K-12 Schools COVID-19 Reporting Instructions](#).

## Considerations for Remote Work

Additionally, to the extent possible, district leaders should consider measures to continue to allow remote work for educators who are unable to participate in in-person schooling due to disability.

Pursuant to the Americans with Disabilities Act (ADA), employers must provide reasonable accommodations to qualified employees with disabilities, so long as the accommodation doesn't pose an undue burden on the employer. School districts should review their policies and be prepared to continue to address employee requests for telework as an ADA accommodation. School districts can find federal ADA and Section 504 resources on the [Federal ADA and Disability Resources](#) webpage.

In addition to reasonable accommodations pursuant to the ADA, EO 2020-1041 requires school district employers to provide alternative/remote work locations for certain employees considered "high risk" who request an alternative work location. High risk employees are those who:

1. Have a body mass index (BMI) greater than or equal to 35;
2. Have chronic kidney disease;
3. Have diabetes;
4. Have immunosuppressive disease;
5. Are currently receiving immunosuppressive treatment;
6. Are equal to or older than 65 years of age; or
7. Are equal to or older than 55 years of age and have cardiovascular disease, hypertension, or chronic obstructive pulmonary disease/other chronic respiratory disease.

District human resource administrators should work with employees who request an alternative/remote work location pursuant to EO 2020-1041 to obtain documentation from a qualified healthcare provider confirming one or more of the qualifying conditions listed above (other than purely age).

To the extent practicable, districts may offer teleworking to all employees who are able to accomplish the essential functions of their jobs from a remote location. That is, districts may consider teleworking policies for employees who are able to fulfill their job responsibilities while working from home in an effort to reduce building occupancy as a virus mitigation tactic.



## **COVID-19 Considerations for Reopening Schools**

*December 18, 2020*

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Regardless of whether districts employees are offered a remote working arrangement pursuant to the ADA, EO 2020-1041, or voluntary district teleworking policies, districts must consider any necessary change in local employee tax withholdings as a result of the employee's work location.

Furthermore, districts must closely monitor the number and qualifications of those employees working from a remote location to ensure students present for in-person instruction are taught by a properly certified educator, supervised by school staff at all times in accordance with Kentucky law, and provided other necessary services such as meals and transportation.