

KDE COVID-19 GUIDANCE 2.0

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Introduction

On March 11, 2019, the World Health Organization (WHO) declared a global pandemic in response the spread of the SARS-CoV-2 novel coronavirus, known colloquially as COVID-19. In response to the pandemic, schools across Kentucky have been forced to adapt to a new reality as they work to support children and families.

Since the start of the pandemic, the Kentucky Department of Education (KDE) has worked to provide clear and up-to-date guidance to facilitate school operations in a safe manner; including more than 80 KDE created guidance documents and resources, and 50 virtual stakeholder meetings. This document represents the culmination of that work.

The “KDE COVID-19 Guidance 2.0” presents the most up-to-date guidance for teaching, learning, and operating schools and districts during the COVID-19 pandemic. This comprehensive resource includes guidance from all nine KDE offices. Many of the components included in this resource have been issued as stand-alone pieces of guidance. As KDE received feedback once a guidance document was implemented, the individual documents were improved and updated. In the creation of this manual, all previously released guidance was reviewed and to ensure the recommendations continue to reflect best practices for Kentucky schools and districts.

This document includes only guidance produced by KDE that is relevant to continued school operations. In addition to this manual, school and district leaders will benefit from a review of the [“Guidance and Safety Expectations and Best Practices for Kentucky Schools \(K-12\) \(Updated – December 7, 2020\),”](#) which was produced in conjunction with the Kentucky Department for Public Health (DPH). Known as the “Healthy at School” document, this piece of guidance contains the most up-to-date information about the strategies necessary to keep students and staff safe and healthy and will continue to be updated throughout the duration of the pandemic.

This manual does not include guidance related to the spending of emergency relief funds awarded by the Coronavirus Aid, Relief, and Economic Securities (CARES) Act or the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act. Information about these two federal programs, as well as any future federal relief programs, can be found on [KDE’s COVID-19 Guidance 2.0 webpage](#).

As the pandemic continues to evolve, necessary changes to teaching, learning and operational guidance will be made through updates to this manual. KDE occasionally may release timely, short-term guidance to help schools manage specific, time-bound activities, such as end-of-the-year testing or summer school activities. These updates will be found on [KDE’s COVID-19 Guidance 2.0 webpage](#).

Section One

Health and Safety at School

Health and Safety Guidelines

General Health and Safety Guidelines

The health and safety of students and staff should be the top priority for school and district leaders. While widespread vaccination is likely to expedite the return to normalcy, the exponential spread of the COVID-19 virus and new variants will remain a threat to communities for many months. Even after fully vaccinating faculty and staff, schools must carefully consider the way they operate in-person schooling.

The vaccination against COVID-19 prevents severe illness but does not prevent against infection or limit the ability of an individual to spread the disease. Students currently are ineligible to receive the vaccination, as it has not been approved for use in children. Therefore, they remain at risk for COVID-19. Infected students also may spread COVID-19 to family members who have not yet been vaccinated, leading to increased community spread.

Due to this, and pursuant to [Executive Order No. 2020-1041](#) (EO 2020-1041), all schools must continue to follow the five 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 (PPE);
- Screening and school exclusion;
- Sanitation and environmental factors; and
- Contact tracing.

Schools also are encouraged to continue to use the [COVID-19 Daily Case Incidence Rate Maps](#) and follow the guidance outlined in the [COVID-19 Mode of Instruction Metrics for K-12 Education](#) to determine if in-person schooling is appropriate for their communities. Regardless of the mode of instruction selected, schools are required to offer a fully virtual option for any student who requests it ([EO 2020-1041](#)). Resources for designing quality virtual instruction can be found on the [KDE’s COVID-19 Guidance 2.0 webpage](#).

Considerations for Remote Work

Pursuant to [EO 2020-1041](#), school districts must provide an alternative or virtual work assignment to any employee who requests accommodation and meets the following criteria for a high-risk individual developed by the Food and Drug Administration:

- Has a body mass index (BMI) greater than or equal to 35;
- Has chronic kidney disease;
- Has diabetes;
- Has immunosuppressive disease;

- Is currently receiving immunosuppressive treatment;
- Is equal to or greater than 65 years of age; OR
- Is equal to or greater than 55 years of age AND has
 - Cardiovascular disease,
 - Hypertension, or
 - Chronic obstructive pulmonary disease/other chronic respiratory disease.

The requirement to offer accommodations extends until the eligible employee is at least seven calendar days past the final dose of the complete vaccination series for the applicable vaccine.

Item six of [EO 2020-1041](#) states that the requirement to accommodate high-risk employees “does not apply to employees who decline the vaccine for reasons other than CDC or FDA recommendations.” Therefore, once the employee has been offered and declines the vaccine, he/she would no longer be entitled to accommodation assuming the employee did not decline based on recommendations from the U.S. Centers for Disease Control and Prevention (CDC) or the U.S. Food and Drug Administration (FDA) to not take the vaccination. If the employee declined the vaccine based on guidance from the CDC or FDA that individuals with conditions the employee possesses should not take the vaccine, then the accommodations still would apply. Districts should consult with their board counsel if an employee declined the vaccine for religious reasons but still wishes to take advantage of the accommodation in [EO 2020-1041](#).

Districts are still required to follow the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act to accommodate employees with disabilities. Districts should review their policies and consult with their board counsel regarding any accommodation that may be necessary under the ADA or Section 504.

Quarantine Procedures

Districts should plan for and maintain strict quarantine procedures for faculty, staff and students. Quarantine procedures should remain in place even after faculty and staff have been fully vaccinated against the COVID-19 virus. As has been stated, the vaccination against COVID-19 prevents severe illness but does not prevent against infection or limit the ability for an individual to spread disease. As such, the [CDC](#) recommends that vaccinated individuals continue to follow established quarantine protocols after an exposure to someone with COVID-19.

For individuals who have not been vaccinated, the CDC recommends a 14-day quarantine. In instances when a 14-day quarantine is not possible, the CDC recommends the following two alternative models:

- Quarantine can end after day 10 without testing and if no symptoms have been reported during daily monitoring. With this strategy, residual post-quarantine transmission risk is estimated to be about 1% with an upper limit of about 10%.

- Quarantine can end after day 7 if the quarantined individual tests negative and if no symptoms were reported during daily monitoring. The testing sample may be collected and tested within 48 hours before the end of the scheduled quarantine period, but quarantine cannot be discontinued earlier than day 8. With this strategy, the residual post-quarantine transmission risk is estimated to be about 5% with an upper limit of about 12%.

Individuals who have received a full series of the COVID-19 vaccination and experience a close contact with an individual infected with COVID-19 **and** remain asymptomatic after exposure are not required to quarantine if their contact is more than 14 days and fewer than 90 days from their final dose of the COVID-19 vaccine.

Contact tracers may, in accordance with more detailed guidance provided by the CDC, recommend specific quarantine guidelines based on the unique circumstances of each exposure. Schools and districts should defer to the recommendation of contract tracers.

Quarantine procedures will be updated to align with the most current CDC guidelines.

Quarantine Scenarios

A teacher who has had their first vaccination shot is exposed to COVID-19 while visiting with family.

Since the teacher has only received the first vaccination shot, the CDC recommends that the teacher continues to follow existing quarantine protocols.

A teacher who has received their final dose of the COVID-19 vaccine on February 1 and is exposed to COVID-19 at a birthday party on February 3.

While this teacher has had a full course of the COVID-19 vaccine, their exposure was within 14 days of their final dose of the COVID-19 vaccine and should follow existing quarantine protocols.

A teacher who has received their final dose of the COVID-19 vaccine on February 1 and is exposed to COVID-19 on March 15.

This teacher has been fully vaccinated against the COVID-19 virus. They were exposed more than 14 days and fewer than 90 days from their final dose of the COVID-19 vaccination. This teacher is not required to quarantine as long as they remain asymptomatic.

A teacher who has received their final dose of the COVID-19 vaccine on February 1 and is exposed to COVID-19 on March 15 and shows symptoms of COVID-19 following exposure.

This teacher has been fully vaccinated against the COVID-19 virus and was exposed more than 14 days and fewer than 90 days from their final dose of the COVID-19 vaccination. However, since this teacher is showing symptoms of COVID-19, this teacher is required to quarantine.

A teacher who has been assigned to teach a summer intensive program received their final dose of the COVID-19 vaccine on February 1. During the program, the teacher is exposed to the COVID-19 virus on June 3.

While this teacher has had a full course of the COVID-19 vaccine, their exposure was more than 90 days from their final dose of the COVID-19 vaccine. This teacher should follow existing quarantine protocols.

A student tests positive for COVID-19 after the faculty have been fully vaccinated.

The COVID-19 vaccination has not been approved for use on children. The school should continue to follow existing protocols for student contact tracing and quarantine.

Building Ventilation Systems

Building ventilation plays a critical role in the overall indoor air quality (IAQ) of school buildings, including the airborne spread of the COVID-19 virus.

The U.S. Centers for Disease Control and prevention (CDC) recommends to “Ensure ventilation systems operate properly and increase circulation of outdoor air as much as possible, for example by opening windows and doors. Do not open windows and doors if doing so poses a safety or health risk (e.g., risk of falling, triggering asthma symptoms) to children using the facility.”

The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), an internationally recognized authority regarding building heating, ventilating and air conditioning (HVAC) systems, energy efficiency, indoor air quality, refrigeration and sustainability, has issued the following statements regarding transmission of COVID-19 and the operation of HVAC systems during the pandemic:

- Transmission of COVID-19 through the air is sufficiently likely that airborne exposure to the virus should be controlled. Changes to building operations, including the operation of HVAC systems, can reduce airborne exposures.
- Ventilation and filtration provided by HVAC systems can reduce the airborne concentration of COVID-19 and thus the risk of transmission through the air. Unconditioned spaces can cause thermal stress to people that could be directly life-threatening, and that also may lower resistance to infection.
- In general, disabling of HVAC systems is not a recommended measure to reduce the transmission of the virus.

ASHRAE standards are incorporated in the International Building Code (IBC) and the International Energy Conservation Code (IECC). The IBC is the basis for the Kentucky Building Code (KBC).

On October 7, 2021 the ASHRAE Epidemic Task Force released its updated “[Reopening Guide for Schools and Universities](#)” related to COVID-19.

ALL DISTRICT PERSONNEL RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF HVAC SYSTEMS IN SCHOOL BUILDINGS SHOULD READ AND BECOME FAMILIAR WITH THIS DOCUMENT, WHICH ADDRESSES:

Recommendations and strategies for determining building readiness and operations for reoccupation after shut-down due to the pandemic:

- Startup checklist for HVAC systems prior to occupancy
- Equipment and system-specific checks and verification during the academic year, including the following:
 - Daily flushing prior to occupancy

- Monthly inspection of air-handling units, rooftop units, unitary and single-zone units related to operation, filters and other items

Recommendations regarding operation and retrofitting HVAC systems to improve indoor air quality and slow the transmission of viruses via the HVAC systems. Also included are design guidelines for the following:

- Temperature and humidity
- Ventilation
- Filtration and filtration upgrades
- Nurses office
- System maintenance and filter replacement during the COVID-19 pandemic
- Operation of occupied facilities
- Controlling infection outbreaks in school facilities

The U.S. Environmental Protection Agency (EPA) has indicated that a professional should interpret ASHAE guidelines for their specific building and circumstances.

The Kentucky Department of Education (KDE) does not presume to possess the knowledge or expertise that the World Health Organization (WHO), CDC, ASHRAE, the U.S. Environmental Protection Agency (EPA) and research institutions have at their disposal. The following should not be considered to supersede these recommendations or those of agencies such as the Kentucky Department for Public Health (DPH) and Kentucky Department of Housing, Buildings and Construction. Should KDE recommendations conflict with current or subsequent recommendations of these agencies, those of other agencies take precedent. The following recommendations, however, are based on our experience, observations and input from the engineering community that routinely serves Kentucky's K-12 schools, affiliated industry representatives and the State Fire Marshal's office.

Spread of COVID-19 via Room Air

The length of time the COVID-19 virus remains infectious in the air in a room after it was occupied by an infected person is not known. The concentration and spread of the virus is influenced by numerous factors:

- Number of occupants in the room
- Room area and volume
- Design, operation and maintenance of the HVAC and control systems
- Room temperature and humidity. Studies have indicated that maintaining a building's relative humidity at 50% discourages the spread of common viruses and decreases bacteria, fungi and allergens.
- Air flow patterns related to the location of supply, return and exhaust vents

School HVAC Systems

Kentucky's K-12 schools have a wide variety of HVAC and control systems.

- HVAC systems vary by type, age, the edition of the building code under which it was designed, any subsequent modifications and how well the system has been maintained.
- HVAC control systems also vary from thermostats providing individual room control to sophisticated Building Automation Systems (BAS) that may be controlled from a central location for district-wide applications.

Air Changes and Ventilation

The KBC does not include a requirement the minimum number of air changes per hour in classrooms, but it does include requirements for ventilation.

- The current design standard for classroom ventilation is ASHRAE 62. Table 6.1 provides a prescriptive method for meeting requirements, which includes 10 cfm per person and 0.12 cfm/sq. ft.
- HVAC systems in older schools may have been designed under previous codes that required less.

Understanding a building's HVAC and control systems is important when considering ventilation strategies to combat the spread of COVID-19.

Mitigation Strategies

Strategies to mitigate the spread of the virus can broadly be characterized as follows and are often used in combination:

Dilution

Flushing (replacing) the air in the building with large amounts of outdoor air to remove pathogens and residual cleaning agents using mechanical and/or natural ventilation.

Natural Ventilation

Opening windows and doors when buildings are vacant for a period of time when occupant comfort is not a concern.

Opening windows is recommended when outdoor temperatures are moderate and the humidity level is low rather than during the heat of the day.

Opening windows is not recommended if doing so poses a health or safety risk to students using the facility for the following reasons:

- Risk of falling,
- Triggering asthma symptoms,

- Security, and
- Airborne pollution.

ASHRAE encourages opening windows 2 hours prior to occupancy in buildings without an outside air (OA) system.

Opening Doors and Windows When Buildings are Occupied

KDE realizes existing life safety and school security policies may seemingly conflict with health guidance from DPH. For example, it is recommended that doors and windows be opened to promote air flow. This potentially conflicts with life safety requirements that doors in fire-rated corridors are to be self-closing and self-latching (not necessarily self-locking). These doors are to have closers. The closing operation is not to be hindered by wood floor stops, tiebacks or other devices. Further, [KRS 158.162](#) requires classroom doors to be closed and locked during instructional time for security purposes (unless exempted by the state school security marshal).

KDE recommends districts consult with their local health department, the local fire marshal and the school security marshal to assist districts in resolving these types of potential conflicts. For example, the fire marshal will know where to look for fire corridor doors and be able to determine if the door can be kept open.

Also, the Kentucky Office of State School Security Marshal is available to assist districts with building security questions. Pursuant to KRS 158.162, the School Security Marshal may grant written exemptions to the requirement that classroom doors are to remain closed and locked during instruction time.

Mechanical Ventilation

Options depend on the type of HVAC system. In general, HVAC systems should operate for longer hours.

Several ASHRAE publications recommend operating systems 24/7 without providing greater detail.

This method provides the greatest number of daily air changes, but may significantly increase electricity costs.

Buildings with Outside Air (OA) Systems

According to the CDC, an outside air system providing two air changes of outdoor air will flush airborne contaminants in a room as follows:

- 99% in 138 minutes
- 99.9% in 207 minutes

An outside air flush of the building is recommended to be performed after students leave each day and prior to their return. It may be advantageous to coordinate so that this flush occurs prior to wiping/disinfecting surfaces.

Based on the above information, Kentucky's professional engineers are not recommending that buildings with outside air systems operate 24/7.

These professional engineers also recommend the following:

Buildings With Outside Air (OA) Systems AND with MERV-13 (Minimum Efficiency Reporting Value) Filters:

- **Evening:** Flush by keeping OA system running for 3 hours, which typically provides at least six air changes with outside air and removes more than 99% of airborne contaminants per the CDC table. Sterilize surfaces as usual.
- **All day:** Program system to run terminal unit fans (classroom unit fans) continuously (don't cycle them on and off) to provide more than six air changes per hour of MERV-13 filtered air.
- **Morning:** Pre-flush with 1-2 hours of outside air (an additional two to four air changes of fresh outdoor air).

Recommendations will differ if the building does not have OA units, MERV-13 filters or is used with bi-polar ionization.

Buildings with Energy Recovery Wheels:

Concerns have been expressed regarding running outside air units because most have an energy recovery wheel to help exchange energy and water vapor between outside air and exhaust air streams.

- Can the wheel transfer virus from exhaust air to outside air? The answer is yes.
- Is the benefit of dilution still worth running the unit? According to ASHRAE, yes – the benefit of dilution outweighs the risk of transferring.

Filtration

Filtration provided by HVAC systems can remove virus and bacteria and reduce the risk of airborne transmission.

- Filter efficiency and performance often is indicated by the filter's MERV from 1 to 16, with the number serving as an indicator of how well the filter will remove material from the air.
- Filters should be changed regularly (possibly at shorter intervals than normal).
- According to ASHRAE, MERV-13 (the minimum rating needed for the COVID-19 virus) filters can be used on many standard pieces of equipment. Where possible, change to MERV-13 filters.
- MERV-13 filters often can be used on water source heat pumps and larger equipment, such as hydronic air handlers and larger rooftop units.

Not all equipment can withstand the additional air restriction created by these higher-efficiency filters.

- In general, MERV-13 filters are not compatible with variable refrigerant flow (VRF) and variable refrigerant volume (VRV) systems.
- Some equipment such as smaller split systems and even larger packaged units may trip unit safeties or simply not work.
- Generally, odds are better for proper function with MERV-13 if the unit can accommodate a 2- or 4-inch deep filter.

Consult equipment manufacturers before changing to MERV-13 filters. Filters should be treated as though they contain active virus. Proper personal protective equipment – including gloves and respiratory protection – is recommended when changing filters. Filters should be immediately bagged and safely removed from the school.

Purification

Several methods have been identified which can kill or reduce the concentration of the virus.

- Ultraviolet Light (UV)
 - Ultraviolet germicidal irradiation (UVGI) can kill bacteria, viruses and some molds. It traditionally has been used in healthcare settings.
 - UVC refers to ultraviolet light with wavelengths between 200-280 nanometers (Nm).
 - Air-handling units can be retrofitted with UVC lights if they were not originally designed with this capability or placed at strategic locations within the duct system.
 - Placement is important because the coronavirus must be exposed for a period of time for the UVC light to be effective. Currently, there is not a consensus about the minimum time of exposure.

The district should work with its engineering consultant to ensure this technology is safely integrated into its system to prevent radiation exposure to occupants and maintenance personnel. Service the systems and ensure compliance with the Underwriters Laboratory (UL) 2998 standard for zero ozone production so it is safe for school use.

Bi-Polar Ionization

- Bi-polar ionization releases positive and negative ions into the airstream.
- The ions latch onto and neutralize any contaminants they come into contact with.
- Charged particles are drawn together, forming clusters, which become heavy enough to drop out of the air.
- Does not remove the contaminant but helps enhance the filtration system's ability to capture the contaminant.
- Must constantly operate to maximize effectiveness.
- Systems must be UL listed for zero ozone production.

Humidity Control

Studies have indicated that maintaining a building's relative humidity at 50% discourages the spread of common viruses and decreases bacteria, fungi and allergens.

- Although dehumidification occurs as the result of the air-conditioning process, most schools do not have a humidity control system. Humidity control is best accomplished at a system level.
- Professional services are needed for the design of humidity control systems.

Supplemental Systems

Small units can provide ventilation, filtration, dilution or humidity control for individual rooms.

- Air cleaners (air purifiers) with high-efficiency filters (such as MERV-14, HEPA, etc.) and a high clean air delivery rate (CADR) are available for use in spaces without filtration or to supplement existing systems.
- Room humidifiers/dehumidifiers can be used if the existing building system does not provide sufficient humidity control.
- Portable UV units are most often used in hospitals to clean the air in a room known to be contaminated with pathogens such as MRSA (Methicillin-resistant *Staphylococcus aureus*). They are not recommended in schools unless UL listed for zero ozone production.
- Portable ionization units must also be UL listed for zero ozone production.
- Portable fans, as a practical matter, should only be used when other options are not available. They should be located to avoid directing the air flow across occupants and facilitating the possible transmission of airborne pathogens between occupants.
- Occupants should not sit in front of wall-mounted return air vents.

Temporary Barriers

- Temporary barriers such as vinyl or plastic shower curtains, cloth fabric or other flammable materials that produce toxic gas when ignited are not allowable.
- If temporary barriers are utilized, they shall not:
 - Interfere with means of egress.
 - Be floor to ceiling and interfere with the operation of code-required systems such as fire suppression (sprinkler) and smoke detection, or limit the ability of occupants to see exit signs or emergency lighting. They also should not reduce the effectiveness of the building's HVAC system.
 - Be inconsistent with the building's construction type (wood studs are not allowed).
- Tabletop and desktop dividers should be constructed of a non-breakable material such as plexiglass and should not have sharp corners.
- Tabletop and desktop dividers are not allowable if they are fabric-covered, constructed of flammable materials or produce toxic gas when ignited.

Building Operation

- Maintain room temperatures between 68 degrees and 78 degrees Fahrenheit during the cooling season.
- Maintain relative humidity levels between 40% and 60%.
- Ventilation systems serving communal spaces, toilet rooms and other rooms that are designed to operate under negative pressure should be operated under the same extended schedule as the building's outside air system.

Statutory and Regulatory Compliance

If modifications to existing systems are needed or proposed, they may be subject to compliance with the KBC. Altering, modifying or changing the original characteristics of a HVAC system requires design by a licensed professional engineer pursuant to [KRS 322.360](#). Such modifications also are subject to compliance with [702 KAR 4:160](#).

Considerations for Students with Disabilities

This chapter is designed to provide specific health and safety considerations for students with disabilities. As schools plan for in-person instruction during a pandemic, it is important to consider the unique needs of all learners. Admissions and Release Committees (ARCs) are responsible for ensuring each student with an Individual Education Program (IEP) has access to the appropriate placements, specially designed instruction, supplementary aides and services, accommodations and modifications and any other supports and services necessary in order to receive a free appropriate public education (FAPE).

Section 504 teams are responsible for ensuring accommodations are provided for students who have plans under Section 504 of the Rehabilitation Act.

Districts should not expect or encourage sweeping accommodations or changes for all students with disabilities. Rather, any changes to the IEP or 504 plan must be determined by the ARC or 504 team based on individual student data that supports a need for a specific service, support or accommodation.

Health and safety information may change rapidly. Districts are encouraged to continue consulting with local health departments to ensure local policies and processes follow the most current recommended guidelines.

Considerations for In-Person Instruction

Social Distancing

Districts should consider ways to differentiate instruction for exceptional learners when teaching students about social distancing. Some students may require a variety of prompts or reminders to successfully practice social distancing. Options to consider when teaching students to practice social distancing:

- Place tape on the floor as a visual reminder of personal space.
- Read or provide social stories to students about the importance of social distancing.
- Provide students access to videos that demonstrate examples of social distancing in multiple settings.
- As a daily reminder, include the steps to following social distancing during school announcements.
- Use gestures to prompt students while practicing social distancing.
- Provide students with opportunities for repeated practice in multiple settings.
- Break down the steps for following social distancing into key components.
- Remember to provide feedback and reinforcement to students practicing social distancing.

Students Who Are Blind or Visually Impaired

Schools should consider students who are blind or visually impaired when designing social distancing reminders. Simply adding Braille to a sign does not ensure the student is able to access the information. Students may not be able to see where the sign is located or may not know how to read Braille.

Schools may consider frequent verbal reminders for students to ensure they are aware of the necessary protocols. Students who are both deaf and blind may need additional supports to access reminders.

Staff Members

Some students with complex needs may require one-to-one assistance as mandated by the IEP. This may include (but is not limited to) assistance with toileting, hand-over-hand assistance, physical transfers, feeding and physical restraint. In these cases when social distancing cannot be maintained, staff must utilize the appropriate personal protective equipment (PPE) as explained below.

When attending to the hygiene needs of students, staff must wear gloves in addition to both a surgical mask and a face shield. Face shields alone do not provide enough protection from the aerosols produced by the nose and mouth. When assisting students with toileting, staff also may consider the use of a surgical gown. Students should continue to wear face masks while staff attend to their hygiene needs unless the student is exempt from wearing a mask. Gloves for students are not required.

When providing hand-over-hand assistance to a student, staff must wear gloves, surgical masks and face shields. The same requirements apply to feeding students. Gloves for students are not required.

Staff working with students who bite others should wear long sleeves. Staff may consider wearing jackets or additional layers to protect themselves.

Some students may require the use of physical restraint to prevent harm to the student or others. In the case of physical restraint, staff should utilize gloves, surgical gowns, surgical masks and face shields. If a core team member has time to don the appropriate PPE prior to the physical restraint, this is preferable. However, there may be cases where safety is an issue and putting on PPE prior to physical restraint is not possible. In this case, protect the student first, then have someone who is wearing appropriate PPE take over as soon as possible. If PPE is accidentally removed during the physical restraint, the team member should be replaced by another core team member wearing appropriate PPE. Schools should consider assigning a core team member to assist with PPE needs during the physical restraint.

Related service providers who cannot maintain social distancing due to the nature of their work (such as orientation and mobility providers, oral mechanism checks for students with speech

impairments and others) must use appropriate PPE in order to protect the health and safety of the provider and students.

Schools are encouraged to think through situations that may require additional PPE and contact their local health department for further suggestions on how to ensure the safety of staff and students.

Transportation

During transportation when staff need to be in close proximity to students, bus monitors or staff should wear personal protective equipment (masks) when assisting students with on/off loading or with buckling seat belts.

Food Preparation and Snacks

When districts are developing plans concerning food and snacks it is important to consider students who may have an IEP or 504 plan that specifies the need for food or drink. Food on the bus may be one environment where this may need to be addressed. In this example, transportation staff must be made aware of these students and that food or drink must be provided as indicated in the IEP or 504 plan, with appropriate precautions taken.

Cloth Face Coverings (Masks)

Students who are enrolled in 1st grade and above and staff should be required to wear a cloth face covering (mask) at all times while in the building or on the bus, unless medically waived. In most cases, students with disabilities should be able to adhere to the requirements for cloth face coverings. However, there will be a small number of exemptions for individual students for whom this is not possible. If a parent or guardian presents a doctor's note stating that a student should not wear a mask, there is no need for an Admissions and Release Committee (ARC) to meet to review and decide the accommodation. In other cases, an ARC or 504 Team may already have substantial documentation about a student's medical condition that would contraindicate the use of a mask. In those instances, an ARC may need to meet to discuss and review the student's existing medical information, and without additional medical documentation being presented, adjust accommodations accordingly.

On considerations for wearing cloth face coverings, the [Centers for Disease Control and Prevention \(CDC\)](#) writes, "In some situations, wearing a cloth face covering may exacerbate a physical or mental health condition, lead to a medical emergency, or introduce significant safety concerns. Adaptations and alternatives should be considered whenever possible to increase the feasibility of wearing a cloth face covering or to reduce the risk of COVID-19 spreading if it is not possible to wear one."

The CDC provides the following examples and alternatives:

“Some people, such as people with intellectual and developmental disabilities, mental health conditions or other sensory sensitivities, may have challenges wearing a cloth face covering. They should consult with their healthcare provider for advice about wearing cloth face coverings.”

“People who are deaf or hard of hearing – or those who care for or interact with a person who is hearing impaired – may be unable to wear cloth face coverings if they rely on lipreading to communicate. In this situation, consider using a clear face covering. If a clear face covering isn’t available, consider whether you can use written communication, use closed captioning or decrease background noise to make communication possible while wearing a cloth face covering that blocks your lips.”

According to the CDC, cloth face coverings should **not** be worn by:

- Children younger than 2 years old;
- Anyone who has trouble breathing; or
- Anyone who is unconscious, incapacitated or otherwise unable to remove the cloth face covering without assistance.

It may be necessary to schedule an ARC meeting to determine if a student with a disability requires a waiver for wearing a face covering. Wearing a cloth face covering is an essential preventive measure. The ARC waiver decision should be based on the individual needs of the student and not be made unilaterally for students with disabilities.

School Health Policies

Health Screening

When developing screening protocols, schools should consider wait times for students with disabilities. Some students may not be able to tolerate long wait times and should be permitted to skip to the front of the line.

Contact Tracing

Schools should consider how to best document the movement of students who frequently transition throughout the building in order to support contact tracing. Staff will need to design sign-in systems to document how they moved through a building on a daily basis. Schools that do not take attendance in resource settings will need to begin doing so in order to effectively contact trace.

Frequently Asked Questions

Must students with sensory issues, behavior issues or health concerns wear masks? If not, is a doctor's directive required or is it an ARC decision?

If a student with a disability presents with a doctor's note referencing the need for a waiver of the face mask requirement, an ARC meeting is not necessary. The school should immediately grant the waiver and begin implementation. Doctor's notes can be written by anyone on the student's medical team who is qualified to make that determination. For example, notes from a physician's assistant or nurse practitioner should be accepted.

In other cases, ARCs or 504 Teams may already have substantial documentation about a student's medical condition that would contraindicate the use of a mask. In those instances, an ARC may need to meet to discuss and review the student's existing medical information, and without additional medical documentation being presented, adjust accommodations accordingly. If a waiver is approved by the ARC, it should be documented in the student's IEP and implemented immediately.

In both cases, the student's teachers should be notified of the waiver. There may be additional staff in the building who also should be notified about the waiver to prevent staff from requiring the student to wear a mask. Schools should consider ways to help students identify themselves as having an approved waiver. An example of how to do this includes giving a student a card he or she can carry and produce to staff members when asked to don a mask they are not required to wear.

What funding can be used to purchase personal protective equipment (PPE) for students with disabilities?

Districts have the option of using a variety of funding sources to pay the cost of purchasing PPE. This may include state and local funds, the Elementary and Secondary School Emergency Relief (ESSER) funds available under the Coronavirus Aid, Relief and Economic Security (CARES) Act, the Coronavirus Response and Relief Supplemental (CRRSA) Act and, if necessary, funds available under Part B of the Individuals with Disabilities Education Act (IDEA).

While it may be tempting to purchase PPE for students with disabilities using IDEA funds, it is important to remember that according to [34 CFR 300.202](#), IDEA funds are intended to supplement, not supplant state, local and other federal funds and may only be used to pay the excess costs of providing special education and related services to children with disabilities.

Since PPE is necessary to operate schools and must be provided for all students in all programs, IDEA funds should not be used in most cases. IDEA funds should only be used to purchase PPE when there is a specific situation when a student needs *additional* or specialized PPE because of his or her disability.

An example of an allowable IDEA expense might include a special education student requiring assistance with toileting. In this case, the provider assisting the student uses a gown. Gowns are

not provided to educate all students but are necessary for this student. In this case, IDEA funding may be used. Another example of an allowable expenditure could be purchasing clear face masks for use with students who use American Sign Language as their primary mode of communication.

It is important to note that districts also may use state and local or ESSER funds to purchase PPE used for students with disabilities, including those in the examples described above. CARES Act and CRRSA Act funding does not have the excess cost requirement included under Part B of the IDEA.

The Kentucky Department of Education's Office of Special Education and Early Learning also advises local districts to review the IDEA's maintenance of effort (MOE) requirements. This is necessary to ensure the district continues to spend from local or state and local funds an amount necessary to meet the IDEA's MOE requirements. Because schools have not had in-person classes, it is highly likely that the amount of state and local funds spent to provide special education and related services (such as special transportation) to children with disabilities has been reduced from prior years. As a result, districts may want to consider using state and local funds to ensure the MOE requirement of the IDEA is met.

If students with speech or language impairments are physically at school, can therapy be provided with safety measures in place?

Yes. Districts may hold in-person speech therapy sessions if they follow safety expectations. If this is not possible, speech therapists should consider providing instruction to the student through a virtual platform.

Are group therapy sessions allowed?

Yes. Group therapy may be provided as long as social distancing and PPE expectations are followed.

If a student is scheduled to receive therapy or special education services in a resource setting, how can this be safely delivered? What safety protocol should be in place?

Therapists and resource classroom teachers should follow the classroom safety expectations. It is important to consider sanitation expectations for these classrooms. One safety expectation is for teachers and administrative staff to assist janitorial staff by routinely disinfecting frequently touched items in the classroom. This is especially important for resource settings in which multiple students may utilize the same desk, chair or other items at different times throughout the day.

Schools should consider the service needs of students when developing schedules and should consider ways to minimize multiple transitions throughout the school building for students and staff while continuing to follow students' IEPs. IEPs may not be modified to change a student's educational setting for reasons other than the needs of the student.

Special education teachers and related service providers will be in contact with a number of students across a school day. What safety protocols should be in place for someone who will be making multiple contacts with students in a number of classes to meet contact tracing guidelines?

In this situation it is important for teachers and providers to maintain accurate records of daily schedules and interactions with students in order to assist with contact tracing as needed. Teachers and providers also should consider minimizing contacts when developing schedules. For example, if students' IEPs require therapy once per week but do not specify the specific day, providers should carefully consider how to develop schedules to limit contacts from multiple classes and grade levels throughout the day. If services are provided to several students from one classroom, the provider may choose to schedule sessions with students from that classroom all in the same day. In this case if contact tracing was needed, the therapist was only exposed to students from one classroom within that school day.

While this is just an example and may not always be possible, it is important to consider ways to minimize contacts across multiple classrooms and grade levels and to develop schedules to address this as much as possible while still providing the appropriate services to students based on their IEPs.

If a student participates in co-teaching for a portion of the day and resource for a portion of the day, should the student's program be altered to stay with the same group of students?

While efforts should be made to limit contacts throughout the day, it is important for school districts to remember their requirement to provide a FAPE to students with IEPs. The ARC is responsible for determining the appropriate placement decisions under least restrictive environment provisions as set forth in [707 KAR 1:350, Section 1](#). While the local school district should follow the appropriate safety expectations, whether the student is spending a portion of his or her day in the co-teaching setting or the resource setting must be determined by the ARC and based on the needs of each student.

How do we protect students with disabilities who come to school but are medically fragile?

Schools should consider how they can creatively develop schedules for medically fragile students to limit their contacts as much as possible. Schools should apply 6 feet of social distancing and wear appropriate PPE when working with the student. Schools also may obtain parental consent to speak with the student's medical team to gain knowledge on how to best accommodate the student's medical condition in the classroom.

One of our students has a hearing impairment. Her IEP includes the use of a frequency modulation (FM) system. How can her teachers wear appropriate PPE while still allowing the student to access instruction?

In this case, it would be appropriate to accommodate the needs of the student. Teachers wearing cloth face masks may potentially muffle sound and negate the benefit of the FM system. Instead

of a face mask, teachers using FM systems may wear reusable face shields that wrap around the sides of the wearer's face and extend below the chin. Reusable face shields should be cleaned and disinfected after each use. When the teacher is not using the FM system, he or she must wear a cloth face mask.

Resources

- [CDC: "Considerations for Wearing Cloth Face Coverings"](#)
- [CDC: "Guidance for Childcare Programs that Remain Open"](#)
- U.S. Department of Education: ["Non-Regulatory Guidance on Flexibility and Waivers for Grantees and Program Participants Impacted by Federally Declared Disasters"](#)
- U.S. Department of Education: ["Questions and Answers on Providing Services to Children with Disabilities During the Coronavirus Disease 2019 Outbreak"](#)

Resources from the U.S. Department of Education

- July 6, 2020 - The Office of Special Education Programs (OSEP) provided a questions and answers document on the initial evaluation and assessment timelines under IDEA Part C. ["Initial Evaluation and Assessment Timeline"](#)
- June 30, 2020 - OSEP provided a questions and answers document related to IDEA Part B Procedural Safeguards. ["IDEA Part B Procedural Safeguards"](#)
- June 30, 2020 - OSEP provided a questions and answers document relating to IDEA Part C Procedural Safeguards. ["IDEA Part C Procedural Safeguards"](#)
- June 26, 2020 - OSEP provided guidance in the form of questions and answers relating to flexibility on IDEA Part B Fiscal Requirements. ["Flexibility on IDEA Part B Fiscal Requirements"](#)
- June 25, 2020 - OSEP provide guidance in the form of questions and answers relating to IDEA Part B use of funds during the pandemic. ["IDEA Part B Use of Funds"](#)
- June 22, 2020 - OSEP released guidance in the form of questions and answers as it relates to the IDEA Part B dispute resolution procedures. ["IDEA Part B Dispute Resolution Procedures"](#)
- June 22, 2020 - OSEP released guidance in the form of questions and answers as it relates to IDEA Part C dispute resolution procedures. ["IDEA Part C Dispute Resolution Procedures"](#)
- May 14, 2020 - The Rehabilitation Services Administration (RSA) within the Office of Special Education and Rehabilitative Services (OSERS) issued a questions and answers document responding to inquiries concerning the administration of the State Vocational Rehabilitation (VR) Services, American Indian Vocational Rehabilitation Services (AIVRS), and Randolph-Sheppard program as it relates to operations for individuals with disabilities during the Covid-19 pandemic. [Questions and answers document](#)
- April 28, 2020 - The RSA issued a [questions and answers document](#) regarding the use of funds.

- March 21, 2020 - The Office for Civil Rights (OCR) and OSERS issued a supplemental fact sheet addressing the risk of Covid-19 in Pre-K through 12th grade while serving children with disabilities. [“Supplemental Fact Sheet Addressing the Risks of COVID-19 in Preschool, Elementary and Secondary Schools While Serving Children with Disabilities”](#)
- March 12, 2020 - The U.S. Department of Education and OSERS, OSEP and OCR provided a questions and answers document regarding providing services to children with disabilities during the coronavirus disease 2019 outbreak. [“Questions and Answers on Providing Services to Children with Disabilities During the Coronavirus Disease 2019 Outbreak”](#)

Supporting Student and Staff Wellness

While the usual transitional concerns will be present in schools, it is anticipated that the return to in-person learning will be particularly challenging. Teachers and administrators should operate on the assumption that everyone (students, families and staff) will have experienced some degree of anxiety and stress, uncertainty, illness, grief and loss.

Some will have been ill themselves, some will be grieving for a relative or friend who died, if not by illness, possibly from an accident or even suicide or violence. Some will have experienced substance abuse problems; hunger; physical, sexual or psychological abuse; neglect; evictions and/or homelessness; or domestic violence and/or community violence.

For some students, the experience of social distancing and being home during COVID-19 will have been traumatic. Schools likely will see an increased number of learning, behavioral and emotional problems, and from more students. For those who already have emotional and behavioral challenges, these may be exacerbated.

Existing disparities between students grappling with traumatic stress from living in unstable and unsafe environments and students in more stable, safe environments also will be more pronounced. Stressors from the transition back are likely to intensify and may impact learning and teaching. What neuroscience suggests is that what appears as misconduct is a symptom of traumatic stress. Mental health experts predict that we can expect both traumatic stress and emotional distress to be even more present in our schools this year.

Student, staff and leadership well-being are inextricably linked. Schools can only support students and their needs to the degree that staff and leaders are supported and well themselves. The level of stress on educators has been unrelenting due to the ambiguity, uncertainty and overwhelming sense of loss of control. The challenges with the lack of boundaries between work and home, concerns with students' safety and basic needs and navigating their own children's virtual learning while teaching has led to emotional, mental and physical exhaustion.

This section addresses planning considerations for the social and emotional well-being of students and staff during the COVID-19 pandemic.

Creating a Welcoming Environment

Each initial and subsequent encounter between school staff and students and families presents an opportunity for welcoming our school community (staff, students, families and other stakeholders) and providing support. The following includes considerations for school districts when working toward this:

Promote psychological safety.

All the basic tenets of creating psychological safety, a positive culture and trauma-responsive schools will be even more important. Maintaining a trauma-informed approach is critical.

Troublesome behaviors are attempts to cope with a feeling of being overwhelmed and should be addressed in context with compassion and understanding. Utilize the trauma lens (see Section Resources) to understand the range of reactions. When we see student misbehavior, we need to ask what happened (or what is happening) to them vs. what is wrong with them, and then ask what is strong with them.

Consider planning for comprehensive staff well-being.

This pandemic offers an opportunity for school and district administrators to re-imagine ways to support adults in their buildings beyond teacher appreciation week. Consider using this [30-60-90 day staff well-being planning tool](#) for a menu of options. Additionally, consider implementing this 12 session, evidence-based [free compassion resilience toolkit](#), and make sure to review your [KY IMPACT](#) data. The 2020 results provide baseline data regarding the emotional well-being of your staff and their concern for their colleagues' emotional well-being.

Acknowledge what happened and who is not here.

Students or staff members may be struggling because of someone who is missing from their lives. That person might not be here because of a transition to middle or high school, graduating, moving to a different school or unfortunately, because they have passed away. Acknowledge any loss of life that may affect students or your school community. Also acknowledge opportunities, activities or celebrations that may have been lost because of the pandemic.

Rapidly identify students who are not successfully transitioning back to school.

To address school readjustment concerns, transition planning should focus on preparing school staff to implement early warning and response procedures that:

- Quickly identify any student, family or staff having problems.

They may be more withdrawn, more anxious or depressed, or exhibit some other indicator that the time at home was difficult for them and they would benefit from community mental health services and supports. Consider utilizing a standard form that allows staff and students to report their need for support.

- Provide personalized supports.

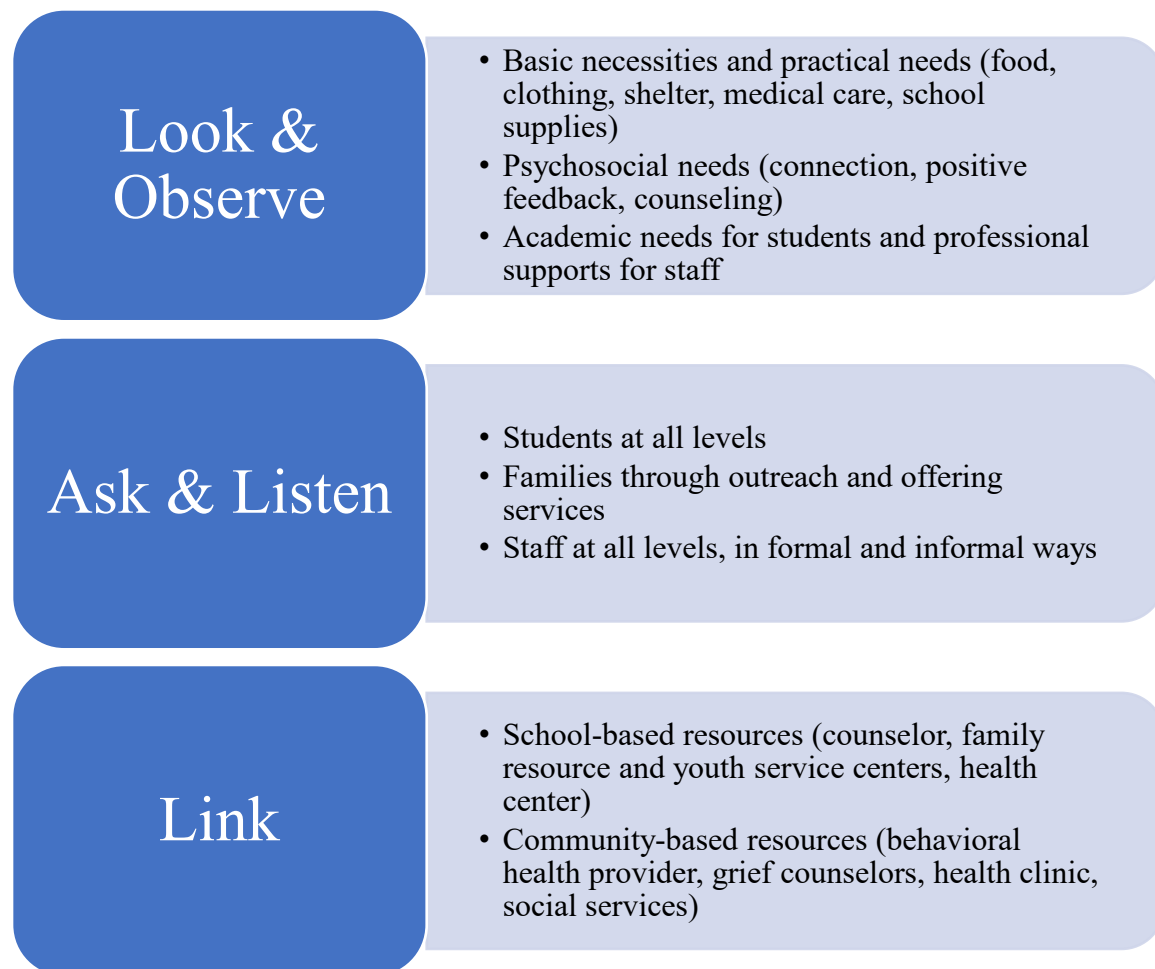
Provide personalized supports to aid those with adjustment problems or exhibiting change that is interfering with their ability to function well in school.

- Make referrals.

Refer students and staff in need of additional services.

Initiate targeted social and mental health supports for those who experience major adjustment problems. This is a time to consider increasing mental health and social/emotional support staff inside schools.

Monitoring for Targeted Supports



Supporting Transitions During the First Weeks

Schools may have to manage a variety of behaviors that jeopardize a positive school climate and may create re-traumatization for students and staff. Unstructured times at school can be challenging and potentially dangerous, especially for vulnerable students. Plan to prevent problems and encourage teaching proactive behavior during daily transitions focused on before school, moving from class to class, breaks, lunch and after school. The emphasis should be on:

- Providing positive supervision and safety and social supports (PBIS principles are key here)
- Providing attractive, well-designed and structured recreational, enrichment and academic support activities and mindful moments

- Responding to problems that arise in real time and framing them as teachable moments.
- Consider having all teachers infuse social-emotional learning into their classrooms. [This document provides specific strategies](#) for each of the five social-emotional learning competencies. The [KDE social-emotional learning](#) webpage also provides links to various banks of activities.
- Consider referrals to school mental health professionals (school counselors, social workers, psychologists or mental health counselors). If needed, these individuals may need to make referrals to community-based behavioral health agencies to assess the mental health needs of our students.

Questions to Consider

- How will everyone – staff, students and families – be welcomed, oriented and positively connected to the school?
- What outreach will be made to those students and families who were expected but did not return?
- How will staff minimize problems during daily transition times (e.g., before school, during breaks, lunch, after school)?
- How will we provide supports for (and not punish/re-traumatize) those not adjusting well?
- How can we incorporate social and emotional learning activities in every classroom, at the beginning, middle or end of every lesson?
- What structures, activities and programming will we have in place to facilitate a culture where everyone feels safe, valued and cared for?
- What resources/ partners are available to assist students who may need additional services?

Generating Hope and Resilience

Creating an optimistic mood and sense of excitement for staff requires welcoming and supportive activities that highlight how much everyone is valued and the critical role they play, along with an exciting agenda for renewal. This may include plans for making renewal a reality, new opportunities for engagement of everyone and some key players (e.g. classified staff) taking on leadership roles.

Consider a kick-off renewal planning group/committee to:

- Publicize what makes the coming year so special (e.g., a colorful handout, a feature on the website, a news release, email announcements, a brief video)
- Plan several kick-off events, (if these events comply with safety and health guidelines from the Department for Behavioral Health, Developmental and Intellectual Disabilities (BHDID) and the Centers for Disease Control and Prevention), such as:

- Keynote presentations by leadership that focus on renewal and hope, followed immediately by small discussion groups focused on ways each stakeholder can play a role in making renewal a reality. Ask what personnel and other stakeholders will need in order to take on a meaningful role.
- Welcoming events for teachers and staff, families, students and community members (including volunteers), with buddy and mentor systems set up to support newcomers until they are functioning effectively. (Note: Welcoming events are not informational sessions. They are meant to be celebratory and relationship-building. A cap to the series of welcoming events could be a communal picnic open to all stakeholders.)
- First day and first week welcoming and transition supports for all students.
- Substantive orientations and support for newcomers (e.g., teachers, staff, families, students, volunteers).
- Identifying and correcting any problems that arise early in the re-entry process.
- Celebrating work and publicizing outcomes.

Questions to Consider

- How can our leadership team embrace and communicate to staff that we can get through this and that we have an opportunity to create a new perception of our school?
- How can our leadership team show all staff their voice matters and we need their engagement in helping us create kickoff events that will get our students/families excited about the new school year?
- How can we celebrate the return of our staff and students?
- What new traditions can we start that give our staff and students opportunities to be recognized?

Addressing Grief, Loss and Traumatic Stress for Staff and Students

Preparing Staff to Respond to those Experiencing Grief and Loss

Grieving and traumatic grief disrupt normal functioning. Everyone will need to feel they are in a safe place to express and work through their loss and traumatic stress.

Make sure school staff recognize grief and loss can apply to experiences, milestones, changes as well as the literal loss of people or things – and those losses will feel big to students and should be taken seriously and not dismissed as “less than” other, more impactful losses in the adult world.

Staff should understand the Basic Stages of Grieving (these can occur in any order):

- **Shock**: Usually the first reaction, often experienced as numbness or physical pain and withdrawal.
- **Denial**: Acting as if no loss has occurred to avoid the painful feelings and thoughts.

- **Depression:** Feeling pain, despair and emptiness is not always accompanied by a visible or expected emotional release such as crying.
- **Guilt:** Self-blame for not having expressed more caring or a belief that the loss was his/her fault.
- **Anxiety:** Panic reactions as reality sets in.
- **Aggression:** A misdirection of anger and frustration and a lack of control. Trusted teachers may have negative moods and behaviors directed toward them and see that as rejection, when it is a confirmation of the safe space they have created.
- **Reintegration:** Loss is accepted (although there may be periods of relapse).

Helping Others Dealing with Loss

To help others deal with loss:

- **First acknowledge what has happened.** “It’s really hard to lose someone we are close to or know. In our school community, we lost (insert applicable name).” Then normalize the range of emotions that may be experienced. Encourage talking about what happened and how they feel. (“Tell me what you’re feeling.” “I’m so sorry.”) Ensure this conversation is happening in a safe space where there is truly time to communicate, share, empathize and grieve as a group. Remember that adults do not need to hide their own process, challenges or grief. Adults being open and vulnerable likely will encourage students to share. Adults must do this in a regulated manner (i.e. controlled vulnerability).
- **Allow others to express their reactions and then validate the emotions that emerge at each grief stage.** Offer time for them to share feelings and facilitate the process with warmth and understanding. Validate the feelings expressed – even if they seem harsh. There may be expressions of anger, fear, guilt or other emotions that do not seem reasonable to you but feel very real to your student. Some may even indicate relief that what happened to someone else did not happen to them. Others may find it hard to express anything. All students need to be reminded that there is no right or wrong way to feel: It is OK to cry; it is OK to feel numb.
- **Be sure students and staff are prepared for what to say and how to act.** It is critical that they not shy away from someone who is grieving (“Glad you’re here, sorry about your brother.” “When you feel like it, I’m here to listen.”).

Helping Students Who are Grieving

There are several ways to help students who are grieving and reluctant to return to school:

- **Outreach:** A home visit can help assess needs and how to address them. A step-by-step plan can be made with the individual’s family.
- **Special support and accommodations at school:** Steps should be in place to inform teachers and other staff about plans and specific ways to help a student or colleague readjust. Supports include connecting the person to special friends and counselors who

will be especially supportive, identifying constructive coping strategies to use in school settings, and ensuring the student feels a sense of control in the process.

- **Counseling:** This can help the person through the stages of grief and support strategies to return to school.

Understanding and Responding to Traumatic Stress

Several key COVID-19 stressors include anxiety about exposure and illness; limited connections to others; a limited support system; lack of cognitive stimulation; monotony; limited access to normal coping strategies; stressed family members; limited resources; financial stress; losses and grief; and uncertainty. Here are some of the ways stressors that are experienced may be expressed by students and staff:

Signs of Stress in Students	Signs of Stress in Staff
<ul style="list-style-type: none">• Clingy, whiny, tearful, frightened, anxious• Agitated, hyperactive, over-reactive• Irritable, impatient, aggressive, angry• Withdrawn, disengaged, lethargic,• depressed, sad, hopeless, suicidal• Poor concentration, limited comprehension, poor memory• Vague physical complaints• Sleep disturbance, appetite disturbance• Seeking attention, “in your face”	<ul style="list-style-type: none">• Anxious, fearful• Depressed, sad, withdrawn, less engaged, absent• Irritable, impatient, frustrated, angry, explosive, over-reactive• Agitated, poor concentration, poor memory• Vague physical complaints, headaches, GI problems, sleep disturbance, appetite disturbance• Overwhelmed, confused, difficulty with problem-solving or making decisions• Loss of creativity, lack of motivation

Staff and students alike are at risk of an exacerbated stress response if they also have experienced recent loss or history of significant loss; past or current exposure to trauma; pre-existing behavioral health concerns or history of such; limited support systems in family, community or workplace; a feeling of isolation; difficulty with attachment and relationships; or poor or limited coping skills and supports.

Creating a Space Where People Feel Safe, Respected and Cared For

Creating a space where people feel safe, respected and cared for is essential to addressing traumatic stress at the beginning of and throughout the year. The following may help:

- Consider a whole-school or whole-class brief lesson on how traumatic stress impacts our brains to help normalize and reduce shame, as well as lessen the likelihood that schools will engage in punitive re-traumatizing reactions.
- Encourage self-compassion and provide time, spaces and places for embedding self-care activities for both students and staff. Group spaces, breathing together, journaling time, etc., can be integrated into classroom activities and staff meetings and routines.
- Consider a wellness space for staff by ensuring there is an adult wellness space where staff can relax and recharge throughout the workday. Perform your own workplace makeover by introducing comfortable seating options, lamps that provide soft lighting, indoor plants, and inspirational artwork and messaging. You may even consider providing healthy snacks, bottled water or a hot beverage station for staff to enjoy. Offer opportunities within the space or where appropriate that promotes self-care, belonging and a sense of community.

Questions to Consider

- What do we have in place to support students and staff who appear to be deeply sad, withdrawn or in distress?
- What community resources do we have to support staff and students?
- Are our counselors situated to handle many individual counseling sessions with students in need?
- What do we have in place to support Tier 3 students (students who we think may be at risk of harming themselves or someone else)?
- Have we made time for our counselors to address the mental health of their students through Tier 1 instruction (whole group guidance) and Tier 2 direct student services (individual or small group counseling)?
- Have we been clear on the protocol for teachers to let counselors know when a student is in distress and how they should go about doing this?
- What other support staff do we have in place to help students who need extra support?
- What buddy/peer support systems can be set up to support connection among students (especially in the case of closing again)?

Re-engaging Students Disconnected in Instructional Activity

There are several ways to re-engage students who become disconnected in the class. Here are some suggestions:

- Understand their mindset. Watch this brief video about the [Learning Brain vs. the Survival Brain](#). It explains that when children are in survival mode (Survival Brain), the Learning Brain is stifled. Adults can help students shift into the Learning Brain by creating a physically and psychologically safe environment.

- Providing student choice and voice is important. Personalization and differentiation are going to be key in all classrooms. Students are going to come back with varying experiences and responses to the pandemic. For some, engaging in typical teaching and learning activities may be comforting. For others who may be in “survival brain,” they may not have the capacity to interact in this way.
- Do not make tasks high stakes. This increases the likelihood of compounding existing stressors.
- Plan for student engagement by ensuring our instructional approach honors student needs, circumstances and interests while being relevant and valuable to their lives. Students must perceive the tasks given to them as attainable and worthy of their participation.

Incorporating Brain/Body Breaks into Daily Lessons

Provide brain and body breaks to support both academic and social emotional learning.

- **Squeeze muscles:** Starting at your toes, pick one muscle and squeeze it tight. Count to five. Release, and notice how your body changes. Repeat exercise moving up your body.
- **Belly breathing:** Put one hand on your stomach and one hand on your chest. Slowly breathe in from your stomach (expand like a balloon) and slowly breathe out (deflate).
- **Mindful meal/snack:** Pay attention to the smell, taste and look of your food. No multitasking.
- **A restful moment:** Sit in a relaxed, comfortable position. Pick something to focus on, like your breath. When your mind wanders, bring your attention back to your breath.
- **Blowing bubbles:** Notice their shapes, textures and colors.
- **Coloring:** Color something. Focus on the colors and designs.
- **Listening to music:** Focus on the whole song or listen specifically to the voice or an instrument.

(See “Building Resilience” Chart in Appendix B)

Questions to Consider

- What am I doing to create a physically and psychologically safe classroom to support students in both “learning brain” and “survival brain”?
- Are we engaging our students in a manner that honors their voices and choices?
- How do we create tasks that do not convey high stakes or pressure?
- Are our lessons relevant and engaging to the lives of students?
- Am I taking care of myself so I can engage with students in a calm, warm and caring manner?
- How are we going to communicate to students the various help/supports they can reach out to if schools are closed again? (See “Crisis Hotline Information” in Section References)

Resource: Wearing a Trauma Lens

Wearing a Trauma Lens: Shifting our Perspective to Support Students who are Trauma Exposed



"Remember everyone in the classroom has a story that leads to misbehavior or defiance. Nine times out of 10, the story behind the misbehavior won't make you angry, it will break your heart." – K. Ritchie

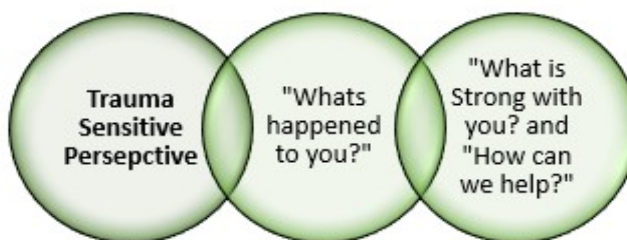
When students act out in school sometimes adults respond using a non-trauma informed lens that labels the student as sick or bad. Actions that result from this perspective (e.g., punishment, exclusion) can often re-traumatize students.



10 Building Blocks of Enduring Relationships

- 1** Awareness of students' life
- 2** Empathy
- 3** High expectations
- 4** Humility
- 5** Unconditional care and forgiveness
- 6** Consistency and predictability
- 7** Intentionality
- 8** Responsiveness to student needs
- 9** Patience and restraint
- 10** Respect and celebration of individuality

- Trauma exposure may result in a profound shift in world view: a child may lose trust in the world as a safe place and no longer trust that people will protect them
- This shift can last long after the trauma has passed and impact relationships and situations that are unconnected to the initial trauma
- The Trauma Lens allows us to understand and recognize the role past and present trauma exposure may have in the current behavior and functioning of a student
- The Trauma Lens appreciates that trauma can cause a pervasive shift in the way youth perceive and relate to every aspect of the world



Instead of responding using the sick/bad perspective, we must consider the function of the behavior and find out how they may have been injured or impacted and, most importantly, how we can help them.

Source: trauma responsive Educator project brief

Resource: Building Resilience

Connection	<ul style="list-style-type: none">• Frequent, sustained outreach• Mentors/buddies• Check-in, check-out
Safety	<ul style="list-style-type: none">• Normalize stress response• Look, ask and listen• Model appropriate emotional expression
Nutrition & Exercise	<ul style="list-style-type: none">• Healthy snacks• Recess• Movement breaks
Competence	<ul style="list-style-type: none">• Frequent, targeted affirmation• Small chunks• Repetition, patience
Empowerment	<ul style="list-style-type: none">• Choice• Voice• Flexibility
Self-Regulation	<ul style="list-style-type: none">• Social/emotional learning and emotional literacy• Mindful focusing• Regular breaks

Resource: Crisis Hotline Information

- National Suicide Prevention Lifeline: (800) 273-TALK (8255)
- Crisis Text Line: 471-471
- SAMHSA (Substance Abuse and Mental Health Services Administration) Disaster Distress Helpline: Call (800) 985-5990 or text TalkWithUs to 66746 (24/7, 365-days-a-year, toll-free hotline dedicated to providing immediate crisis counseling for people who are experiencing emotional distress related to any natural or human-caused disaster. This multilingual and confidential crisis support service is available to all residents in the United States and its territories).
- The Trevor Project: (866) 488-7386 (a national 24-hour, toll-free confidential suicide hotline for LGBTQ youth)
- Depression and Bipolar Support Alliance: Online support groups
- Al-Anon and Alateen: Online support groups

This guidance is an adaptation from [Volume 25 of the UCLA School Mental Health Project](#).

Section Two

Teaching and Learning

Evaluating Students

With the availability of the COVID-19 vaccine and the decline in Kentucky's positivity rate, many districts have returned to in-person learning and others are planning to return soon.

Evaluating students' learning loss is one of the first steps to take with students as they return to in person learning and back into the classroom. Local education agencies (LEAs) have and should consider ways to determine the learning loss that has occurred during the COVID-19 pandemic. When determining learning loss, the use of assessment data will help district and school staff guide curriculum and instruction based on students' needs.

The Council of Chief State School Officers (CCSSO) has published two documents that may be helpful to LEAs on high-quality assessments – "[Criteria for Procuring and Evaluating High-Quality Assessments](#)" and "[Fundamental Insights about Formative Assessment](#)."

LEAs have been using a variety of measures, such as diagnostic assessments, classroom assessments, interim assessments, and formative assessments and should continue to do so.

Learning loss should be measured through a variety of high-quality assessments that are valid and reliable so that they accurately assess students' academic progress and assist educators in meeting student's academic needs. High-quality assessments provide information and feedback about student learning and growth. Specifically, data gathered from assessments give educators information they need to adjust their instruction. Assessments should,

- Align to the *Kentucky Academic Standards (KAS)*;
- Provide valid results;
- Yield useful results; and
- [Be comprehensive and balanced, which is described in this PowerPoint.](#)

Assessment Categories

Diagnostic Assessments

Schools should consider administering diagnostic assessments (e.g., [Map](#), [Star](#), [DRA](#)). Diagnostic assessments provide student-specific information on strengths and areas of weakness in performance and understanding of [Kentucky Academic Standards](#). Diagnostic assessments will provide insight for teachers as they face the dilemma of where to start and what to teach.

Classroom Assessments

[Classroom assessments](#) can include formative assessments, such as exit slips and anecdotal notes, or summative assessments, such as final exams. Classroom assessments usually are developed by the classroom teacher, individually or as part of a [professional learning](#)

[community](#). One benefit of classroom assessments is that they can be customized to collect very specific information, personalized for their students.

Interim Assessments

Like diagnostic assessments, [interim assessments](#) provide student-specific information. Interim assessments often are created by the local district or schools and administered at given intervals throughout the year. When given school- or district-wide, results can be used to compare and track the progress of entire classes or schools.

Formative Assessments

[Formative assessment](#), as defined by CCSSO, is “a planned, ongoing process used by all students and teachers during learning and teaching to elicit and use evidence of student learning to improve student understanding of intended disciplinary learning outcomes and support students to become self-directed learners.”

Administration Options: Be Creative

When and how assessments are administered also should be considered. The return of students to in-person instruction may be present different challenges and opportunities than in other school years. As with instruction, tests may be administered at a variety of times and in a variety of ways.

In order to make data-informed decisions, administration of assessments should be completed quickly upon the return of students.

In-Person Administration

Students could return to their classrooms on staggered schedules or regular schedules with precautions. In-person assessments can be planned accordingly.

Virtual Administration

Students who continue to learn virtually and have internet at home may take assessments that may be supervised. Through Google Meet or Microsoft Teams applications, teachers can observe students as they take assessments. Another possibility is teachers using polls, surveys or the chat areas of their virtual meeting rooms to gauge student understanding.

Mixed Model

When students return, there still could be a combination of learning at home and learning in-person. Teachers can assess some students in person and others through an online platform, as appropriate.

Making Data-Informed Decisions

After students have been assessed, teachers can make informed instructional and curricular decisions.

Analyze the Data

After assessment data have been collected, it will need to be organized for analysis. The analysis of data assists educators in understanding where their learners are in regard to performance and understanding of the *KAS*. One of the most helpful means for organizing data is the use of spreadsheets that allow for sorting and filtering. Microsoft Excel and Google Sheets include many features that will assist educators in analyzing data by academic or demographic information.

Interpret the Data

The next step in decision-making is interpreting the data from the assessments. This includes interpreting the current level of each student, looking to see which students have remained steady in their learning, which have excelled and which are going to need extra support to reduce gaps in learning.

Develop Plans

After determining the strengths and areas for growth in student performance and reviewing the scope and sequence of the district curriculum for instruction deficits, teachers can plan what happens next in learning. Some students might need enrichment learning, while others will need interventions.

When planning next steps, educators should consider the possibility that the in-person return to school could include mixed models of in-person and virtual learning environments.

Determining Learning Gaps and Adjusting Curriculum for Acceleration

Before planning for new learning, school and district leaders must take steps to identify learning gaps and adjust the curriculum to ensure accelerated learning. This section provides a step-by-step guide for grade-level or course content teams to:

- Analyze their existing curriculum to make adjustments to address potential learning gaps for incoming students due to an extended period of hybrid and/or remote learning.
- Identify areas for potential learning gaps to share in vertical conversations.
- Draft an adjusted curriculum.

Resources Needed

- Individual copy of this graphic organizer (electronic or hard copy)
- Existing local grade-level curriculum for content area/course
- Lesson plan book/calendar
- *KAS* for specific content area/course
 - [Reading and Writing](#)
 - [Mathematics](#)
 - [Social Studies](#)
 - [Science](#)
 - [Health Education](#) and [Physical Education](#)
 - [Visual and Performing Arts](#)
- Highlighter
- Re-entry webcasts on [KDE Media Portal](#) and slide presentations (recommended to review prior to starting the work)

Before You Start

Before beginning this work, locate the following in the *KAS* for the specific content area:

- Your grade-level standards
- The progressions or coherence statements (specifically for the grade/course below and the grade/course above)

Utilize the resources below for additional information and to locate the progressions for each content area:

- [Kentucky Academic Standards for Reading and Writing](#)
 - Mini-progression explanation, Page 16
 - Mini progressions for each standard on the Standards Breakdown View
 - K-12 Progressions, beginning on Page 391

- [Kentucky Academic Standards for Mathematics](#)
 - Coherence and vertical alignment explanation, Pages 10-11
 - Coherence in the standards view for each grade level
- [Kentucky Academic Standards for Social Studies](#)
 - Appendix A: K-12 Progressions, beginning on Page 155
- [Kentucky Academic Standards for Science](#)
 - Articulations explanations, Page 5
 - Progressions located below the foundation boxes in the Articulations of DCIs across grade levels
 - Grade-band progressions from [Next Generation Science Standards Appendices](#)
- [Appendix E: Disciplinary Core Ideas Progressions](#)
- [Appendix F: Science and Engineering Practices](#)
- [Appendix F: Crosscutting Concepts](#)
- [Kentucky Academic Standards for Health Education](#)
 - Appendix C: Progressions, beginning on Page 56
- [Kentucky Academic Standards for Physical Education](#)
 - Appendix D: Progressions, beginning on Page 43
- [Kentucky Academic Standards for Visual and Performing Arts](#)
 - Progressions for each standard on the Anchor Standard pages

Part A: Analyze Existing Curriculum

The purpose of Part A is for grade-level or course content teams to analyze the existing curriculum to make adjustments to address potential learning gaps for incoming students.

Section A consists of three steps:

1. Identify content, concepts and/or skills from grade-level curriculum.
2. Analyze content, concepts and/or skills for alignment to *Kentucky Academic Standards*.
3. Determine grade-level content for adjusted curriculum.

Step One: Identify content, concepts and/or skills from existing grade-level curriculum.

Based on your existing curriculum, individually list all the content, concepts and/or skills for each of the following categories in Table 1.

Table 1: Existing Curriculum Content Analysis

Actual Content Taught During the School Year	Content in the Existing Curriculum but Not Taught During the School Year

How will you intentionally utilize the PLC process to support teachers in meeting learner's academic needs?

***Step Two:** Analyze content, concepts and/or skills for alignment to Kentucky Academic Standards.*

With your grade-level or course content team, use the *KAS* document to complete the following:

- For each grade-level standard listed in the *KAS*:
 - Read the standard.
 - Locate the progression or coherence statements of the standard focusing on one grade level below and one grade level above.
 - Examine and discuss the progression or the coherence statements to determine the appropriate depth of the content, concepts and/or skills required to meet the expectation of the grade-level standard.
 - Analyze the content, concepts and/or skills you listed in Table 1 and highlight those that tightly align with the expectations of that standard for your grade level.
 - Record the standard coding next to the highlighted content, concepts and/or skills in Table 1.
- Use Table 2 to record any grade-level content, concepts and/or skills from the *KAS* document not included in content, concepts and/or skills listed in Table 1. Be sure to include the standard coding.

Table 2: Content, Concepts and/or Skills from the *KAS* Not Included in the existing Curriculum

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Step Three: Determine grade-level content for adjusted curriculum.

The purpose of this step is to consolidate the grade-level content, concepts and/or skills from steps 1 and 2 to be used in the development of the adjusted curriculum. Working with your grade-level or course content team, complete the following:

- List the highlighted content, concepts and/or skills from both columns of Table 1 in the first column of Table 3 and include the standard coding.
- List the content, concepts and/or skills from Table 2 in the second column of Table 3 and include the standard coding.
- Check to ensure all grade-level standards from the *KAS* are included in Table 3.

Please note that as you work through the analysis, there will likely be some content, concepts and/or skills not highlighted in Table 1 as being tightly aligned to the *KAS* for your grade level. It may be that those were used for enrichment or fall outside of the grade-level standards. In order to create time for addressing potential learning gaps due to an extended period of hybrid and/or remote learning, you may need to initially exclude these items in the adjusted curriculum. As you gather formative data throughout the school year, you may identify time to reincorporate enrichment opportunities.

Table 3: Grade-Level Content for 2020-2021 Adjusted Curriculum

Content, concepts and/or skills from the existing curriculum that are tightly aligned to the <i>KAS</i> for your grade level (Highlighted items from Table 1)	Any content, concepts and/or skills from the <i>KAS</i> not included in the existing grade-level curriculum (Items from Table 2)

Part B: Identify Gaps in Student Learning

The purpose of Part B is to identify specific content, concepts and/or skills in the existing curriculum in which potential gaps may exist for students due to an extended period of hybrid and/or remote learning. Once completed, this information will be shared with the next grade level in your school to inform their adjusted curriculum as they plan to address these gaps.

Section B consists of two steps:

1. Identify potential learning gaps from existing curriculum.
2. Engage in vertical conversations to identify incoming learning gaps.

Step One: *Identify potential learning gaps due to a period of extended hybrid and/or remote learning.*

The purpose of this step is to identify the content, concepts and/or skills tightly aligned to the *KAS* that were potentially impacted through the unique situation of a period of extended hybrid and/or remote learning. This includes tightly aligned content, concepts and/or skills that were (1)

taught during the school year; (2) included in the existing curriculum but not taught during the school year, or (3) not included in the existing curriculum but in the *KAS* for this grade level.

- Working with your grade-level or course content team, complete the following:
 - Utilize Table 1 from Section A to complete the following:
 - Discuss and reach agreement on which highlighted content, concepts and skills from the first column in Table 1 may require additional time to address potential gaps, and list those in the first column of Table 4.
 - List the highlighted content, concepts and/or skills from the second column in Table 1 in the second column of Table 4, and include the standard code.

- Utilize Table 2 from Section A to complete the following:
 - List the content, concepts and/or skills from Table 2 in the last column of Table 4 and include the standard code.
 - List additional considerations to share (ex. not able to complete full spiral of content, concepts and/or skills).

Table 4: Potential Grade-Level Gaps Due to Extended Hybrid and/or Remote Learning

Actual Content Taught During the School Year	Content in the Existing Curriculum but Not Taught During the School Year
Other Considerations (ex. Not able to complete full spiral of content, concepts and/or skills)	

Step Two: Engage in vertical conversations to identify incoming learning gaps.

In order to create an adjusted curriculum for the school year, it is critically important for grade-level teams to communicate with each other to discuss areas of potential learning gaps due to an extended period of hybrid and/or remote learning. As grade levels begin to plan for the upcoming year, having the most accurate information regarding the areas of potential learning gaps is essential in helping students be academically successful.

Each grade-level or course content team will engage in two vertical conversations:

- During the vertical conversation with the teachers one grade level or content course above, complete the following:
 - Share a copy of your completed Table 4 with the teachers in the grade level above.
 - Discuss the information contained in the table to help the teachers in the grade level above gain clarity around the extent of the potential learning gaps in the content, concepts and/or skills for their incoming students.
- During the vertical conversation with the teachers one grade level below, complete the following:
 - Obtain a copy of Table 4 from the grade level below.
 - Discuss the information contained in the table to help your grade-level team gain clarity around the extent of the potential learning gaps in the content, concepts and/or skills for your incoming students.

Note: For grade-level teams at transition years, you will need a completed Table 4 from the grade-level team below for each feeder school.

Part C: Draft an Adjusted Curriculum

The purpose of this portion is to draft an adjusted curriculum for the school year that includes the content, concepts and/or skills that are tightly aligned to the *KAS* for the grade level and potential learning gaps identified by the previous grade level due to an extended period of hybrid and/or remote learning.

Resources Needed

- Table 3 from Section A (Grade-Level Content for the Adjusted Curriculum)
- Table 4 obtained from the grade level below that identified potential learning gaps for your incoming students
- Local curriculum template

While KDE is responsible for the development of standards, state law assigns each local school-based decision making (SBDM) council the authority to design the school's curriculum and determine appropriate instructional resources based upon language found in Kentucky Revised Statute (KRS) 160:345.

Considerations when drafting the adjusted curriculum:

- How will you adjust your curriculum to at a minimum include the grade-level content identified in Table 3?
- How will you embed the identified learning gaps as they connect to content, concepts and/or skills within the grade-level standards?
- When implementing the adjusted curriculum, what pre-assessment tools and strategies might you use to determine students' current level of understanding of prerequisite skills?
- How will you use pre-assessment data to monitor and adjust instruction based on student needs?
- How will you utilize the PLC process to meet the academic needs of the students?

Leadership Considerations

Preparing for the work

- How might you protect time for teachers to work through the process of Stage 1? How might you utilize teacher workdays or professional development hours to assist in completion of this work?
- How will you communicate with teachers regarding the resources needed to complete this work and how to access them?
- Will grade-level teams complete this work virtually or face-to-face?
 - If virtually, is there a specific platform (e.g. Zoom, Microsoft Teams) teachers should utilize?
 - If face-to-face, in what location will teachers complete the work?
- How will you structure time for this work based on teacher course load?
- Who might you identify as team leads to guide the grade-level or course content work in your school or district?

Considerations for Part A

- Who might provide content support to teachers as they work through the analysis?
 - Are there curriculum coaches/specialists in the district or school to support grade-level teams?
 - How might you partner with your regional cooperative or professional organizations to support teachers in this work?

Considerations for Part B

- How will you ensure that Table 4 from the previous grade level or course is provided to the next grade-level team? What process or system might you utilize for storing and accessing Table 4?

- How will you structure the opportunities for the grade-level teams to engage in vertical conversations to discuss Table 4?
 - Will the vertical conversations take place virtually or face-to-face?
 - How will the vertical conversations be structured for grade-level teams in the same school?
 - How will the vertical conversations be structured for transition grade-level teams and the various feeder schools?
- Who will participate in the vertical conversations? Will the entire grade-level or course content teams meet, or will the conversation be with representatives from the grade-level or course content teams?
- How will you ensure that vertical conversations occur in a timely manner that allows teachers to utilize information in drafting their adjusted curriculum?

Considerations for Part C

- What are your expectations for how teachers will incorporate the identified gaps into the adjusted curriculum? Will all grade levels or content courses use the same method or will the decision be made by each grade-level or course content team?
- What is the approval process for changes to SBDM adopted curriculum?
- How will you structure time for grade-level teams to draft their adjusted curriculum?
- How will you utilize the school-wide system of interventions to meet students' academic needs?
- How will you intentionally utilize the PLC process to support teachers in meeting learner's academic needs?

Implementing the Formative Assessment Process

Formative assessment is a critical component of a balanced assessment system that can greatly impact student achievement. The process of eliciting, interpreting and using evidence as part of ongoing teaching and learning allows teachers and students to make adjustments focused on closing the gap between students' current level of understanding and the intended learning outcomes.

Due an extended period of hybrid and/or remote learning, students may have more learning gaps than typically expected in their understanding of grade-level standards. For teachers to meet the needs of their students and to address learning gaps, it is imperative that educators identify and implement evidence-based practices for incorporating formative assessment into their daily instructional routines. The minute-by-minute, daily and weekly use of formative process provides teachers with the information they will need to make instructional adjustments that moves learning forward for all students.

The purpose of this section is to:

- Define formative assessment and explain the benefits for students and teachers;
- Describe four key strategies that support the formative assessment process; and
- Identify instructional approaches for taking responsive action to address the needs of all learners.

Please see videos and slide presentations under [Stage 2 Guidance section of the COVID-19 Resources for Educators and Families webpage](#).

Defining Formative Assessment

The [CCSSO](#) (2018) defines formative assessment as:

“... A planned, ongoing process used by all students and teachers during learning and teaching to elicit and use evidence of student learning to improve student understanding of intended disciplinary learning outcomes and support students to become self-directed learners.”

Key Elements of Formative Assessment

- Formative assessment involves intentional planning. The teacher has a clear purpose for questions, tasks and activities that aligns with the intended learning outcomes to elicit evidence of student understanding.
- Formative assessment is an ongoing process, not a one-time event that occurs at the end of learning. It is interwoven into daily learning and teaching as the teacher transitions from instruction to assessment to feedback to make adjustments that move learning forward.

- Formative assessment evidence is used by both students and teachers as they work collaboratively as a community of learners. As students play a more active role in this process, they gain the skills necessary to become lifelong learners.
- Formative assessment provides descriptive and actionable feedback that allows students and teachers to make adjustments to improve achievement on the intended learning outcomes.

Benefits of Formative Assessment

- Helps identify what students can do with help and what they can do independently
- Involves students in active learning, keeps them on task and focuses them on learning goals
- Allows students to receive feedback on exactly what they need to do to improve and shows them what to do next to reach the intended learning outcomes
- Provides teachers with information to make immediate adjustments based on students' current level of understanding in relation to the intended learning outcomes
- Provides teachers with feedback to determine effectiveness of instruction

Key Strategies to Support Formative Assessment

Formative assessment is a process of eliciting, interpreting and using evidence about student learning while it is occurring.

[Trumbull and Lash \(2013\)](#) state, “There can be no prescription for what a single instance of formative assessment should look like. Any instructional activity that allows teachers to uncover the way students think about what is being taught and that can be used to promote improvements in students’ learning can serve a formative purpose.”

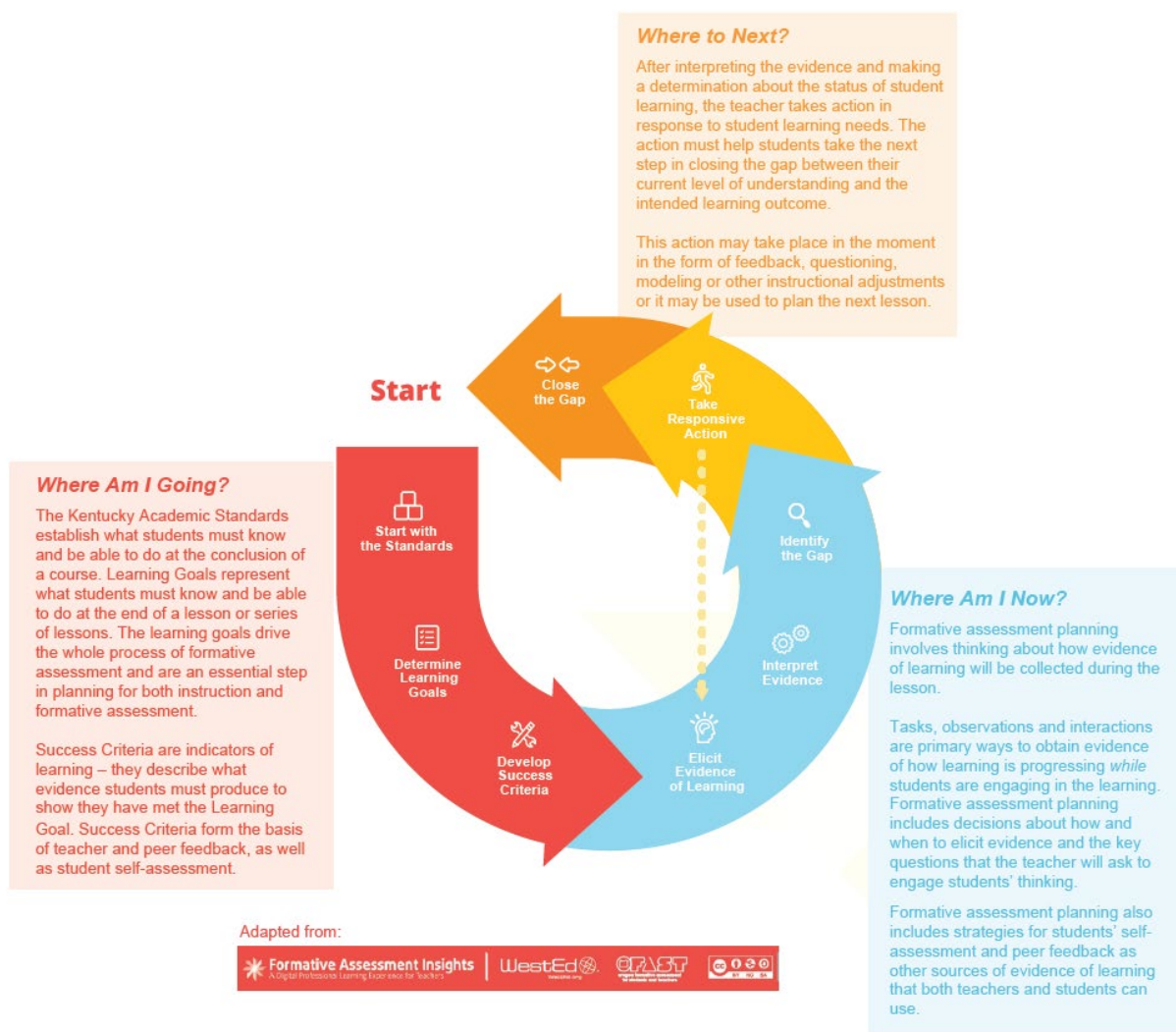
Ultimately, any question, task or activity should provide information to help learners answers three questions ([Hattie and Timperley, 2007](#)):

- Where am I going?
- Where am I now?
- Where to next?

Research has identified several key strategies that can support teachers and students in answering these three questions. Four strategies are listed below:

1. Clarifying and sharing learning goals and success criteria
2. Eliciting evidence of student understanding
3. Providing feedback that moves learning forward
4. Using peer and self-assessment to develop student ownership

Figure 1: Formative Assessment Feedback Loop



Strategy 1: Clarifying and Sharing Learning Goals and Success Criteria

Importance of Strategy

The first step in the formative assessment process is to clarify the intended learning goals and success criteria. Before teachers can assess where students are in their learning, before they can give meaningful feedback and before students can reflect on their own learning, teachers must first be clear on where students are going and articulate the intended learning to the students (William & Leahy, 2015).

When teachers share the learning goals and success criteria with the students and use them to guide teaching and learning, it shifts the focus for students away from what they are doing to what they are learning.

Learning Goals and Success Criteria

As teachers work together in professional learning communities (PLCs), they need to analyze the standards to identify what students must know and be able to do to meet the expectations of the standards. This analysis helps teachers determine the content, concepts and/or skills students must master on their way to meeting the full depth of a standard or group of standards.

To support teachers in analyzing the standards, the PLC should utilize the *Kentucky Academic Standards (KAS)* documents focusing in on the critical components. The purpose of the critical components found in each *KAS* document is to provide greater clarity in what the standards are specifically asking students to know and be able to do to meet the expectations of the standards.

Examples of the components include multidimensionality, clarifications and progressions. For example, within the *KAS for Reading and Writing* document, the multidimensionality component highlights the three dimensions built within each standard: content, comprehension and analysis. By specifying the three dimensions separately, the standards document better communicates the intent of each standard so that local instruction and assessment will align to the intended depth.

The PLC should focus on examining each component and the connections between the components and the standards, as well as how those components can support teachers in designing standards-aligned instruction, grade-level assignments and classroom assessments. [The Breaking Down a Standard Resources](#) are available from KDE to assist teachers in analyzing content area standards.

Based on this analysis, teachers derive the learning goals and success criteria that will help ensure alignment between the grade-level standards, instruction and assessment. The learning goals and success criteria guide teachers as they design questions, tasks and activities that align to these learning outcomes.

- Learning Goals:
 - Also referred to as learning intentions, targets, objectives or purpose
 - Brief statement that describes clearly what students need to know, understand and be able to do by the end of the lesson or a series of lessons
 - Represent the “destination” of where students are going
 - Can focus on knowledge, skills and/or concepts and should be aligned to the grade-level standards
 - Focused on the intended learning, not a list of activities that students will do
- Success Criteria:
 - Statements that describe the evidence students must produce to show they have achieved the learning goals
 - Provide a “map” to the learning destination

- Act as major checkpoints along the way for teacher and students to know how they are progressing
- Specific, concrete and measurable
- Used as the basis for teacher feedback, peer feedback and student self-assessment
- Are supported, when necessary, through modeling, exemplars or work samples

The learning goals and success criteria provided in Table 1 are meant to help teachers better understand the difference between the two concepts and provide content area examples. Please note that these are possible suggestions. They are not the only pathways and are not comprehensive to obtain mastery of the standards.

Table 1: Examples of Learning Goals and Success Criteria

Learning Goal	Success Criteria
We are learning about the importance of photosynthesis and cellular respiration.	<p>I can explain how energy can be stored in food through chemical reactions.</p> <p>I can identify and explain how different parts of a plant gather materials needed for photosynthesis.</p> <p>I can create a model to show how plants use photosynthesis to make food they need for growth and energy.</p> <p>I can create a model to show how animals are able to gain energy from plants through cellular respiration.</p> <p>I can utilize a model (food web) to develop a scientific explanation as to how matter and energy move through an ecosystem.</p>
We are learning to identify the central idea of a text.	<p>I can define central idea.</p> <p>I can list key details of a text.</p> <p>I can analyze key details to determine the central idea of a text.</p> <p>I can analyze how the central idea is reflected in a text and cite relevant evidence to support thinking around the central idea.</p>
We are learning to compare fractions.	<p>I can draw models to make fraction comparisons.</p> <p>I can use the symbols when making fraction comparisons.</p> <p>I can explain how the size of equal parts can be used to compare fractions.</p> <p>I can construct a viable argument and/or critique the reasoning of others to prove whether a fraction comparison is correct or incorrect.</p>
We are analyzing the structure of the U.S. government, including separation of power and its system of checks and balances, through inquiry practices.	<p>I can ask compelling and discipline-specific supporting questions about the structure of the U.S. government.</p> <p>I can identify the three branches of government and describe the function and roles of each branch.</p> <p>I can describe the limitations of each branch established by separation of powers.</p> <p>I can analyze how the system of checks and balances creates a balance of power among the branches of government.</p>

	<p>I can use and integrate information from primary and secondary sources to develop claims that answer compelling and supporting questions, while noting key similarities and differences in the perspective the sources represent.</p> <p>I can construct explanatory products to convey the diverse perspectives that impacted the founding of the United States.</p> <p>I can explain different approaches people can take to address local, regional and global problems, using examples from U.S. history.</p>
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Strategy 1 Considerations

- How will you collaborate with grade-level teachers to determine learning goals and success criteria necessary for students to meet the standards within each unit of study in the curriculum?
- How will you collaborate with teachers from the previous grade level to clarify learning goals and success criteria for standards identified as gaps?
- How will you share learning goals and success criteria with your students?
 - Possible ideas:
 - When introducing new learning goals and success criteria, have students reflect on what they already know about the goal, specific words or phrases that are confusing or they don't understand. If in a virtual setting, students can post their responses electronically through a virtual chat platform or electronic document to capture their thinking ([NCEO, 2020](#)).
 - Remind students of the learning goals and success criteria before students start any instructional task or activity to focus them on the purpose.
 - Write the learning goals and success criteria on the assignment or task.
 - During teacher-directed instruction, share the learning goals and success criteria at the beginning to focus students. Where applicable, build in stopping points throughout and pose questions to have students reflect on the intended learning.
 - If using a slide presentation as part of direct instruction or an assignment in a virtual setting, insert a slide at the beginning that describes the learning goals. Where applicable, insert slides at critical points throughout that contain questions to help students reflect on the intended learning ([NCEO, 2020](#)).
 - When recording an audio file for students, clearly state the learning target and success criteria at the beginning to focus the student, and reference throughout as applicable ([NCEO, 2020](#)).
- How will you help students understand the success criteria?
 - Possible ideas:

- Utilize examples of student work and ask students to reflect on them using the success criteria.
 - In a virtual setting, these examples could be in a document shared electronically with the students, shown and discussed in a recorded video for easy student access, or shared in live virtual meetings ([NCEO, 2020](#)).
 - Provide modeling, where appropriate, that allows the learner to follow, imitate or work from what they have witnessed.
 - If using a rubric that contains the success criteria, provide it at the same time they get the assignment or task.
 - Check to make sure the criteria on the rubric are about things that provide evidence of learning, not about following directions or surface features of the work.
- How will you intentionally utilize the learning goals and success criteria throughout instruction to focus students on what they are learning and not on what they are doing?

Strategy 2: Eliciting Evidence of Student Understanding

Importance of Strategy

Once teachers and students are clear on the intended learning outcome, the next step is to determine where students are in meeting that goal. Teachers need to not only intentionally plan instructional activities aligned to the learning goals, they also need to plan in detail how they are going to find out where students are in their learning throughout the lesson or series of lessons.

When teachers ask students to engage in activities that directly relate to the learning goals and success criteria, students feel respected and see the school experience as purposeful and coherent (Erkens, Schimmer, & Vagel, 2018).

The insights below are adapted from [“Insights About Eliciting Evidence”](#) by WestEd and Oregon FAST:

- Elicit evidence aligned to the learning goals and success criteria of the lesson.
 - As students engage in any learning experience, they need to make visible a performance of learning or an execution of a skill that reflects what is articulated in the success criteria.
- Elicit evidence intentionally and strategically.
 - Opportunities to elicit evidence are thought through in advance and strategically placed at points in the lesson where teachers know they will need information about the status of student learning.
- Elicit evidence in multiple ways.
- “Evidence” is much more than numerical data. It includes all the ways students showcase their learning relative to the learning goals and success criteria. When teachers use

multiple approaches to establish the current level of student understanding, it provides a much richer picture of student learning to analyze and act on during instruction.

Instructional Routines for Eliciting Evidence

These routines are adapted from [“Five Evidence Gathering Routines”](#) by WestEd and Oregon FAST:

Routine #1: Elicit evidence through activating prior knowledge.

As instruction begins in a new lesson, students will have different starting points, misconceptions and foundational knowledge. Activating background knowledge helps teachers:

- Identify students’ prior knowledge and current level of understanding
- Identify missing elements in skills or understanding
- Elicit misconceptions
- Clarify where to begin instruction

Instructional routines focused on activating prior knowledge helps students explore connections across content areas and engage in thinking about the learning goal. While background knowledge is often assessed at the onset of a lesson, it should be assessed, enhanced and worked on throughout a learning sequence. Some possible techniques include:

- K-W-L charts
- Quick writes
- Checklists
- Carousel brainstorming
- Whiteboard prompts

Routine #2: Elicit evidence through academic dialogue.

When students engage in academic dialogue, they are thinking, exploring ideas and making connections. When students talk, teachers can better understand what students know, the strategies they are using and how they are thinking about the content. It is important for teachers to create a classroom culture in which there is equitable academic talk among all students.

To support effective use of academic dialogue, teachers should:

- Develop and uphold classroom norms that promote a safe expression of ideas
- Establish opportunities to explore multiple viewpoints and solutions
- Ensure dialogue allows for equitable participation by all students
- Establish consistent use of both large and small group dialogue

Routine #3: Elicit evidence through questioning.

Effective oral questioning supports cognitive growth, provides connections to prior knowledge, contributes to a classroom culture that promotes learning and risk-taking and supports students' ability to internalize next steps in learning.

Some essential elements of effective questioning that support eliciting evidence:

- Plan questions in advance of the lesson that will prompt student thinking throughout the lesson. Pose questions to elicit thinking at key points in the lesson or sequence questions to address appropriate cognitive demands as students' understanding becomes more sophisticated.
- Engage in assessment conversations by asking follow-up questions to further explore student thinking. The follow up might:
 - Build on student thinking to make connections (“How might this connect to what we studied in our last unit?”)
 - Challenge students to prove their thinking (“What evidence do you have to support your answer?”)
 - Probe student ideas and misconceptions (“What would that look like if ... ?”)
 - Bring other student voices into the conversation (“What do you think about what was just said? Can you build on his/her response?”)
 - Engage others to elicit different thinking (“Can you think of a different way to approach the problem?”)
- Apply the research on effective questioning. Use wait time, integrate questions that encourage higher-order thinking and provide opportunities to formulate their ideas (pair-share, pre-write) when asking cognitively complex questions.

Routine #4: Elicit evidence through observation and analysis of student work.

Using multiple representations of learning helps teachers understand a more complete picture of each student's understanding. When planning to gather evidence of learning, consider learning opportunities where student thinking can be observed. This might include:

- Drawing
- Diagrams
- Graphs
- Concept/mind maps
- Model building
- Investigations
- Student writing
- Graphic organizers
- Detailed outlines
- Student notes

Strategy 2 Considerations

- How will you collaborate with grade-level or course content teachers to determine the best way to elicit evidence for the learning goals and success criteria for grade-level standards?
- How will you collaborate with teachers in the previous grade level or course to determine possible ways to elicit evidence of student learning for those standards identified as learning gaps due to an extended period of hybrid and/or remote learning?
- How will you ensure that what you ask students to say, do, make or write will provide you the information needed to determine where students are in their understanding relative to the learning goals and success criteria in both the classroom and virtual setting?
- At what strategic points throughout the lesson will evidence of student learning need to be intentionally designed?
 - Will evidence be needed at the start of the lesson to determine how best to begin and frame the lesson content?
 - Will evidence be needed early in the lesson, before building on introductory content?
 - Will evidence be needed partway through the lesson in order to decide among different instructional routes to reach the intended learning outcome?
 - Will evidence be needed at the end of the lesson to help plan the next lesson?
- When designing lessons, what typical misconceptions might students have or what common errors might they make? How will you elicit evidence to address those misconceptions or errors in thinking?
- What are the different ways you will gather evidence of student learning to gain a richer picture of student learning that most aligns with the intended learning outcomes of each lesson?
- What classroom norms are needed to support academic dialogue in both the classroom and virtual settings?

Strategy 3: Providing Feedback that Moves Learning Forward

Importance of Strategy

Feedback is a critical component of the formative assessment process. It provides students and teachers with information about how students are doing relative to the intended learning outcome. Effective feedback provides students with the information they need to understand where they are in their learning and what to do next. It also serves to increase student motivation because once students feel they understand what to do and why, it helps them feel that they have more control over their own learning (Brookhart, 2017).

Insights for Providing Effective Feedback

The insights below are adapted from [“Six Insights about Feedback”](#) by WestEd and Oregon FAST.

Give feedback that relates student work to the learning goals and success criteria.

Feedback is about letting students know where they are relative to where they are heading. Effective feedback focuses on the status of student learning as evidenced by what students say, do, make or write. If feedback is to be meaningful and actionable, it is critical that students have a clear understanding of the learning goals and how they will recognize when they have met them using the success criteria.

Give feedback that students can use.

Feedback is beneficial when students can act on it to move their learning forward. One of the goals of feedback is to ensure teachers are not doing the work of learning for the student. To do this, teachers use clear, descriptive language to provide hints, clues and guidance that can help move student learning forward. Usable feedback should:

- Focus on the learning goals and success criteria;
- Make reference to what students have done well; and
- Suggest next steps for improvement.

Give feedback that supports students’ management of their own learning.

When feedback is effective, it casts students as capable managers of their own learning by helping them to understand the status of their learning relative to the learning goal and to take steps to advance their own learning. If students understand what is “good” about their work, they are able to internalize the knowledge, strategies or processes they used in this and apply them to other situations in the future.

It is a good idea to check with students to see whether the feedback provided is adequate for them to take the next steps for themselves. For example, asking questions such as, “Are you clear on what you need to do next?” or “Can you tell me what you are going to do next?” will provide feedback to the teacher about students’ understanding of the guidance and support offered.

Strategy 3 Considerations

- How will you ensure that your feedback is linked to the learning goal and success criteria?
- How will you provide feedback in a timely manner that allows students to take action and apply the feedback?
 - Possible ideas for virtual settings ([Fiock & Garcia, n.d](#)):
 - Text annotations: Notes or comments added digitally to written assignments

- Audio or video file: Could be provided to individual students or to small groups of students requiring the same type of feedback
 - Rubrics: Online scoring guides aligned to the success criteria to evaluate students' work
- How will you intentionally build in time for students to respond to and apply feedback to their work?
- How will you structure opportunities to have uninterrupted time with individuals or groups of individuals to provide feedback?
 - In the virtual setting, how will you structure time and opportunity to meet with individuals or small groups to provide feedback?

Strategy 4: Using Peer- and Self-Assessment to Develop Student Ownership

Importance of Strategy

Peer and self-assessment help students develop both self-regulation and self-efficacy. As they learn to become more self-regulatory, students can monitor, direct and regulate their own actions as they progress toward the learning goals. Through peer assessment, students gain increased clarity on the learning goal and success criteria. Self-assessment provides students with the opportunity to apply their understanding of the learning goals and the success criteria to their own work to become more aware of their strengths, progress and any gaps in learning they still need to address (Moss & Brookhart, 2019).

Peer Assessment

The following guidance is adapted from [“Peer Assessment”](#) by WestEd and Oregon FAST.

Peer assessment requires a classroom culture characterized by supportive, collaborative relationships that lead to feelings of mutual trust among the students. In such a classroom culture, students understand that they share responsibility for their own and their peer’s learning and that part of this joint responsibility is to provide constructive, respectful and non-judgmental feedback. Below are three strategies teachers can use to help support students to give peer feedback:

Model providing feedback.

When teachers provide oral or written feedback, students are listening to and noticing what quality feedback sounds or looks like. Teachers also can model feedback for students by using samples of student work, reviewing the learning goal and success criteria with the whole class, and analyzing the work in light of the criteria and discussing what feedback to provide and why.

Use feedback prompts and protocols.

When students are first starting the process of peer feedback, conversation prompts can support and build students’ skill at providing feedback. Some possible prompts include:

- I would like to suggest ...
- I wonder why ...
- I am confused because ...
- Have you thought about ...?
- I notice that ...
- I did not understand what you meant when you said ...
- A strength I see in your work is ...
- You could improve this by ...

Analyze strong and weak feedback.

Students also can benefit from discussing examples of strong and weak feedback, both oral and written. Students can be guided to consider the feedback with questions such as:

- Do you understand the feedback?
- Does the feedback match the learning goal and success criteria?
- Is the feedback specific?
- Would this student know what to do with the feedback to move forward?
- How might you improve this feedback?

Other useful strategies include creating a list of what makes strong and weak feedback after these analyses or reviewing existing lists to make sure they include specific items from the analyses.

Self-Assessment

The insights below highlight how to structure self-assessment opportunities into classroom practice. These are adapted from [“Insights about Self-Assessment”](#) by WestEd and Oregon FAST.

Self-assessment is explicitly taught and modeled by the teacher.

When teachers explicitly teach students to become effective self-assessors, students are empowered to be in charge of their own learning: to identify goals, determine where they are in their learning with respect to the goals, and to take actions to close the gap. At each stage of this process, students require feedback, support and practice. To support teaching self-assessment skills to students:

- Model how the success criteria are applied to student work.
- Provide opportunities for students to apply criteria to their own work.
- Discuss with students how well they are assessing their own learning.
- Help students use feedback (from the teacher, peer assessment and self-assessment) to develop individual learning goals and clarify next steps in their learning.

Self-assessment involves students applying all the elements of the feedback loop to their own work.

To do self-assessment well, students need to attend to all three primary questions in the feedback loop, beginning with, “Where am I going?” then reviewing their own work or their thinking to determine, “Where am I now?” and finally answering, “Where to next?”

Students must have a clear conception of where the learning is headed in order to assess their status in relation to that goal. The process of internalizing the success criteria allows students to come to a deeper understanding of what they are learning and will result in their self-assessment being more aligned with the expected learning goals. As students become more skilled at assessing their progress toward the learning goals, they are increasingly able to make decisions about where to go next in their learning.

Self-assessment is an essential element in support of student agency and self-regulation.

Student self-assessment is a critical component of classroom formative assessment, as it is a key element of practice that supports students to become independent and self-regulating learners. Self-assessment supports students to develop metacognitive skills, in which they can think about their thinking and how they learn. This provides students with opportunities to practice self-regulation skills. While teachers model this work in the early stages, the expectation is that students develop and use metacognitive strategies themselves.

To help reach this independent stage, teachers develop a repertoire of strategies students can use (e.g. templates, checklists, reflections) that facilitate their responsibility and ownership for monitoring their own learning.

Strategy 4 Considerations

- How will you build a classroom community, in both the classroom and virtual setting that supports peer and self-assessment? What classroom norms, routines and procedures are needed to build trust and a supportive environment?
- How will you intentionally build students’ skills in providing peer feedback?
- How will you provide opportunities for peer assessment?
 - Possible ideas for peer feedback in a virtual setting:
 - Collaborative documents (e.g. Google Docs, OneDrive)
 - Group discussion using videoconferencing or a forum
- How will you build in opportunities for students to self-assess and reflect on the learning goals and success criteria?
 - Possible ideas for virtual setting ([NCEO, 2020](#))
 - Format the success criteria into a tool students can use as they do their lesson or assignment. Examples include a simple bulleted list, a checklist or a rubric.
 - Include one or more self-assessment loops in the assignment directions, where students review their work using the tool and make adjustments to their work.

- Include a “mid-point reflection” in a document-based lesson or assignment or include one or more pause points in a video or slide-based lesson or assignment. Possible reflection questions might include:
 - When you look at the success criteria you have been using, which one has been the easiest for you? Why?
 - Which one has been the most difficult for you? Why?

Taking Responsive Action

The following portion was adapted from [“Taking Pedagogical Action”](#) by WestEd and Oregon FAST.

After teachers have interpreted the evidence and made a determination about the status of student learning, they need to take some action in response to students’ immediate learning needs. This action might be taken in the moment in the form of feedback to the student(s) or an instructional adjustment. Or it may be that the teacher uses the information to plan the next lesson. Teachers also might decide that student learning is on track to meet the learning goal and they may continue with the lesson as planned. Instructional adjustments could include:

Modeling

Deliberate, purposeful modeling is a powerful instructional strategy. Teachers can make intended student learning “visible” by verbalizing their reasoning out loud, explicitly narrating their thinking during a problem-solving process or demonstrating a specific skill.

Prompting

Prompting helps students access and apply prior learning as a bridge to new learning. Prompting may take the form of a reminder, a strong hint, a clue or a question, and should always be followed by adequate wait time.

Questioning

Asking questions is an ideal way to generate thoughtful discussions and explorations of issues that are important to developing students’ understanding. In addition, attending to the answers that students give and probing these answers with follow-up questions yields important information that teachers can use to evaluate current levels of understanding and identify appropriate instructional responses for next steps.

Giving Feedback

The primary use of feedback is not to indicate whether students are right or wrong, but to enable them to reflect on their use of strategies and on their learning. An important message for teachers to convey when giving feedback is that the source of student success is their own learning

strategies. Providing feedback that gives hints, cues or suggestions rather than total solutions will assist students to build a repertoire of learning strategies.

Telling

Telling means supplying what students need in the moment (an unknown word or the steps to complete a task, for example) to enable them to maintain momentum in the learning process. A teacher makes a professional judgment to use this instructional strategy so that student learning is not short-circuited, but rather the temporary obstacles are removed on the way to deeper learning.

Explaining

Explanations are verbally explicit, tailored to individual student needs and intended to help students develop their own understandings. Teachers may use explanations to introduce an unfamiliar concept, clear up misconceptions, explain a process (how to give peer feedback, for example) or clarify the steps of a specific learning strategy (such as note-taking).

Directing

Directing is simply giving a specific instruction to let the learner know what he or she is supposed to do. For example, “Find the sentence in the text that suggests ...”, “Write the letter for the sound ...” or “Turn to your partner and share ...”

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Making Decisions Regarding Promotion or Retention

KDE is sensitive to the fact that the period of extended hybrid and/or remote learning presents many challenges not evident in traditional in-person classroom instruction. Educators will need to continually assess where student academic learning gaps exist in order to design effective Tier 1 instruction and targeted intervention during this emergency and afterwards.

KDE also is offering guidance on how educators can monitor student learning through the formative assessment process. Local support should address both student social and emotional learning and academic transition and success, as learning gaps or other issues resulting from an extended period of hybrid and/or remote learning do not automatically trigger retention.

Legal Basis

The following Kentucky Revised Statutes (KRS) and Kentucky Administrative Regulation (KAR) establish that the local school or district is responsible for proper placement and awarding of credits to students.

- [KRS 158.140](#) establishes that any promotions or credits earned in attendance in any approved public school are valid in any other public school to which a pupil may go, but the superintendent or principal of a school, as the case may be, may assign the pupil to the class or grade to which the pupil is best suited. This statute also ensures that upon successful completion of all state and local board requirements students shall receive a diploma indicating graduation from high school.
- [704 KAR 3:305](#) places the responsibility on the school district to determine the standards for awarding credit toward a high school diploma from that district/board of education.
 - Section 3. (1) For students entering grade nine (9) on or before the first day of the 2018-2019 academic year, each student in a public school shall have a total of at least twenty-two (22) credits for high school graduation. (2) Those credits shall include the content standards as provided in the *Kentucky Academic Standards*, established in 704 KAR 3:303 and KAR Chapter 8.
 - Section 7. (1) A local board of education may award credit toward high school graduation for satisfactory demonstration of learning based on content standards described in the *Kentucky Academic Standards*, established in 704 KAR 3:303 and 704 KAR Chapter 8, and a rigorous performance standards policy established by the local board of education.
 - Section 7. (2) A local board of education shall award credit toward high school graduation based on: (a) A standards-based Carnegie unit credit that shall consist of at least 120 hours of instructional time in one (1) subject; or (b) A performance-based credit based on standards, regardless of the number of instructional hours in one (1) subject.

- [KRS 160.345\(3\)\(b\)](#) indicates local school boards shall adopt policies related to school-based decision making, including “assessment of individual student progress, including testing and reporting of student progress to students, parents, the school district, the community, and the state.”

Therefore, the number of awarded credits – based on the local assessment of student progress as seen in the assignment and reporting of grades – determines proper student placement. Final decisions as to promotion or retention rests with school authorities as set forth in KRS 158.140; however, no student may be retained without prior consultation with the parents.

Based on the multi-tiered system of supports (MTSS) framework, schools and districts should have systems in place for early identification of students chronically absent or who may be “at-risk.” The local leadership team is encouraged to analyze student data to look for root causes of absenteeism and/or barriers to attendance or learning and then implement and monitor tiered interventions prior to any retention. KDE urges local education agencies to be innovative in how they serve students in an environment that best meets individual student needs and to plan for targeted interventions that may be needed in the spring to accelerate student learning to avoid the need for retention.

Local Considerations

- How is the formative assessment process being utilized in Tier 1 classroom instruction to monitor student learning in the in-person, hybrid and/or remote learning environment?
- What process is in place for identifying students who may need acceleration?
- Is there a systematic process in place for delivering interventions to students who need targeted interventions and support?
- In terms of student engagement, what data are available to help identify the root causes of absenteeism and/or barriers to attendance or learning?
- What steps can be taken in the spring to support students who may be at risk of being retained?
- If students are not retained, what system will be in place in the fall of 2021 to support successful student transition?

Resources

- Teaching and Learning PL Series: [Eliciting Evidence of Learning](#)
 - Comprehensive, Balanced System of Assessment – September 2020
 - Understanding Formative Assessment – October 2020
 - Clarifying and Sharing Learning Goals and Success Criteria – November 2020
 - Eliciting Evidence of Learning – December 2020
 - Module supports include a facilitator’s guide, accompanying PowerPoint (PPT), KDE webinar, teacher collaboration activity guide and PPT and family guide.
- [The Distance Learning Playbook Study Learning Plan and Resources – January 2021](#)

- Self-paced asynchronous study allows educators to dig deeper into a hands-on guide focused on preparing and delivering effective and impactful distance learning experiences.
 - Participants take a closer look at evidence-based strategies teachers can utilize in the virtual setting, spanning topics from teacher-student relationships, clarity, instructional design and assessment.
- [The Assessment Playbook for Distance and Blended Learning](#) – Online Spring 2021 Study
 - Self-paced study gives educators across the state an opportunity to dig deeper into how to assess what students have learned in the distance learning setting. This playbook empowers teachers with the decision-making tools needed to gauge the impact of instructional strategies regardless of the learning setting.
 - The study includes a robust “playlist” of distance learning assessment tools that teachers can mix and deploy to match every learning intention as well as information on how to evaluate the impact of teaching on student learning and how assessment can guide teaching moves.

Alternative Learning Designs

KDE recommends that districts consider a variety of alternative models and schedules for periods of remote or continuation of learning strategies during COVID-19 for Kentucky public schools. Designing and planning early (and often) will be key to continued sustainable success.

Each school district may have a customized plan for alternative learning designs that best fits its students, teachers and community. Customized district-by-district digital, distance and remote learning plans should help determine how best to invest the variety of local, state and federal funds available to support learning (e.g. education technology infrastructures and supports, staffing allocations, professional learning).

It is highly recommended that each district has a team identified to help design and support alternative learning strategies as successful plans will continue to be a collaborative effort (e.g. learning services, logistics, communications, technology, food services). This team should have the freedom to design the customized approaches and strategies that will work best. It is KDE's position, in partnership, to help remove identified barriers while continuing to implement safe and healthy practices. Additionally, design considerations should be sustainable solutions that will continue to serve beyond the current public health crisis as best practices in designing learning elements. The goal during this unparalleled time is to keep community safety and well-being in mind while providing the best education possible.

Worth highlighting are the additional supports needed, such as rapid development of teacher professional learning, as well as logistics that will come into play when considering alternative learning strategies, such as transportation constraints, food service strategies and procedures, staffing, teacher assignments, community relations and parent or household dependencies.

Districts are encouraged to keep the continuity of learning and learning progressions as key components of their planning efforts. This is critical for student engagement as basic remote learning efforts have transitioned from time spent reviewing content to teaching and learning new material, while engaged in completely new learning experiences. For more guidance on constraints posed by the COVID-19 pandemic, please continue to refer to [KDE's COVID-19 Guidance 2.0 webpage](#).

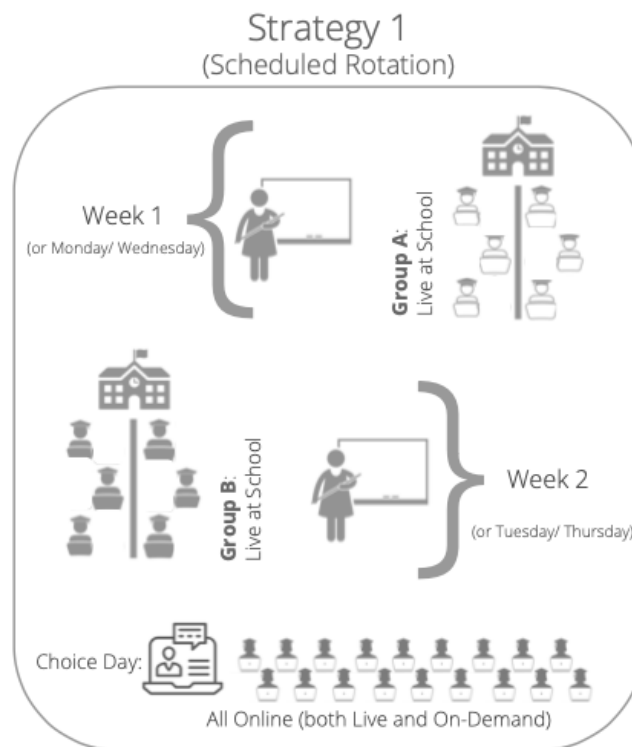
Considerations for Alternative Learning Experiences

KDE encourages districts to prepare and/or refine alternative models and schedules that may be deployed when the Kentucky Department for Public Health recommends that schools reduce the number of students in the building. Districts may build alternative models and schedules that meet the needs of their learner population. KDE has prepared four possible alternative design models as a starting point for consideration. Additionally, KDE supports school districts in monitoring the deployment and student use of technology. KDE is dedicated to ensuring that software and digital curriculum purchases are intentional and regularly monitored with the

understanding that school districts must be able to gauge the adoption and impact of new technologies through Kentucky's [Digital Learning Guidelines](#). The following four design models should be considered:

Strategy 1: Scheduled Rotation

Under a scheduled rotation strategy or model, the school would assign students to groups that would attend school on alternating patterns, such as A-B days, a.m./p.m. patterns or alternating weeks. This method relies on several flexible variables, such as student grouping, staff grouping, days of the week or the time of day.



In this strategy, fewer students would be in the building during the day, allowing for greater social distancing. The reduction in students also could be used to reduce class sizes, allowing for furniture to be removed from classrooms to promote necessary space and reduce unnecessary surfaces. Plans should be made for deep, intensive cleaning of all surfaces between rotations.

When students are not physically in-person, in school, they may be participating in project-based learning opportunities, asynchronous instruction and/or other related assignments set up during the days they physically are in school. You also may connect this strategy to the “flipped model” of blended learning where students are not just finishing assignments from days physically in school but also receiving new material through recorded teacher videos, for example, to maintain learning momentum. This option may be helpful to schools with limited mobile technology. This

strategy also could encourage teachers to utilize creative demonstrations of learning for students and collaborative co-teaching designs.

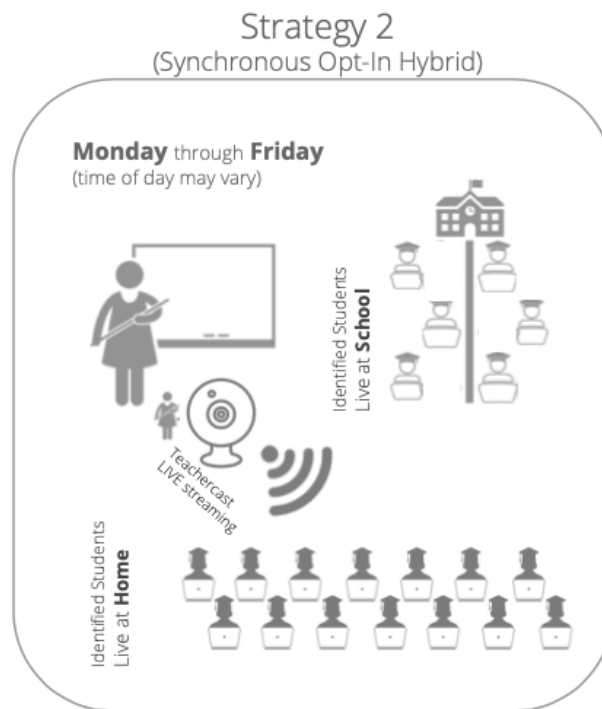
Scheduled rotation considerations include:

- Flex variables:
 - Groupings of students
 - Groupings of teachers
 - Days of week, weeks in the month, etc.
 - Times of day (morning, evening, start times, etc.)
- Fewer students physically in the building or classroom at a time can continue to promote social distancing.
- Groups could physically attend the school building a week at a time, providing for more intense or deep cleaning through the weekend to prepare for the next group (Group B) the following week.
- Time of day also may vary in this “school” model.
- This strategy recognizes and values the difference between “school” and “learning.”
- Promotes project-based and competency-based models while also providing access to school-based resources.
- Desks spaced the recommended feet apart as recommended by the CDC with breakfast and lunch served in identified areas.
- A designated day per week (Monday, Wednesday or Friday) could serve as a “choice day” for specific activities such as:
 - Specialized student remediation
 - Deep cleaning of buildings
 - Professional learning supports or digital/technology support
 - Student follow-up, assessment (formative and summative) and feedback
- Strategy provides for some flexibilities for co-teaching or team teaching to help with students who are remote on “remote days.”
- Learning design for students will likely need to incorporate creative demonstrations of learning as well as digital methods of collecting evidence of learning.
- Intentional “planned digital interactions” to support student learning as well as social and emotional connections to school.
- In this strategy, school buildings also can be leveraged as hubs for students to attend and engage in online and virtual learning if they lack internet access at home (further leverage digital learning design and learning management system-based structured learning).

Strategy 2: Synchronous Opt-In Hybrid

Under a synchronous opt-in hybrid strategy, parents may choose whether their children attend school in person or remotely. Instruction would be delivered synchronously to students who are at school and at home through virtual live streaming.

This option requires heavy use of instructional technology, including digital tools that already are available in most classrooms (mobile devices, web cameras, digital meeting platforms and learning management systems). Careful consideration will need to be made for intentional digital activities to engage and support students participating from home as the in-person students may more easily draw the teacher's attention.



This strategy leverages the strengths of teachers and staff and may require greater flexibility for co-teaching, co-facilitating and coaching opportunities to drive learning successes.

Synchronous Opt-in considerations include:

- Heavy emphasis on determining which students are candidates for in-person at school learning and those who are candidates for remote learning at home.
 - Criteria for identifying students coming to school for in-person learning should be well established at the school and district leadership level (e.g. exceptional learners, students with a lack of home resources, programmatic needs for specialized equipment, lack of internet access at home)
 - Criteria for opting in to remote learning at home should be communicated clearly with parents (e.g. additional parent supports, communication commitments, home internet access, student self-regulation/self-management skills, family learning contract)
- Students having internet access at home are identified up front as good candidates for a Synchronous Opt-in model.

- Procedures developed for parents to request students be identified as (opt-in) remote/home learners learning from home.
- Time of day may vary for remote learners. Learners connecting remotely would have intentional digital interactions avoiding long periods of required broadcasts where remote learners are not actively engaged.
- Flex variables:
 - Groupings of students
 - Groupings of teachers
 - Days of week
 - Times of day (morning, afternoon)
- Heavily relies on a 1:1 planned initiative where every student has an assigned and dedicated device (especially students engaged in remote, digital and distance-based learning designs).
- Intentional “planned digital interactions” to support student learning as well as social and emotional connections to school.
- Can take advantage of remote attendance, participation and performance-based models.
- Video (live streaming) is “a” tool, not “the” (only) tool. Live video should be used at the appropriate time during the instructional/learning design. Heavy emphasis should be placed on “intentional interactions” and screen time commitments.
- Strategy should utilize teacher-to-remote student video (live streaming) intentionally, avoiding long periods of required broadcasts where students are not actively engaged.
- This strategy can leverage different strengths of teachers and other staff, while providing additional co-teaching, co-facilitating and coaching opportunities. The flexibility of this strategy ideally could let teachers play to their strengths with so much of this structure and instructional/learning design being re-engineered from the traditional classroom model.
- Learning design for students likely will need to incorporate creative demonstrations of learning as well as methods of collecting evidence of learning digitally.
- Could provide for smaller support “labs” for sections of courses.

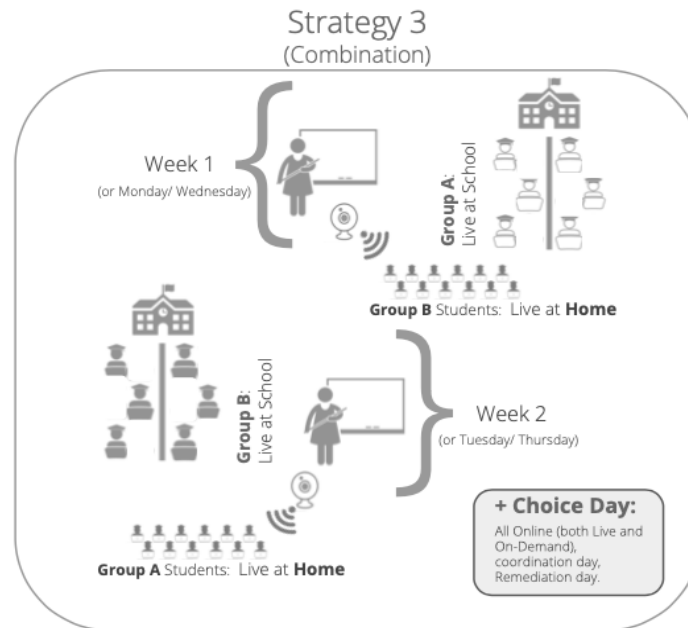
Strategy 3: Combination

A combination strategy (or model) leverages components of the rotational strategy and synchronous opt-in hybrid strategy. With this design, students would be sorted into two groups and would alternate periods of time engaged in synchronous learning in the school building and periods of time receiving synchronous instruction at home. Additionally, on-demand learning (asynchronous) designs will also be targeted. This plan requires heavy use of educational technology, including 1:1 portable devices and digital tools already available in the classroom.

Combination strategy considerations include:

- Time of day may vary
- Flex variables:

- Groupings of students
- Groupings of teachers
- Days of week
- Times of day (morning, evening)
- This strategy could be leveraged as a combination of the “best fit” elements from the previous two strategies.



Strategy 4: Online and Virtual School

Online, virtual and expanded learning programs provide students with alternative and expanded online learning opportunities while at home. These programs can be designed for full-time and/or part-time experiences and may be referred to as a “program,” a “school” or an “academy.” Instruction is facilitated online by a content-certified teacher using a combination of synchronous and asynchronous strategies, ideally through a learning management system. This strategy might be more appropriate for students in higher grade levels who can be more self-directed.

Existing remote learning models through Kentucky’s virtual learning providers, as well as many successful Non-Traditional Instruction (NTI) Program designs, can be leveraged as part of the strategy.

Districts choosing to provide a fully online experience for students should seek an official school classification for an alternative program of A5 or designate their program as an academy model embedded inside an existing A1 school. The A5 classification is for a district-operated facility with no definable attendance boundaries that is designed to remediate academic performance, improve behavior or provide an enhanced learning experience. These programs are responsible for providing all of the education services and requirements as a physical school, such as special

education services, administering and reporting state assessments, providing counseling, and reporting state and federal data. Programs also grant Kentucky high school diplomas in accordance with [state minimum graduation requirements](#).



[The Kentucky Digital Learning Guidelines](#) are available for schools and districts to ensure quality, rigor and impact on student achievement. These guidelines also serve as a guide for digital content developers and vendors to ensure alignment to the [Kentucky Academic Standards](#) criteria for each appropriate course. More information is available on the [Online/Virtual Course Providers](#) page.

Possible Online/Virtual Program Implementations

1. Single District Online/Virtual Program (In-District Enrollment Only): This program design applies to a district choosing to create full-time and/or part-time online/virtual opportunities for students within their district only.
2. Single District Online/Virtual Program (Expanded Enrollment Options): This program design also applies to a district choosing to create full-time and/or part-time online/virtual opportunities for students within their district. The district is eligible to adopt policies locally enabling expanded enrollment from outside their district attendance borders through reciprocal agreements and/or a fee-based system. [BAVEL](#) is one example of a fully online/virtual program created by a single district with expanded enrollment outside their attendance borders.
3. Multi-District Online/Virtual Programs: A consortium-like approach where multiple districts coordinate regionally (network) to create and maintain fully online/virtual learning opportunities for students in their respective districts. The regional program

would require a separate school designation, such as A5, from one of the participating districts. This district also would be responsible for the student information system (Infinite Campus) records.

Online/Virtual strategy considerations include:

- The Online and Virtual School strategy should largely be targeted for grades 6-12, although Kentucky is seeing more interest and further development of online/virtual K-5 programs as well.
- Students in this strategy generally are not assigned to a traditional classroom teacher, they are registered for an all online and virtual course schedule in an all online and virtual school, academy or program (e.g. students enrolled at BAVEL - the Barren County Academy of Virtual and Expanded Learning).

The following resources provide additional information for consideration:

- KDE's [statewide online and virtual course programming](#) webpage
- KDE's [Guidance for Alternative Education Programs](#)
- [Virtual and Performance-based Course Set-up and Attendance Verification](#)
- [State Course Code Database](#)

Alternative Learning Plan Strategy Suggestions (Digital, Distance and Remote Learning)

Feedback and Surveys

Survey your stakeholders and communicate the results to guide your plan for digital, distance and remote learning. Sample district surveys: Digital Readiness, Impact Survey (several questions teachers already have responded to can provide valuable insight), SpeakUp Survey, Technology and Learning, Infinite Campus Parent Survey or a custom survey created by the district.

Ownership of Digital, Distance and Remote Learning

As district/school administrative teams work to develop the district plan, it is important to identify who will be organizing and leading the specific components of an alternative learning strategy and the professional learning needed for digital, distance and remote learning.

Professional Learning Plans

Align your Professional Learning Plans to the needs of the teachers and administrators in the area of digital, distance and remote learning. The level of support may vary from district to district, however ensuring every teacher and administrator has an opportunity to be more prepared to teach in a digital, distance and remote learning environment is essential. Providing ongoing opportunities for professional learning will be part of any successful implementation of digital, distance and remote learning for students. Examples of topics or opportunities for

learning include: Structured Learning through Learning Management Systems; Creating a Culture of Digitally Empowered and Connected Learning Design; Digital Feedback and Formative Assessments; Building Digital Relationships and Collaboration; as well as fundamental digital skills to support remote learning and alternative learning design strategies for teachers and students. Strong consideration should be placed on district-by-district customization of the professional learning topics and structures that are timely and leveled appropriately.

Communications and Parent On-boarding

Especially in terms of your customized alternative learning strategies, consistent and intentional communication with parents and guardians is critical. Districts should consider standardizing on communications platforms, as well as offering opportunities for parents and guardians to learn more about the district's specific digital platforms and programs that support their child's learning. Examples to help onboard parents into a digital learning environment: district-provided tutorials for parents on the use of a Learning Management System, Infinite Campus and district/school-specific programs; providing ongoing digital training opportunities for parents throughout the summer and fall semester to connect with teachers; and communicating set times for technology help desk assistance for district-provided devices.

Substantial Education Technology Integration

Most combinations of alternative learning strategies heavily rely on the integration and empowerment of digital tools and resources for both teachers and students. Whether it is students at home, students physically at school, teachers digitally connected or teachers engaged in digital instructional design, all aspects of technology planning, support and leadership and belief systems will pay off for students. Kentucky's proven models of digital transformation, both for school efficiency and learning, have proven that successes do not "just happen" when we buy devices or apps. It happens when intentional and strategic education technology planning occurs, is measured, and is sustained. District-level education technology leaders (Chief Information Officer/District Technology Coordinator/district digital learning coach/leader, etc.) must have a seat at the table during all phases of digitally enhanced alternative learning strategy design and implementation, especially including instructional design conversations.

Terms and Definitions for Personalized Learning

Some excerpts from the [KDE Personalized Learning Glossary](#):

Blended Learning

Blended learning is the strategic integration of in-person learning with technology to enable real-time data use, personalized instruction and mastery-based progression. It is a mechanism for giving educators, students and parents the resources they need to deliver on the vision of a highly effective, engaging and equitable education experience for every child, every day.

Demonstrations of Learning

Refers to a wide variety of potential educational projects, presentations or products through which students provide evidence of what they have learned, usually as a way of determining whether and to what degree they have achieved expected learning standards or learning objectives for a course or learning experience. A demonstration of learning typically is both a learning experience and a means of evaluating academic progress and achievement.

Digital Asynchronous/On-Demand Digital Learning

Communication exchanges which occur in elapsed time between two or more people. Examples are structured learning through Learning Management Systems (LMS), email, online discussion forums, message boards, blogs, podcasts, etc. Levels of internet access generally are less demanding for on-demand, digital asynchronous learning designs.

Digital Learning

Any instructional practice in or out of school that uses digital technology to strengthen a student's learning experience and improve educational outcomes. It includes a wide range of digital tools and practices, including instructional content, interactions, data and assessment systems, learning platforms, online courses, adaptive software, personal learning enabling technologies, and student data management systems to provide timely and rich data to guide personalized learning.

Digital Synchronous/Live Digital Learning

Online learning in which participants interact at the same time and in the same digital space. Examples are live remote learning sessions using platforms such as Microsoft Teams (through Office 365) or Google Meet (through G Suite for Education). Digital synchronous designs generally are more internet bandwidth intense.

Distance Learning

Students engage in learning experiences from a location other than school, relying on digital tools and resources as the sole method of communication, content delivery, assessment and student feedback.

Evidence of Learning

Materials, assignments, projects and other artifacts that students may use to demonstrate they have made progress or mastered certain knowledge or skills. Evidence of learning may be compiled in a portfolio that can be in hard copy or a digital file.

Full-time Online and Virtual Enrollment

A student experience when the student is enrolled in an all online and virtual school program and the entire course load is facilitated online.

Learning Management System (LMS)

Software for the administration, documentation, tracking, reporting and delivery of digital educational materials key for structured learning experiences. A single learning management system (LMS) should be adopted and utilized school-wide, providing a consistent platform for student digital learning experiences. The LMS also gives teachers, students, parents and administrators a shared space for communications and instructional support.

Learning Progressions

Refer to the scaffolding of learning in a vertical way over an extended period of time.

Part-time Online and Virtual Enrollment

A student experience when the student is enrolled in a traditional “brick and mortar” school and also participates in a course load that has a percentage of classes facilitated in-person (traditional) and the remaining percentage facilitated online. Oftentimes this is due to specific courses not being offered at the traditional school or there might be a scheduling conflict.

Planned Digital Interactions

A learning design element where intentionality is placed on the quality, time and attention a learning is interacting, either synchronously or asynchronously, with digital content (on or behind a screen).

Project-Based Learning

Students investigate and respond to an essential authentic, engaging and complex question or problem through hands-on learning experiences and inquiry.

Remote Learning

Students engage in learning experiences from a location other than school, likely from home, through digital and/or non-digital methods.

Traditional Classroom Model

This model historically has the teacher at the center of the learning process using direct instruction and lectures.

Preschool

Districts must ensure at-risk preschool children have equitable access to preschool services. The preschool program must coordinate and collaborate with Head Start and early childhood partners to actively recruit and enroll eligible children. Parent involvement opportunities should be made available to parents and caregivers, including two-way communication regarding the child's individual needs and progress.

Cloth Face Coverings (Masks)

Preschool students are not required to wear a mask throughout the school day, although districts may choose to implement more stringent requirements per Centers for Disease Control and Prevention (CDC) recommendations. Masks may pose a higher risk of strangulation and suffocation for young students and may increase the risk of improper wearing due to the developmental abilities of preschool students.

According to the CDC, cloth face coverings should not be worn by:

- Children younger than 2 years old;
- Anyone who has trouble breathing; or
- Anyone who is unconscious, incapacitated or otherwise unable to remove the cloth face covering without assistance.

While some preschool students may not be required to wear a mask, they must social distance as much as possible. Points to consider when social distancing in preschool:

- Explain “social distancing” and “personal boundaries” using developmentally appropriate words and phrases.
- To mitigate risk, develop simple routines for preschool students to follow and help students internalize these new routines.
- Use age-appropriate signs and stickers to encourage students and adults to stay 6 feet away from one another.
- Arrange classrooms with enough space between learning centers for small groups and individual play.
- In full-day classrooms, provide at least 6 feet between sleeping mats and cots.
- Avoid large group activities.
- Stagger times for outside play to limit how many classes are on the playground at one time.
- Although students must be spread out, developmentally appropriate instructional materials must be used.

Centers in the Preschool Classroom

Centers may be a challenge to maintain sanitation and social distancing requirements. Districts should take into consideration the following items when planning for developmentally appropriate center work in a socially distanced environment.

Limit teaching and learning materials to those that can be easily cleaned and disinfected as often as needed.

- Avoid using materials that cannot be cleaned or sanitized, such as Play-Doh.
- Refrain from using water or sensory tables.
- Structure center time (students playing in one center for an allotted amount of time) to help maintain sanitation and social distancing.
- Consider grouping students to rotate through centers in pairs.
- Keep art supplies in individual containers assigned to individual students.
- Have students wash or sanitize hands before and after each center.
- Limit the number of centers available during the day.

Food Preparation and Snacks

Food preparation and snacks are a vital part of promoting physical growth in preschool students. During the COVID-19 pandemic, serving snacks and meals within the classroom poses a unique challenge. Local school districts should consider [704 KAR 3:410, Section 6 \(12\) \(e\)](#) “... involving children as feasible in the planning and preparation of snacks and meals ...” when planning for preschool mealtimes.

It also is important to note, the CDC recommends the elimination of family-style meals and having staff serve food to mitigate the spread of germs when preparing food or snacks for students.

Students with Disabilities

This chapter is designed to provide specific considerations for students with disabilities. As schools plan for the variety of instructional models available in times of pandemic instruction, it is important to consider the requirements for all learners. Local education agencies (LEAs) must ensure that students with disabilities have equal access to the same opportunities as students without disabilities, including the provision of a free, appropriate public education (FAPE). LEAs must continue to ensure each student is provided the special education and related services identified in the student's Individual Education Program (IEP) developed under the Individuals with Disabilities Education Act (IDEA).

Least Restrictive Environment

Local school districts are planning for a variety of instructional delivery models, including traditional in-person instruction, periods of complete virtual learning through non-traditional instruction (NTI) and days of blended in-person and remote delivery. Regardless of the district's chosen delivery model, schools must be cognizant of the effects social distancing may have on a student's Least Restrictive Environment (LRE). In a small number of cases, long-term remote instruction may have caused a need for the student's LRE to be reviewed by the Admissions and Release Committee (ARC). Some students may need a more restrictive environment upon their return to in-person instruction. Other students may have done well during remote instruction and will need a less restrictive environment upon their return to in-person instruction.

Practices such as placing all students with disabilities in the same classroom in response to the pandemic may result in a denial of a FAPE. According to [707 KAR 1:350, Section 1](#), which outlines the requirements for placement decisions, the district shall ensure that to the maximum extent appropriate, children with disabilities are educated with children who are nondisabled. A child with a disability shall not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum. Placement decisions must be made by the ARC and based on the individual needs of students.

It is important to note, an ARC may not be required to determine a change in placement if the district is practicing non-traditional instruction. Because the instructional setting of the regular classroom becomes remote, the extent to which a student participates in the regular education environment does not change. Therefore, it would be considered a change of location, not a change of placement.

Emergency Contingency Plans

During this unprecedented time, it may be impossible to predict when and if schools may need to close again to in-person instruction due to a COVID-19 outbreak. ARCs may choose to develop emergency contingency plans to determine how a student's individual education program (IEP) will be implemented in order to provide a FAPE during periods of remote learning. Including a

contingency plan in a student's IEP offers the LEA and the student's parents an opportunity to discuss and plan for periods of remote learning. "[Questions and Answers on Providing Services to Children with Disabilities During the Coronavirus Disease 2019 Outbreak](#)" from the U.S. Department of Education addresses contingency plans and states the following:

"IEP teams may, but are not required to, include distance learning plans in a child's IEP that could be triggered and implemented during selective closure due to a COVID-19 outbreak. Such contingent provisions may include the provision of special education and related services at an alternate location or the provision of online or virtual instruction, instructional telephone calls, and other curriculum-based instructional activities, and may identify which special education and related services, if any, could be provided at the child's home. Creating a contingency plan before a COVID-19 outbreak occurs gives the child's service providers and the child's parents an opportunity to reach agreement as to what circumstances would trigger the use of the child's distance learning plan and the services that would be provided during the dismissal."

Developing a contingency plan provides an opportunity for staff and parents to clearly communicate the expectations for periods of remote learning and to document how special education and related services will be provided during these unique circumstances. Establishing a contingency plan early minimizes questions that may arise regarding how to implement a student's IEP if changes occur and schools quickly transition to remote instruction.

Contingency plans will vary depending on a student's individual needs but may include the regular classroom teacher adjusting the lesson to meet the needs of the individual student, the special education teacher creating student-specific lessons, or the regular education and special education teachers working together to adjust or create lessons.

The ARC must consider the technology needs of the student while learning at home during periods of remote learning and determine how appropriate technology will be provided to the student. The ARC also must consider how accommodations such as a human reader or scribe will be provided in a digital environment. Decisions must be based on the individual needs of the student rather than administrative convenience.

Procedures for periods of remote learning could include sending familiar manipulatives home to the students, downloading lessons or educational games onto a tablet and sending it home, creating lessons focusing on life skills or using technology to create face-to-face learning experiences. The regular education and special education teachers must be available to students during periods of remote learning.

Free Appropriate Public Education (FAPE) During Remote Instruction

Regardless of the instructional delivery model, local school districts remain responsible for providing a free appropriate public education (FAPE) to students with disabilities. Local districts have been, and continue to be, faced with finding creative ways to ensure students with disabilities are being provided a FAPE while ensuring the health and safety of all students and staff are top priorities.

As a result of the inability to provide face-to-face instruction during the COVID-19 pandemic, there may have been certain special education and related services that were difficult, or even impossible, to provide during times of remote instruction.

When special education and related services are not provided in accordance with the IEP, regardless of the reason why, it may result in a denial of FAPE. The remedy for failing to provide FAPE is compensatory education services. The goal of compensatory education services is to place the student in the position he or she would have otherwise been in had there not been a denial of FAPE.

Recently, there have been discussions within the education community that using the term “compensatory education” feels like local districts are being blamed for doing something wrong and may jeopardize relationships with families. As a result, alternate terms have been introduced as ways to discuss missed services without using the term, compensatory education.

Terms such as “unfinished learning,” “lost learning,” and “post-COVID instruction” often are being used as synonyms for “compensatory education.” While the Kentucky Department of Education Office of Special Education and Early Learning (OSEEL) discourages districts from shying away from compensatory education discussions, some district staff may feel more comfortable using alternate language during these conversations.

However a district chooses to address the conversations, it is important to acknowledge that any services designed to place the student in a position he or she otherwise would have been in, but for the lack of educational benefit resulting from a denial of FAPE, are indeed compensatory education services.

Compensatory Education

Compensatory education is not defined in the IDEA or [Kentucky Administrative Regulations on Special Education Programs](#) (August 2008). Compensatory education has been shaped by case law as well as nonregulatory guidance from the U.S. Department of Education’s (USED) Office of Special Education Programs (OSEP).

Compensatory education may be awarded to a student as a result of an IDEA dispute or by the student’s ARC as a voluntary remedy for failing to provide a FAPE. When designing compensatory education services owed to a student, the student’s ARC – which includes the

student’s parents and guardians – must make specific decisions regarding the type, location and amount of services to be provided.

ARCs must review the status of special education and related services and ongoing progress monitoring on a case-by-case basis to make individualized determinations whether, and to what extent, compensatory education services are required. The ARC should consider whether the student received all IEP services during pandemic instruction, discuss whether a denial of a FAPE occurred and if so, how to remedy the noncompliance of the IDEA. A compensatory education award must be “reasonably calculated” to provide educational benefit and can extend a student’s eligibility beyond graduation or age 21 ([Letter to Riffel](#), Aug. 22, 2000).

Punishment of the local district is not the purpose of compensatory education. Rather, compensatory education should “aim to place disabled children in the same position they would have occupied but for the school district’s violations of IDEA” (*Reid v. Dist. of Columbia*, 43 IDELR 32 (D.C. Cir. 2005).

A student with a disability can receive compensatory education services at any age, including while the child is still in school or past the maximum age for eligibility under the IDEA (*Lester H. v. Gilhool*, 16 IDELR 1354 (3rd Cir. 1990)). However, the IDEA “does not authorize a school district to provide a student with compensatory education through the provision of instruction or services at the postsecondary level” ([Letter to Riffel](#), Aug. 22, 2000).

Extended School Year

It is critical not to confuse compensatory education with extended school year (ESY) services. ESY is defined in [707 KAR 1:002, Section 1 \(26\)](#) as “specially designed instruction and related services that are provided to a student with a disability beyond the normal school year in accordance with the child’s IEP at no cost to the parents.”

In *Kenton Co. School District v. Hunt* (384. F. 3d 269, 2004), the 6th Circuit Court of Appeals was asked to decide whether parents of a student with multiple disabilities should be financially reimbursed by the local public school district under the concept of ESY in regard to services provided to the student by a private program over the summer.

The 6th Circuit used prior analysis from a 1990 case (*Cordrey v. Euckert*, 917 F. 2d 1460) to explain that ESY, as part of an IEP for students, is integrally linked to the provision of a FAPE to the student. According to the court, to establish that ESY is necessary to provide a student with FAPE, “it is incumbent upon those proposing an ESY for inclusion in the child’s IEP to demonstrate, in a particularized manner relating to the individual child, that an ESY is necessary to avoid something more than an adequately recoupable regression. More specifically, it must be shown that an ESY is necessary to permit the child to benefit from instruction.” This benefit must be more than “de minimus progress” as has now been established by the U.S. Supreme Court under *Endrew F.*

The 6th Circuit stated that the following would need to be considered in terms of establishing the district's requirement to provide ESY services to the student to attain a FAPE: "tendency to regress, prior regression, ability to recoup lost skills, and progress toward educational goals." In other words, does the student need ESY to receive a FAPE?

Nearly all students regress after summer or extended breaks. Students who qualify for ESY have a likelihood of significant regression and slow recoupment. They take a longer period than usual to recoup skills they have learned. For a student to receive ESY services, the ARC must document evidence the student regressed in his or her progress over a break in instruction and was unable to recoup those skills in a reasonable period when school was in session.

Not all students with disabilities qualify for ESY services. Students who qualify for ESY typically have severe disabilities and have a difficult time learning and retaining IEP skills.

Each local school district must ensure that ESY services are available to students with disabilities as necessary to provide a FAPE. As with compensatory education, the ARC is responsible for planning the type, location and amount of services to be provided to each student. Decisions made by the ARC must be made on an individual, case-by-case determination. Local school districts may not limit the provision of ESY services to specific categories of disability or unilaterally limit the type, amount or duration of those services.

The table on the next page illustrates the similarities and differences between compensatory education and ESY.

Compensatory Education v. Extended School Year (ESY)

Question	Compensatory Education Services	Extended School Year (ESY) Services
What it is NOT:	<ul style="list-style-type: none"> • Compensation for a personal injury • A means for childcare services • A continuation of the IEP • Used to maximize student potential 	<ul style="list-style-type: none"> • Based on a specific category of disability • Limited to level of services or type of placement • Used for childcare service • An automatic program that extends from year to year • Summer school, compensatory education or enrichment services • Required to be provided in traditional classroom setting • A continuation of the entire IEP • Used to maximize student's potential • Used to remove the student from age-appropriate general education classrooms solely because he or she requires modifications to the general education curriculum
When and how can services be provided?	<ul style="list-style-type: none"> • Provided before or after regular school hours (outside of the instructional day, including during school breaks) • May occur as assistance in the form of tutoring • Provided by school staff, a contracted service provider or private service provider 	<ul style="list-style-type: none"> • Provided before or after regular school hours (outside of the instructional day, including during school breaks) • May occur during school breaks • Designed to increase recoupment and retention of skills

Question	Compensatory Education Services	Extended School Year (ESY) Services
When is a student eligible for services?	<p>Compensatory education services are necessary when a student has experienced a denial of a FAPE that may have occurred as a result of any of the following circumstances:</p> <ul style="list-style-type: none"> ● Failure to conduct appropriate IDEA child-find responsibilities ● Failure to evaluate a student in a timely manner ● Failure to develop an appropriate IEP ● Failure to implement an IEP ● Failure to address behavior issues 	<p>ESY services are:</p> <ul style="list-style-type: none"> ● Determined annually by the ARC in accordance with IEP and as close as possible to student's normal placement ● Designed so that a student can more readily maintain previously acquired or learned skills
How are the amount of services determined?	<ul style="list-style-type: none"> ● Through a review and analysis of data ● Begins to accrue from the time the school district knew or should have known the student experienced a denial of a FAPE ● Minute per minute calculation¹ or a qualitative calculation² 	<ul style="list-style-type: none"> ● Determined annually ● Through a review and analysis of quantitative and qualitative data ● On a case-by-case basis ● Decided upon by the ARC
How should it be documented?	During the ARC - in the ARC conference summary notes	During the ARC - in the IEP
<p>¹<i>Board of Education of Fayette County, Kentucky v. T.D.</i> (2007), there is no obligation to provide a day-for-day compensation for time missed.</p> <p>² <i>Reid v. District of Columbia</i> (2005), rejected a mechanical counting approach for compensatory education, requiring instead an equitable approach qualitatively based on "specific educational deficits resulting from the student's loss of FAPE."</p>		

Important Things to Remember:

Compensatory Education

- Compensatory education is the remedy provided to a student when a denial of FAPE has occurred. It is designed to put the student in the place he or she would have otherwise been in had there not been a denial of FAPE.
- The ARC must develop an individualized implementation plan for compensatory education services and document the decisions in the ARC Conference Summary.
- Ongoing progress monitoring should be collected.
- The district assumes all costs of providing compensatory education services.
- A special education teacher must provide the specially designed instruction and the appropriate related service provider must provide the related services.
- The district must provide transportation for the student.
- A service log should be maintained by the district to document when compensatory education services were provided and by whom.
- For preschool students, if the compensatory education is provided during a different preschool session, the session cannot exceed a class size of 20.
- Districts should maintain a detailed log of compensatory education services as they are provided to the student, including ongoing progress monitoring. This should be maintained in the student's due process folder.

Extended School Year

- ESY services provide the student with instruction and support so that he or she can more readily maintain previously acquired or learned skills.
- ESY services are determined annually by the ARC.
- A special education teacher must provide the specially designed instruction required and the appropriate related services provider must provide the related services.
- The district must provide transportation.
- The ARC must develop an ESY plan to include when and how services will be provided.
- Districts should maintain a detailed log of ESY services as they are provided to the student and maintained in the student's due process folder.
- ESY must be individualized and cannot be a one size fits all approach for all students in the district who qualify.

Other Considerations

Instructional Experiences in the Community

Using the community as an instructional setting is a strategy that allows students to use functional and academic skills in an authentic environment. Although an effective strategy, in-person, community-based instruction should be aligned to current guidance while social distancing policies are in place.

Rather than amending IEPs to remove community-based instruction, districts may consider virtual opportunities as a temporary, alternate method for continuing to provide this type of instruction to students during the COVID-19 pandemic. Field trips to the community also must be aligned to current guidance. Schools should consider how to create opportunities for students to have authentic experiences within the school environment.

Special Transportation (T5)

The needs of students who receive special transportation, known as a T5 code in Infinite Campus, must be considered when planning transportation practices. A local school district must provide special transportation when the student's ARC determines that it is necessary to address the individual needs of the student and provide a FAPE. There are many factors to consider if the parent of a student receiving special transportation is asked to provide transportation. The local school district must ensure the arrangement is mutually agreeable to the parent and reimburse the parent for transportation costs.

Other factors to consider:

- Parental reimbursement requires prior approval in writing from the district and must comply with the student's IEP or 504 plan as determined by the ARC or 504 team.
- Expenses incurred by parents who opt to transport the student in a family vehicle are allowable so long as the parent has obtained this formal approval in advance.
- Schools must ensure that any parent providing transportation for a student with a disability has met all district requirements and align with district reimbursement policies.

Waiver to Extend 2018-2019 IDEA Funds

On June 12, 2020, KDE was notified by the USED's Office of Special Education Programs that its waiver request to extend the period of availability (POA) of IDEA funds awarded July 1, 2018, was approved. This waiver applied to funds awarded under Section 611 for School Age programs and under Section 619 for Preschool. The original POA for these funds was from July 1, 2018, through Sept. 30, 2020.

The waiver extended the POA for an additional 12 months through Sept. 30, 2021. This means KDE and local district sub-grantees will have another full year to carryover these funds to support the operation of special education programs. A similar waiver was granted previously for Title funds but was not available for funds under the IDEA until several weeks later. The OSEEL quickly applied for this waiver upon notification from the USED and received the approval of the extension to the POA in less than a week.

While the POA for the federal fiscal year 2018 IDEA funds was extended through Sept. 30, 2021, states and local district sub-grantees will have an additional 90 days after this date to liquidate any unpaid obligations made during the POA. After this 90-day period, any unused funds must be returned to the USED.

Frequently Asked Questions

Compensatory Education

What definition should we use for compensatory education services resulting from COVID-19?

The definition of compensatory education has not changed because of COVID-19. The IDEA case law allows for districts, state agencies, hearing officers and courts to award compensatory education to a student with a disability as an appropriate remedy when the educational authority has failed to provide the student with FAPE (*Lester H. v. Gilhool*¹, 16 IDELR 1354 (3d Cir. 1990)). While it is typical for compensatory education to be awarded through the dispute resolution process, there is nothing to prevent local ARCs from determining and acknowledging that a denial of FAPE has occurred and offering compensatory education as a viable remedy. Doing so may prevent initiation of the dispute resolution process or an award of compensatory education and possibly attorney fees if such a process were initiated.

¹ *Lester H. v. Gilhool* (1990), concluded that Congress gave courts the power to grant compensatory remedy.

Must districts provide compensatory education for missed services that were solely due to COVID-19, forcing districts to move to remote instruction? Districts did nothing wrong, so why are we saying there has been a denial of FAPE?

Yes. Beginning with the *Deal*¹ case in the 6th Circuit, the FAPE standard was set to confer “meaningful educational benefit” to all students with disabilities. The U.S. Supreme Court heightened the standard for FAPE in *Endrew*². ARCs are required by *Endrew* to construct IEPs that are “reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.”

When reasonably calculating the student’s IEP, the student’s ARC determined specific services were necessary to provide the student a FAPE and ensure the student was able to make progress in light of their circumstances. While COVID-19 may have caused some IEP services to cease, that does not change the obligation of the district to provide a FAPE to that student.

When a student with an IEP does not receive a FAPE, regardless of the reason why, the district shall provide a remedy for the IDEA noncompliance. The ARC shall make an individualized determination as to whether a student requires compensatory education and determine the specific plan for providing services to those students who are owed compensation.

¹*Deal v. Hamilton County Dept. of Educ.* 259 F. Supp. 2d 687 At the very least, the intent of Congress appears to have been to require a program providing a meaningful educational benefit toward the goal of self-sufficiency, especially where self-sufficiency is a realistic goal for a particular child.

²*Andrew F. v. Douglas County School District* 798 F.3d 1329 A district must offer an IEP that is reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances.

What special education and related services must be provided to students with IEPs during times of brief school closures when schools are not yet providing educational services to any students?

When a school is closed due to a COVID-19 outbreak and is not yet providing any services to the general student population, the school is not required to provide IEP services.

If a student with a disability has needs that are too complex for the district to reasonably provide through remote instruction and the district is unable to conduct face-to-face instruction as a result of the threat to public health, what should the district do?

Districts should provide the IEP services it feasibly can through remote instruction. Districts must make a good-faith effort to provide comparable, alternate IEP services. If the district is unable to provide these types of services through virtual learning or other alternative means available to the student, the ARC must determine the extent to which compensatory services, if any, will need to be provided once the district has resumed standard operations and face-to-face services can be provided.

Can compensatory education be awarded past a student's 22nd birthday?

Yes. The purpose of compensatory education is to place the student in a position he or she would have been, had there been no IDEA violation. If the student was between the ages of 3–21 when the denial of FAPE occurred, the student still is eligible for compensatory education as a remedy, even if the student is past the age of 21.

Can students who graduated during the COVID-19 outbreak be awarded compensatory education?

Yes. Graduation does not automatically relieve the district of its obligation to remedy its past failure to provide FAPE. Compensatory education can assist a student in the broader educational purposes of the IDEA, including obtaining a job or living independently. However, compensatory education must be the type of educational and related services that are part of elementary and secondary school education offered by the district, not postsecondary education. ([Letter to Riffel](#), Aug. 22, 2000)

Can an ARC award compensatory education services to students in preschool if they did not receive their IEP services during pandemic instruction?

Yes. Compensatory education is available to all students with an IEP. Please refer to Answer A-1.

Are districts required to provide compensatory education if ARCs miss the deadline and do not determine a student's eligibility through an initial evaluation, re-evaluation or a review of existing data during pandemic instruction?

Compensatory education must be provided based on the date the evaluation should have been completed. Neither OSEP nor OSEEL has the authority to waive or extend any timeline requirements for initial evaluation or a three-year re-evaluation as stipulated under the IDEA. If the district is in the process of completing the initial evaluation during pandemic instruction, the district should diligently complete all the components of the evaluation that can safely be done. If an initial evaluation or a three-year re-evaluation of the student is needed, the district should document its good-faith efforts to complete the three-year re-evaluation or initial evaluation within the required timelines as specified under the IDEA and Kentucky regulations ([707 KAR 1:300, Section 4](#)).

The requirement for completing a 3-year re-evaluation does not always necessitate conducting full evaluations. If the ARC determines it has enough current evaluative data and information to confirm the student's initial eligibility or continued eligibility as a student with a disability who needs special education and related services, and has enough information to write an appropriate IEP for the student, then the ARC could agree to make the student's eligibility determination based upon a review of existing assessment data and educational records.

If, due to COVID-19, the ARC is unable to make a determination of the student's eligibility and, as a result, is unable to appropriately develop, update or revise the student's IEP, the ARC may decide that the student has experienced a denial of FAPE.

Can an ARC award compensatory education services if there is an IEP implementation delay during a student's move from Part C to Part B?

Yes. Districts shall implement IEPs for students transitioning to Part B as soon as possible, ideally leaving no discontinuity between the termination of Part C services and the commencement of Part B services. The inability to implement the IEP without a gap in services could lead to a failure to provide FAPE. However, former USED Secretary Betsy DeVos requested a waiver from Congress that would extend the evaluation timeline for children making the transition from federal special education services for infants and toddlers under Part C of the IDEA to Part B of the IDEA. At this time, Congress has not acted upon the request.

How do districts determine the amount of compensatory education awarded?

There are two approaches to determining a compensatory education award. One method is a minute-for-minute approach. Another way to award compensatory education is a qualitative

approach. In the qualitative approach, the analysis for determining whether a student needs compensatory education, and how much, may be determined by the effect of the loss of educational benefit the student experienced based on their unique situation. This may require the ARC to examine both the qualitative and quantitative benefits the student would have received had the student been offered FAPE.

There is no cookie-cutter approach to the analysis of data since each student's educational needs are specialized and his or her educational program is uniquely designed for the student. ARCs must determine which approach is most appropriate based on the individual circumstances of each student. ARCs should consider whether a student has made progress, and how much, while receiving pandemic services as part of its individualized determination into the student's potential need for compensatory education.

Should all students with IEPs receive compensatory education services once face-to-face instruction resumes?

No. The ARC must make decisions on a case-by-case basis. Compensatory education only is provided when a denial of FAPE occurs and changing the location of special education and related services to remote instruction does not automatically equal a denial of FAPE.

When should the ARC meet to discuss compensatory education services?

Information needed to make this determination may not be known until after the interruption in services has ended. Thus, the most appropriate time for the ARC to decide on compensatory education for the student would be when schools return to face-to-face instruction. Districts may consider prioritizing meetings based upon student needs and progress.

What if the district and the parent cannot agree on compensatory education decisions?

If the district and parent are unable to agree on compensatory education decisions, the district should make the determination and provide the parent with prior written notice. The parent or the district may initiate dispute resolution procedures to resolve the disagreement.

How can districts fund compensatory education services for students who did not receive FAPE during pandemic instruction?

Districts have the option of using a variety of funding sources to pay the cost of providing compensatory education services. These sources include state and local funds, IDEA funds, funds available under the Coronavirus Aid, Relief and Economic Security (CARES) Act, including Elementary and Secondary School Emergency Relief (ESSER), the Coronavirus Response and Relief Supplemental (CRRSA) Act and Governor's Emergency Education Relief (GEER) funds. While it may be tempting for a district to use the CARES funding to pay for these services, OSEEL cautions local districts to review their maintenance of effort (MOE) requirements to ensure the district continues to spend from state and local sources an amount necessary to maintain effort and be in compliance with the fiscal requirements of the IDEA.

What if the parent asks to discontinue or declines services?

The ARC must convene to discuss, plan and agree to compensatory education services before the district initiates providing such services. After the district has begun providing compensatory education services to the student, the ARC will need to reconvene prior to discontinuing the services.

The ARC must document the discussion and decline of compensatory education services in the ARC conference summary.

The service provider should be included in the ARC meeting that is convened with the purpose of deciding whether to discontinue compensatory education services.

If schools consider a hybrid model of face-to-face and remote instruction, should schools amend IEPs to reflect the environmental change?

Any change to a student's IEP must be made by the ARC. The ARC can consider alternate ways to provide specially designed instruction and related services during this time, however, the IEP must be based on individual needs. IEPs cannot be developed to accommodate scheduling needs or administrative convenience.

Extended School Year

Should an ARC add extended school year (ESY) services to every child's IEP to provide compensatory services when school resumes normal operations next school year?

No. The purpose of ESY is not to provide compensatory education services.

How should schools address the provision of ESY services for students whose IEPs require ESY during the summer of 2020?

ESY services must be provided in accordance with the student's IEP. ESY services are not automatically canceled if scheduled summer school programs are canceled. Districts should take diligent steps to implement ESY services as closely as possible to what is specified in the student's IEP during the summer break to the greatest extent possible. The inability to implement ESY services provided for in the IEP may be a denial of FAPE resulting in compensatory education.

Do districts need to provide all students with ESY services due to the COVID-19 outbreak?

No. Each student's ARC determines whether the individual student needs ESY services based on individualized data. The ARC must analyze the student's tendency to regress, prior regression, ability to recoup lost skills, and progress toward educational goals. If the ARC determines a student needs ESY, it must specify those services in the student's IEP.

What factors should the ARC consider when determining whether a student needs ESY service?

The ARC, with parental involvement and input, makes the determination of ESY on an individual basis after a thorough review of the individual student's progress on goals and objectives. The ARC may consider several factors when determining whether a student requires ESY services. A common factor ARCs will consider when deciding a student's need for ESY is the amount of regression the student experienced over long breaks in instruction (e.g., summer break) and the length of time the student took to recoup skills after instruction has resumed. For further guidance, consult the [Guidance Document for IEP Development \(Page 64\)](#).

For students with already identified ESY service needs, how will the period of pandemic instruction impact the provision of these services?

The need for ESY services is a student-specific determination and, as such, each student's ARC must determine whether a student qualifies for ESY services because of school closures related to COVID-19. If a student was determined to need ESY services prior to pandemic instruction, then the district still is obligated to provide those services.

May a student receive both compensatory education and ESY during the same school year?

Yes. The need for ESY and compensatory education services are independently determined by the student's ARC. If a student is eligible to receive one of the services, that does not preclude them from receiving the other.

What if the parent asks to discontinue or declines services?

The ARC develops the student's IEP with parental input and involvement, including determining the student's need for ESY services. When needed, ESY services become a part of the student's IEP. The ARC must reconvene to discuss barriers regarding ESY service implementation and, if appropriate, amend the student's IEP to meet the student's needs when concerns arise. The ARC must document any discussion relating to discontinuation of ESY services in the ARC conference summary. The service provider should be included in the ARC that is convened with the purpose of discussing ESY services.

Gifted and Talented

When modifications to the Gifted Student Service Plan (GSSP) are needed for instruction during COVID-19, districts must consider a student's individual needs, interests and abilities. The gifted and talented coordinator and teachers should work as a team with classroom teachers, counselors and administrators to identify and provide service options in accordance with state regulation [704 KAR 3:285](#).

In gifted education, it is important to continue to provide enrichment, extra-curricular and academic competitions as services. To limit viral spread between special programs and school staff, consider using virtual platforms for service delivery (e.g., academic competitions, guest artists) and cross-district consortiums.

Below are some considerations when planning for social distancing while providing gifted and talented services:

- To minimize student movement, consider options such as collaboration and cluster grouping rather than pulling multiple students out of the classroom.
- For visual and performing arts identification and instruction, use a virtual platform or digital recordings.
- Increase space between students by rearranging seating to be 6 feet or greater.

Districts may need to consider alternative service delivery options due to COVID-19. Below are resources that could be utilized to support GT services in visual and performing arts during periods of remote learning.

Resources

- [Kentucky Music Education Association](#)
- [American Choral Directors Association](#)
- [10 Music Resources during COVID-19](#)
- [National Association for Music Education](#)

Section Three

District Operations

Pupil Transportation

Pupil transportation is a vital component of the education system. There are many facets and hurdles that must be addressed in order to provide the safest transportation possible. In some cases, it may seem almost impossible to transport students during the COVID-19 pandemic but implementing some changes at the district and school level may allow for transportation.

Optimizing the Number of Students on the Bus

Polling Parents

Districts should poll parents to better understand the number of students that will require pupil transportation. Many parents may choose to transport their students to school until a time when social distancing on the school bus no longer is required. See the sample survey questions at the end of this section to help determine which questions to ask parents. Each district may choose which questions are pertinent to their operations.

Bell Times

Districts should evaluate their current bell times to see if changes can be made that will allow fewer students to ride the bus at the same time. For example, having middle and high school students picked up after elementary students and dropped off before them would allow the older students to be home to watch younger students when needed.

Example:

- Elementary students picked up first and dropped off last
- Middle school students picked up second or last and dropped off first
- High school students picked up second or last and dropped off first

Walking Distances

School districts should evaluate student walking distances to schools to determine if an extension of the distance will decrease the number of students on the school bus.

Example:

- Elementary school students – 1 mile
- Middle school students – 1.5 miles
- High school students – 2 miles

Walking and Social Distancing

Parents will be responsible for ensuring students who are walking to school are maintaining safe practices, including social distancing and face masks, during their walk.

Schools should designate a person in charge of a Safe Route to School, utilizing the national guidelines for planning. The [Safe Routes to School](#) website has guidance on how to start and maintain a SRTS program.

School districts also may implement “walking school buses,” which have an adult chaperone who has been vetted by the school. The walking school bus has designated stops and pickup times when children can join the chaperone and other students walking to school. This may eliminate some of the anxiety parents have about students walking to school if they have not done so in the past.

Information regarding the walking school bus can be found on the [Centers for Disease Control and Prevention \(CDC\) website](#) and on the [Walking School Bus](#) website.

Mitigation Strategies

Parents should monitor the bus stops and help remind students of the social distancing requirements. Schools may need to teach and remind students what 6 feet looks like. Bus stops need to be marked where students should stand to give a good visual of the distance. As students are not used to social distancing when around friends and classmates, patience will be needed by the adults inside and outside of the bus.

Students who ride the bus must comply with these mitigation strategies:

Wearing a Mask

All students in 1st grade through 12th grade shall wear a face mask to the extent possible while riding a bus. School districts may choose to require masking for students in pre-school or kindergarten in accordance with CDC guidance. Exceptions may be granted on a case-by-case basis when wearing a face mask would compromise the health and safety of the student. It will be more difficult to have younger students comply with mask-wearing, but it will become the norm as they transition back into school. Monitors and drivers will need to remind them often and remember that it is new for them, too.

It also is recommended that school districts work with families during the summer to help implement strategies to acclimate students to wearing a mask. All students should have a mask and explained how to properly wear one. Districts may have to provide masks to students who do not have access to one from home. Each bus should have a supply of masks for those students who do not have one.

Districts may create videos to provide to the media and post on the school district website. In addition to providing instructions on how to properly wear a mask, parents should be encouraged to have their children practice wearing the mask each day, increasing the length of time incrementally until the child can tolerate the mask for the length of time the child will be at the bus stop and riding the bus.

Some students may have a medical exemption from a qualified healthcare provider or exemption from the students ARC or 504 team indicating a mask should not be worn. For those who are unable to wear a mask, it is more important to maintain social distancing. Monitors and drivers who encounter students shall always wear a mask or a face shield, unless a medical waiver is granted.

Seating

Each rider shall have an assigned seat. To the extent possible, seats will be filled from back to front when boarding. Each bus will have a roster of eligible student riders (passenger manifest) and document the assigned seats for contact tracing. At morning routes, rider attendance will be documented on the manifest before unloading at school. For afternoon routes, rider attendance will be documented on the manifest before the bus leaves the school.

Temperatures of Students

Parents should be encouraged to take their students' temperatures before they go to the bus stop. Children exhibiting a fever should be kept at home.

All students shall have a temperature screening prior to school entry each day. The district may choose to have a bus monitor do the temperature screen for each rider as the student boards the bus. In this case, riders do not need to have the temperature screening done again at school. Another option is to have an affidavit of home screening by the parent for each rider and do the school required temperature screening for all students, bus riders and non-riders, as they enter school building.

If a district utilizes bus monitors to do the temperature screening, the monitor will take the student's temperature prior to boarding the bus. The monitor also can look for other signs of illness prior to the child getting on the bus. To ensure the safety of students and staff, when a student presents at the bus with a temperature greater than 100.4 degrees, school districts will need to put policies and procedures in place to have the child return home or another designated place of care.

If a student with a fever must be transported on the bus, the student should be seated at the front of the bus, door side, apart from other students as much as possible. Upon arrival at school, the ill student should be escorted to the office where the student will be monitored until the parent or guardian can arrange to pick up the child. During the wait period, the student should continue to wear a mask and be isolated from other students and staff as much as possible until released to

the parent or guardian. It is recommended the school have a room separate from the regular health room to isolate students with fever.

Districts should have policies and procedures in place to isolate students who develop fever or other symptoms during the day. Temperature scans are not required for boarding the bus for the trip home. However, students who have been identified with a fever at any point during the school day should not be transported home on a bus.

Hand Sanitizer

Each student shall utilize hand sanitizer containing at least 60% alcohol upon entry to the bus. Hand sanitizer must not be left in the bus during the hotter seasons due to temperature risk.

Hand sanitizer stations may be mounted, and if mounted, shall be in an area that does not cause a distraction to the driver or hazard to the student. Each school bus model is different, therefore there is not one perfect mounting station area. The school bus dealer might be able to help with the best mounting area.

The chosen area cannot interfere with the view of the door, windows or access to emergency equipment. The mounting area also shall not be in an area where backpacks or coat strings can get caught. Mounted stations may leak; therefore, it is necessary to be mindful of trips, slips and falls. The monitor might have to clean up the area after each pickup. Do not mount the sanitizer stations in areas that receive direct sunlight due to potential fire hazards.

Another option is to have a handheld pump bottle of hand sanitizer that can be removed from the bus at the end of the route. The monitor or an older student can administer the hand sanitizer as riders board the bus.

A driver has many responsibilities, including watching for those who are illegally passing the bus, watching students crossing the road and watching students who may be standing around the bus waiting to be scanned. It will be difficult to achieve temperature scans without a monitor. The monitor may be a vetted volunteer, older student, teacher or other school personnel.

The duties associated with the mitigation strategies cannot interfere with regular responsibilities of the bus driver required for the safety of students. It is recommended to have monitors on all school buses in order to safely implement the mitigation strategies. If a monitor is not feasible, the only duty recommended for the driver is to check the passenger manifest once the bus is loaded or just prior to unloading.

Transportation staff may need to be increased and districts may want to explore hiring monitors and drivers through temporary agencies. School districts may train monitors and drivers hired through the temporary services and utilize them as needed.

Number of Students on The Bus

Districts should work with local health officials to determine the occupancy rate to achieve an acceptable level of social distancing depending on the prevalence of COVID-19 in the community.

Upon implementation of the mitigation strategies listed above and acceptable health conditions in the community, buses may run at full capacity. Seating at the front of the bus should be reserved for any student with a fever who must be transported to school.

If there is a public health need to increase the distance between students, fewer students can be transported. The below charts indicate seating arrangements that range from 10% occupancy to 70% occupancy. In any configuration, students who live in the same household may sit together.

It is obvious that achieving social distancing on school buses is a huge obstacle for districts to overcome during the pandemic. Acquiring additional buses or having existing buses make multiple runs to get students to and from school every day in a reasonable amount of time, is simply not feasible solutions either fiscally or logistically. Due to those logistical concerns and the desire to provide student access to educational instruction, concessions were made to allow almost fully loaded buses to transport students to and from school. That concession was made by the Department for Public Health (DPH) only with the aforementioned mitigation strategies such as requiring face masks, taking temperatures, loading from back to front, and enforcing assigned seats. Fully loaded buses, even with the implementation of all these mitigation strategies is far from optimal from a public health perspective but, given the number of children impacted on a daily basis, was a concession that needed to be made.

With respect to travel for athletics, as well as for other extracurricular activities, the logistics while still challenging for some districts, are simply not the same. Districts will be transporting fewer students for an extracurricular event and thus should be more able to apply additional resources in terms of actual buses needed. Athletic travel should be performed in alignment with current guidance. The CDC has recommended that bus seating be limited to one student per seat using every other row. This reduced number of passengers will also decrease the number of contacts to be traced in the event of an outbreak related to the travel event.

As districts plan for the transport of students, whether to school or other activities, districts are encouraged to make a good faith effort toward the implementation of social distancing within their existing resources. Neither KDE nor DPH will be out counting numbers on school buses, but there is an obligation to the public to provide guidance that complies with the public health recommendations where possible. To the extent feasible and practical, local school districts should implement the practice of social distancing for transport of students for all extracurricular activities.

To assist districts in their calculations toward achieving social distancing of 6 feet between students, the following number of students would be able to ride the bus:

Rated Capacity	Number of Students
34	4
52	6
66	7
70-78	8
84	9

Decreasing social distancing to allow for one student per seat, every other seat, the following number of students will be able to ride the bus:

Rated Capacity	Number of Students
34	6
52	9
66	11
70-74	12
78	13
84	14

Decreasing social distancing to allow for one student per seat, not skipping any seats, the following number of students will be able to ride the bus:

Rated Capacity	Number of Students
34	12
52	18
66	22
70-72	24
78	26
84	28

Decreasing social distancing to allow for two students per seat, not skipping any seats, the following number of students will be able to ride the bus:

Rated Capacity	Number of Students
34	24
52	36
66	44
70-72	48
78	52
84	56

If health conditions indicate buses should not run at full capacity, the district should develop plans for alternative capacity levels or consider suspending bus transportation altogether. For

example, a district may decide that transporting at 2/3 capacity could be feasible with some double runs whereas 50% capacity may not be feasible at all. Any decision to suspend transportation for a period of time will impact the instructional model.

Ventilation

Ensure ventilation systems operate properly and increase circulation of outdoor air as much as possible, such as opening windows and roof hatches to the degree recommended by the DPH. Do not open windows and roof hatches if they pose a safety or health risk (e.g., allowing pollens in or exacerbating asthma symptoms) to children using the school bus. Children with medical concerns, allergies or asthma should be assigned seating at the front of bus with the windows up.

Employee Safety Considerations

Drivers and Monitors

Drivers and monitors will have temperature scans and complete any employee health screening per district protocol. A sample Employee Self-Assessment Health Screening form from the Kentucky Personnel Cabinet can be found at the end of this document. Drivers that start from their home shall follow the same protocol and report temperatures that are greater than 100.4 degrees to their designated supervisor. All drivers and monitors will wear a face mask unless they are unable to do so and have been provided with a doctor's excuse. Use gloves for any direct contact with a student.

Bus Garage Employees

All employees will maintain social distancing to the extent possible. They should enter through one door and exit through a different door if available. All employee temperatures will be checked as they enter the work area and employees will complete any employee health screening per district protocol. Garage employees that also are bus drivers and monitors will be checked prior to driving a route. Employees shall wear a mask unless they are unable to do so and have been provided with a doctor's excuse. All garage employees will clean and sanitize surfaces and shared tools daily. Shared tools need to be sanitized between use by different people.

Idle Buses/Between Runs

Employees will wear a face mask any time they are inside a bus, even if it is for maintenance or cleaning. Surfaces and high-touch areas should be cleaned and disinfected between runs. Check to ensure there is enough hand sanitizer for each run. Ventilate the bus to maintain air circulation when possible.

Gloves

Nitrile gloves should always be worn when working the elementary runs or special needs routes. These students often need more assistance and there may be a requirement to touch students during strapping them into seatbelts or lifting them to the seat.

Driver Barriers

Installing barriers of any type, including shower curtains, is a modification to the school bus and is not allowed. Although school buses are specified by the Kentucky Board of Education, they are regulated by the Federal Motor Vehicle Safety Standards. There currently have been no changes to the standards. School bus manufacturers are looking at possibilities, but they have not been confirmed.

Bus Cleaning

Buses shall be disinfected/sanitized between routes utilizing the manufacturer's recommendations. Wipe down all seats that were used and high-touch areas of unused seats. At the end of the day, the bus shall receive a thorough disinfecting/sanitizing and all surfaces wiped down. Manufacturer recommendations for cleaning may be found on their websites:

- [BlueBird](#)
- [IC Bus](#)
- [Thomas Built](#)

All drivers shall have sanitizing sprays and towels available to them, but do not store aerosol cans on the bus as they might explode in high heat. Districts also may use electrostatic sprayers to disinfect buses at the end of each shift. All cleaning supplies must be out of the reach of students.

Resources

- [CDC guidance for transit operators](#)
- [National Association for Pupil Transportation](#)
- [National Association of State Directors of Pupil Transportation Services](#)

Sample Transportation Survey

Students riding the bus to and from school and for school-related activities will be required to practice social distancing and wear a mask for the foreseeable future. Please answer the following questions regarding transportation for the 2020-2021 school year:

1.	When school starts back, and if your child(ren) are eligible, will you be utilizing school transportation services for your child(ren)?	YES	NO
2.	If no, why? Please check all that apply.	<input type="checkbox"/> I am concerned about exposure to COVID-19. <input type="checkbox"/> Parent/guardian will arrange for (transportation). <input type="checkbox"/> Other _____	
3.	If YES, please indicate the child's first name and school the child will attend for the upcoming school year 2020-2021.	Student _____ _____ _____ _____	School _____ _____ _____ _____
4.	Did your child(ren) ride the bus during the 2019-2020 school year? Please indicate the child's first name and bus stop (last year).	Student _____ _____ _____ _____	Bus Stop (last year) _____ _____ _____ _____
5.	Will your child(ren) be able to wear a mask for the duration of the ride?	YES	NO
6.	Do you have ideas or concerns that you feel need to be addressed prior to school starting back?	Ideas/Concerns: 	

Sample Employee Health Assessment Form



COVID-19 Employee Health Self-Assessment Form

Employee Name:		PERNR or Employee ID:	
Agency:			

Each day, before beginning your shift, please self-assess for the below symptoms. If you check "Y" for yes, please contact your supervisor and do not proceed to your duty location until directed otherwise. At the end of each pay period, please sign the form and turn it in to your agency Human Resources (HR) office.

Date	Fever of 100.5 ° F or more	Cough	Shortness of Breath	Chills	Muscle Pain	Sore Throat	New loss of taste or smell	Gastrointestinal Symptoms (Vomiting, Diarrhea, etc.)
	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N
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Employee Signature: _____ Date: _____

Sample School Bus Seating Chart

Driver Name:				Bus #:			
DRIVER SIDE				PASSENGER SIDE			
Seat #1				Seat #1			
Student name:				Student name:			
Seat #2				Seat #2			
Student name:				Student name:			
Seat #3				Seat #3			
Student name:				Student name:			
Seat #4				Seat #4			
Student name:				Student name:			
Seat #5				Seat #5			
Student name:				Student name:			
Seat #6				Seat #6			
Student name:				Student name:			
Seat #7				Seat #7			
Student name:				Student name:			
Seat #8				Seat #8			
Student name:				Student name:			
Seat #9				Seat #9			
Student name:				Student name:			
Seat #10				Seat #10			
Student name:				Student name:			
Seat #11				Seat #11			
Student name:				Student name:			

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School-Related Travel

KDE’s [“Guidance on Safety Expectations and Best Practices for Kentucky Schools \(K-12\): Interim Guidance as of December 7, 2020”](#) includes a safety expectation that schools must “[c]ancel field trips, assemblies, and other large group activities to avoid mixing students in large common areas. Adhere to the Governor’s current guidance regarding group gatherings.” Safety expectations must be implemented by schools as determined by the Department for Public Health (DPH). Pursuant to Executive Order 2020-1041, all public schools must comply with the safety expectations set forth in [“Guidance on Safety Expectations and Best Practices for Kentucky Schools \(K-12\): Interim Guidance as of December 7, 2020.”](#)

On Dec. 14, 2020, DPH revised its travel guidance to discourage all out-of-state leisure travel until further notice. If people do engage in out-of-state leisure travel, they are urged to voluntarily self-quarantine for 14 days when they return to Kentucky or follow [Centers for Disease Control and Prevention guidance](#) for alternate options to shorten the quarantine period. More information about Kentucky’s current travel advisory is available at [Kentucky COVID-19 Travel Advisory](#) webpage.

The clause referenced above in [“Guidance on Safety Expectations and Best Practices for Kentucky Schools \(K-12\): Interim Guidance as of December 7, 2020”](#) is aimed at mitigating COVID-19 exposure risks in large group gatherings. As such, school-related student trips undertaken by a very limited number of students who can be socially distanced and supervised during the trip, whether in Kentucky or out-of-state, are not prohibited. However, it is KDE’s position that school-related student trips, in Kentucky and out-of-state, are inadvisable until vaccinations are widespread. However, most local districts have school-related student trip policies that require travel approval by the superintendent or the local board of education. Such policies should be reviewed, in consultation with board counsel when appropriate, and adhered to.

School-Related Student Travel Considerations

Because of the uncertainty surrounding COVID-19 and the ongoing impact of the virus and its variants, any travel plans should be made with the understanding that travel cancellations will be a very real possibility for months to come. Districts should investigate any financial penalties associated with cancellations by any involved entity or party and fully express this information to parents and others financially invested. When appropriate, board counsel should review contractual language related to travel that might have future financial impacts on the district in the event of cancellations.

Additionally, when considering school-related student travel, districts should evaluate factors such as, but not limited to, the following:

- Current incidence rates in the local community at the time of travel, communities where stops for fuel or food will occur, and the destination community.

- Possible pretravel testing for COVID-19.
- Ability to ensure masking, social distancing, good hand hygiene and sanitization during all phases of the trip.
- A protocol for screening of symptoms for students and staff.
- Contingency plans if a student, staff member, or parent develops COVID-19 during the trip which may require quarantine and impact return travel.
- Staffing concerns and student supervision consistent with KRS 161.185.
- Any special rooming accommodations which may be necessary to ensure social distancing.
- Ensuring limitations on social gathering of students, staff and parents to prevent the spread of COVID-19.
- Any special accommodations for students with disabilities and how those will be implemented to also ensure virus mitigation.

Student Travel for Athletic Contests

The Kentucky High School Athletic Association (KHSAA) has guidance related to travel related to athletic contests, which is available on the [KHSAA webpage](#).

Attendance, Participation and Truancy

School districts are planning for a variety of instructional delivery models to meet the needs of students and communities in light of continued COVID-19 risks and mitigation measures. The models include traditional in-person instructional days, periods of complete remote learning through non-traditional instruction (NTI) and days of blended in-person and NTI delivery.

Kentucky's existing structure for instructional delivery and corresponding funding never anticipated a global health pandemic. In order to provide school districts with the flexibility needed to implement the various instructional delivery models, KDE's Interim Commissioner Kevin C. Brown submitted a memorandum on June 24, 2020, that was signed by Lt. Gov. Jacqueline Coleman, who also serves as secretary of the Kentucky Education and Workforce Development Cabinet. [The memorandum](#), pursuant to the authority set forth in Executive Order (EO) 2020-243, temporarily suspends statutes that calculate school funding based on in-person average daily attendance for the upcoming school year.

The suspension of the statutes is necessary to provide for a funding mechanism that is predictable and does not risk the loss of substantial state educational funding based on average daily attendance (ADA). Pursuant to the authority set forth in [EO 2020-243](#), the memorandum suspends [KRS 157.360](#)(2), (9)-(11), (13)(a) and (16), and applicable corresponding provisions of [HB 352 \(2020\)](#) that allot funding using ADA. It also suspends [KRS 157.370](#) (3) for the 2020-2021 school year for SEEK payments that will occur during the 2021-2022 school year. The suspended statutes rely upon ADA for funding calculations, which would place at a disadvantage school districts that implement a blended traditional and NTI delivery strategy.

Following the suspension of the aforementioned statutes, the Kentucky Board of Education (KBE) approved an emergency amendment to 702 KAR 3:270E, effective upon filing with the Legislative Research Commission, that sets forth the calculation of state funding for school districts for the 2020-2021 school year (to be paid during the 2021-2022 school year). The emergency administrative regulation provides for substituting and utilizing the same attendance data selected by school districts pursuant to Senate Bill (SB) 177 (2020) for the 2019-2020 school year for application to the 2020-2021 school year.

Suspension of the statutes, coupled with the emergency administrative regulation, will provide state funding predictability to school districts and prevent the loss of substantial state funding typically based on ADA.

The memorandum explains that state compulsory attendance laws, codified in KRS Chapter 159, remain in force. School districts are to work with students and families to engage each student and promote attendance and/or participation as applicable, in accordance with KRS Chapter 159, applicable administrative regulations, and local board policies whether instruction is delivered in person, remotely through NTI or a blended in-person and NTI model.

Defining Daily Participation and Non-Traditional Instruction

“Daily participation” is the measure of the interactions between teachers and students. Those interactions will vary based on whether the student is learning in person or is participating remotely in instruction. Participation is a measure of a student’s engagement in the instructional process. It is NOT a measure of quality of student work. Grading practices determine quality. Remember that participation will be recorded for each instructional day in the district calendar. However, the participation can be recorded on a weekly basis.

“Non-traditional instruction” means remote instruction in which the student is learning in a location other than the traditional classroom using digital or other alternative methods of learning. NTI is the term used for any situation in which a student, group of students, whole schools or districts are learning from a location other than the brick and mortar school building.

NTI Days and Other Types of Non-Traditional Instruction

It’s important to remember that in addition to a formal NTI day, there are going to be other types of non-traditional instruction that don’t require the claiming of an NTI day.

NTI Days

If the district will be closed and all students will be learning remotely, then the district will claim an NTI day per 701 KAR 5:150. The district will not claim an NTI day for any other instances of a portion of students learning remotely. For the 2020-2021 school year, districts have unlimited NTI days, and those days can be used for COVID-19 related closures or more regular uses of NTI days, such as weather or other health or safety measures.

Other types of non-traditional instruction

Districts will not claim NTI days for students who are learning remotely in any other non-traditional situation. Examples of other uses of non-traditional instruction would include:

- **Full-Time Virtual School (FTVS)** – A student’s primary enrollment is at a full-time virtual school or academy. The school/academy is a separate A1 or A5 program and the student is instructed by a teacher assigned to the virtual school/academy and not their regular assigned teacher(s).
- **School-Based Virtual (SBV)** – Same as FTVS except the student primary enrollment is their assigned school but they are engaged in full-time virtual learning. SBV could be a “school within the school” model, with teachers designated as virtual teachers, or it could be virtual instruction facilitated by regular classroom teachers.
- **Blended Learning (BL)** – A district is doing a hybrid model in which students are being instructed in-person on some days and remotely on some days. The student remains enrolled at their assigned school.

- **Partial School Closure** – This is still non-traditional instruction, however NTI days are not used for situations where less than the entire district are doing remote learning. If a single school or group of schools requires a closure, but the entire district is not closed, those students in those schools would be SBV as outlined above.

NOTE: For the 2020-2021 school year, districts can identify predetermined NTI days in their district calendar. In the past, NTI days would not be identified in the district’s original calendar. As an example, if your district is going to use an A-B blended model and ALL students will be learning remotely on Fridays, you can identify Fridays as NTI days in your original district calendar.

Daily Participation and Non-Traditional Instruction

In order to document the engagement of students for the 2020-2021 school year, Kentucky school districts will record daily participation in Infinite Campus (IC) for all students in lieu of recording regular attendance. Districts will receive funding using either the 2019-2020 or 2018-2019 ADA as explained above, therefore daily attendance data will not be reported. However, as compulsory attendance is still required by law, districts must capture the participation of all students and be accountable for the delivery of instruction, whether in person in a school building or remotely through NTI.

Daily participation is the measure of the interactions between teachers and students. Those interactions will vary based on whether the student is learning in person or is participating remotely in instruction. Participation is a measure of a student’s engagement in the instructional process. It is NOT a measure of the quality of student work. Grading practices determine quality. Participation will be recorded for each instructional day in the district calendar but may be recorded on a weekly basis.

Students Participating In Person

Students who are learning in person will be considered “participating” by their presence in the classroom. As such, the existing requirements for recording attendance for in-person students found in 701 KAR 7:125E remain in effect.

Students Participating Through NTI

The actual participation of students learning through NTI may be in real time during the school day, or at times outside of normal school hours, and so the measurement of the daily participation shall include at least one of the following:

1. One-on-one video communication or phone calls between teacher and student (or teacher and parent with smaller children or students with special needs);
2. Group video communication or phone calls between the teacher and a whole class or between a teacher and smaller groups of students within a class;

3. Student time logged into a learning management software system completing assignments; or
4. Submission of paper-based assignments for students in a non-digital, non-traditional setting.

The term non-traditional instruction (NTI) is an umbrella term for instruction that occurs in places other than the traditional classroom. It includes the official Non-Traditional Instruction Program outlined in KRS 158.070(9) and 701 KAR 5:150 that relate to school closures (NTI days) as well as any other day a student is receiving their instruction remotely.

Compulsory Attendance and Truancy

KRS 159.010 requires each parent, guardian or other person residing in a school district and having custody or charge of any child (unless exempt under KRS 159.030) who has entered the primary school program or is between the ages of 6 and 18 to “send the child to a regular public day school” for the full term of the district in which the child resides or to the public school the district makes provisions for the child to attend. (KRS 159.010(1)(b)(1))

A student is exempt from compulsory attendance if the student already has graduated from high school, attends a private school or a private kindergarten-nursery school (less than 7 years old), cannot attend because of a physical or mental condition that renders inadvisable attendance at school, or attends a state-supported program for exceptional children. (KRS 159.030)

Truancy is set out in [KRS 159.150](#). A student subject to compulsory attendance is considered truant if “absent from school” without valid excuse for three or more days or tardy without valid excuse on three or more days. A student that has been reported truant two or more times is a habitual truant. During remote learning as a result of the COVID-19 pandemic, school districts should treat lack of daily participation (as outlined above) as an absence. When a student fails to participate for three or more days without excuse, the district should proceed as it would for students who failed to attend school three or more days. Districts are reminded that they should take steps to contact parents/guardians, make home visits utilizing COVID-19 mitigation protocols, and otherwise communicate with parents/guardians to help address the root cause of the students absence/lack of participation.

The statute provides that local school boards may establish policies that require students to comply with compulsory attendance laws, require truants and habitual truants to make up unexcused absences and impose sanctions for noncompliance. It also provides that local school districts may collaborate and cooperate with the Court of Justice, the Department for Community Based Services, the Department of Juvenile Justice, regional community mental health centers and other service providers to implement and utilize early intervention and prevention programs, such as truancy diversion, truancy boards, mediation and alternative dispute resolution to reduce referrals to a court-designated worker.

Duties of Director of Pupil Personnel

Pursuant to KRS 159.080, every superintendent is required to appoint a director of pupil personnel (DPP). The duties of the DPP, as established in KRS 159.140, include enforcing student compulsory attendance. This includes attempting to visit student homes, ascertaining the causes of irregular attendance and truancy through documented contact with the custodian of the student, and seeking the elimination of these causes; securing the enrollment of all students who should be enrolled and keeping enrolled students in reasonably regular attendance; attempting to visit the homes of students who are reported to be in need of books, clothing or parental care; and providing for the interviewing of students and the parents of those students who quit school to determine the reasons for the decision.

DPPs are vested with the powers of peace officers and may investigate in their district any case of nonattendance at school of any child of compulsory school age. They may, under the direction of the superintendent and the local board of education or the Kentucky Board of Education, institute proceedings against any person violating any provisions of the laws relating to compulsory attendance. (KRS 159.130)

In any action brought to enforce compulsory attendance laws, the director of pupil personnel or an assistant shall document the home conditions of the student and the intervention strategies attempted and may, after consultation with the court-designated worker, refer the case to the family accountability, intervention and response team (FAIR team). DPPs are encouraged to continue to conduct home visits where appropriate. In conducting such visits, DPPs should follow health and safety-related guidelines and other applicable district guidelines for home visits. If entering a home is not possible due to the pandemic, DPPs should attempt to engage students and parents virtually or by telephone.

Parents Responsible for Violations

Pursuant to KRS 159.180, every parent, guardian or custodian of a child residing in any school district in the state is legally responsible for any violation of the Chapter 159 compulsory attendance statutes by the child. Before any proceedings are instituted against the parent, guardian or custodian for violation of KRS 159.010 to 159.170, a written notice of the violation shall be served on the person by the DPP and one day shall be given for the termination of the violation. After such notice, if the violation is continued or if the provisions of KRS 159.010 to 159.170 are again violated during the school term by the child, no further notice shall be necessary and the parent or guardian shall be punishable as provided in KRS 159.990. A notice by certified mail, return receipt requested or by personal service by the DPP shall be a legal notice.

Engagement and Enforcement Expectations

Whether in person or using an NTI remote instructional model, KDE expects that superintendents and DPPs will make all reasonable efforts to engage every student and enforce

compulsory attendance laws and local board policies for the enrollment of all students who should be enrolled as well as keep enrolled students in reasonably regular attendance and participation. This includes truancy laws and policies, as well as directing parents to contact the court-designated worker to file complaints for “habitual runaway” and “beyond control of parent.”

Given that these are unusual times, superintendents and DPPs are encouraged to be creative and persistent in attempts to engage students, especially those learning remotely. This should include collaboration with Family Resource and Youth Services Center (FRYSC) coordinators to assist in meeting the needs of children and families to overcome obstacles to student participation.

Truancy considerations for students who are learning in person will be the same as in previous years. As discussed above, student participation for these students will be measured through student attendance. Accordingly, the student participation record will include a daily record of student absences and tardies.

For students learning remotely, student participation in lieu of in-person attendance will be documented as discussed above through: student contact with their teacher, including student or parent video or phone calls; participation in group video or phone calls; teacher phone calls with a whole class or smaller groups of students within a class; student time logged into a learning management software system completing assignments; or student submission of paper-based assignments for students in a non-digital, non-traditional setting. Participation will be recorded for each instructional day in the district database.

If a student is not physically present and learning in a school building, it does not mean the student is exempt from the compulsory attendance laws and policies. A student failing to participate without valid excuse for three or more days shall be considered truant just as set out in KRS 159.150.

Districts should encourage and facilitate communication and collaboration between teachers, DPPs, FRYSC coordinators and families.

Districts should encourage the establishment of teacher office hours. Teacher office hours may be used to communicate with parents and students and provide an opportunity for students whom the teacher or DPP has been unable to contact to provide evidence of participation. Districts may utilize classified staff under the supervision of the teacher to assist with teacher office hours and the documentation of student participation.

If a district uses classified staff to assist a teacher, the classified staff may make contact three days a week, with the actual teacher making contact on two days. DPPs should use available Infinite Campus (IC) reporting capabilities to identify students failing to participate. District should additionally consider using IC’s Early Warning and Persistence to Graduation tools to help identify students at risk of dropping out. DPPs should document a student’s lack of participation and all efforts to engage the student in the same manner as for a student learning in person.

For school year 2020-2021, local school boards are encouraged to examine and amend existing board policies where necessary to promote the attendance, engagement and participation of all students, especially students participating through remote learning.

Reporting Daily Participation

District participation will be reported at the following times:

- October 2020
- January 2021
- July 2021

KDE will run a district participation report from IC and will be report that data through KDE website and to the Legislative Research Commission (LRC)

Participation Tracking in Infinite Campus (IC)

This chapter provides guidance on how to track participation for different types of courses. KDE will run a district participation report from Infinite Campus and report that data on KDE website and to the Legislative Research Commission.

Courses Using Blended Learning Groups

Most 2020-2021 courses should use blended learning groups to track participation. Reference the [Infinite Campus Blended Learning webinar](#). In these courses, learning experiences are delivered/directed by a content-certified teacher at the school/district (whether or not they supplement with content from a digital learning provider).

Course settings do not need to change from prior years. Using sections under the same course for a content area allows for consolidation of grades across sections.

For details on setting up courses, see the [Course Data Standard](#). Examples include:

- 100% remote learning with the potential to shift to in-person if it becomes safe to do so;
- 100% in-person learning with the potential to shift to remote if it is not safe to be in person;
- Hybrid strategies as described previously with the potential to shift to fully in-person learning if it becomes safe to do so or to fully remote if it is not safe to be in person.

Virtual Courses

Students participate in remote instruction that is self-paced and delivered through a digital learning provider. The primary teacher is not necessarily certified in the content of the course, but the course has been evaluated for standards alignment and is supplemented by a content area certified teacher to meet all *Kentucky Academic Standards* requirements.

Schools may set up a placeholder course to track participation in addition to the content courses scheduled outside of the instructional day by using traditional course set up for a virtual course. See [2020-2021 Virtual and Performance-Based Course Set-Up and Daily Participation Tracking](#) for details. Examples include:

- Student is enrolled in a full-time virtual school.
- Students choosing a virtual option from their regular school are assigned to separate courses. The instruction is self-paced through a digital content provider. The teacher connecting with students is not necessarily certified in the course content.

Performance-Based Courses

Performance-based courses award credits earned by a student outside of the traditional structure of a 120-hour instructional course, such as dual credit courses. In order to award such credits, districts must establish a policy for performance-based courses as described on KDE's [Performance-Based Credit webpage](#).

Schools may set up a placeholder course (like 950001 Dual Credit Placeholder) to track participation in addition to the content courses scheduled outside of the school day using traditional course setup. See [2020-2021 Virtual and Performance-Based Course Set-Up and Daily Participation Tracking](#) for details. Examples include:

- Dual credit courses
- Independent study
- Work study

Considerations for Food Service

The U.S. Department of Agriculture (USDA) made waivers available for school year 2020-2021 that have enabled sponsors of the National School Lunch Program (NSLP) to continue to provide food service through the NSLP or through the Summer Food Service Program (SFSP). These waivers expire on June 30, 2021. The following guidance below will assist with food service operations in the NSLP or SFSP. Links to available waivers, as well as additional program specific guidance provided by the Division of School and Community Nutrition to program sponsors, may be found on KDE's [COVID-19 Resources for Child Nutrition Programs](#) webpage.

Meal Service Methods

In-Person Instruction

Identify meal service methods that will enable all students to have access to program meals while complying with social distancing guidelines, and that will enable contact tracing to occur if an individual receives a positive diagnosis. To achieve this goal, multiple meal service methods during a single meal service period may need to be utilized with different groups of children within the school building. Methods may include:

- Serving meals in classrooms
- Serving meals in other areas in the building, such as the gymnasium
- Providing “Grab and Go” meals in the cafeteria or hallways

Meals should be served in supervised, non-congregate settings that enable social distancing guidelines to be followed. Pre-planning and thoughtful consideration on the delivery and service of meals to individual groups of students is needed to enable contact tracing. Additional equipment and resources may be needed to implement meal service methods that take place outside of the cafeteria, or when multiple meal service methods are utilized within a single meal service period.

Strategies to achieve these goals may include:

- Identifying the equipment, supplies or resources needed for the meal service method(s) that will be utilized.
- Staggering meal service periods so that arrival and dismissal times limit the amount of contact between students in high-traffic situations.
- Assigning seats to students during mealtimes to enable contact tracing.
- Utilizing floor marks to highlight social/physical distancing guidelines where needed and to identify traffic patterns within spaces.
- Removing chairs to ensure social distancing.
- Arranging the chairs to face the same direction.

- Expanding meal service periods to allow students adequate time for handwashing and to get through serving lines; to count meals at the point of service; or for any other operational considerations that may require extended time.
- Installing clear plastic countertop barriers by point-of-service stations or on other countertop areas where staff may be stationed.
- Utilizing disposable trays, dishes and utensils.
- Eliminating self-service stations.
- Eliminating share tables and any sharing of food.
- Identifying alternate locations for the storage and distribution of student meals brought from home (these cannot be stored in kitchen areas).
- Excluding access of all people (other than child nutrition staff and delivery people) from the kitchen and behind serving lines.
- Ensuring adequate sanitation occurs between the use of tables or other surfaces when multiple groups of students will consume meals in the same location.

Consideration should be given to increased time that may be needed in order to maintain enhanced sanitation standards of high-touch areas and surfaces in the meal service area prior to and throughout the meal service.

Virtual Instruction

NOTE: Meal service for virtual instruction are only permissible due to the availability of the current USDA COVID-19 Child Nutrition Program waivers. These meal service methods will not be available options after the waiver expiration date of June 30, 2021, unless the USDA offers extensions.

There are multiple meal service methods that schools can operate during times of virtual student instruction. By using a combination of the USDA non-congregate, meal service times and parent/guardian pick up waivers, schools can provide access to meals while students are not learning in the school building. Methods may include:

- Sending meals home with students
- Meal delivery services
- Parent or guardian pickup of meals

Careful consideration should be given to various factors when designing a virtual feeding model to ensure that students across the school district have access to meals and that service is sustainable. Factors such as distance, staff time and menu options should all be considered. With distance, it is important to think about how far students or families will travel to pick up meals. If distance is not a barrier, then central pickup locations can be a good option. If travel is a barrier, then meal delivery service may be a better option. When planning meal service, consider staffing needs for meal prep and service. Will staffing allow for sustained home delivery? Should multiple day meal provision be considered to reduce parent guardian and/or staff time? Finally, when feeding in a virtual setting, it is very important to be mindful of menu options. Items sent

home should be easy to prepare or reheat in a home setting. Also, foods sent home should have clear instructions for how the food items make a meal, preparation of the items as well as food safety considerations. A best practice is to provide a menu to families of the meals provided.

Strategies to achieve these goals may include:

- Identifying the equipment, supplies or resources needed for the meal service method(s) that will be utilized.
- Surveying parents to gauge and assess the level of need for meal services. Consider providing a process for families to pre-order student meals.
- Collaborating with various departments such as transportation if utilizing meal delivery services.
- Utilizing meal distribution strategies that maintain social distancing and avoid the formation of groups or tight lines at meal pick up sites. Best practices include a “drive-through” style meal pickup or staggered pickup times.
- Ensuring that food safety and sanitation standard operating procedures for cleaning and sanitizing surfaces, handwashing, employee health, etc., are followed by all staff distributing meals.
- Parents or guardians and students should be reminded not to come to meal distribution sites if they are sick.
- Creating an easy, yet enjoyable, compliant cycle menu with menu items that are easy for students and families to prepare in a home setting, with clear instructions provided.
- Utilizing multiple communication methods such as district all call systems, email communications and social media to keep families informed on how to access meals.

Consideration should be given to the increased time that may be needed to maintain enhanced sanitation standards of high-touch areas and surfaces in the meal preparation area and at the meal distribution sites.

Child Nutrition Staff

Identify resources that may be needed to enable child nutrition staff to implement enhanced sanitation standards and follow social distancing guidelines while preparing and serving meals. These include:

- Maintaining consistency of the child nutrition staff assigned at each school, whenever possible.
- Maintaining adequate supplies of personal protective equipment (PPE), soap, hand sanitizer, disinfectant wipes, towels, tissues, etc., for staff handling meals.
- Promoting healthy hygiene practices such as the use of face coverings, handwashing, covering coughs and sneezes and the proper use of gloves.
- Evaluating the space available in production areas and reconfiguring as able to allow for at least 6 feet of separation between staff while performing their required tasks.

- Assigning tasks to staff in a way that will enable them to perform their assigned duties with as little movement to other areas in the kitchen as possible.

Consideration should be given to policies and procedures for: reporting illnesses; accommodations for disabilities that may preclude the use of facial coverings; and reviewing the job duties that will be assigned to staff positions for any changes that may be needed to limit staff movement throughout production areas.

Meal Pattern

Menu Planning

All meal pattern requirements for the program you are implementing must be met to receive reimbursement for the meals that are served. Ensuring that meals are properly planned to meet meal pattern requirements includes:

- Planning the meal pattern for each age/grade group (if applicable) that will be served
- Determining if, or how, offer vs serve will be utilized (according to guidelines for program used)
- Identifying appropriate substitutions for menu items should shortages occur
- Planning limited menu options to enable processes to be streamlined as needed
- Monitoring food waste to identify menu items that are poorly accepted
- Planning menus to utilize commodities to the maximum extent to lower food costs

Consideration should be given to: the meal service method(s) that will be used; availability of hot and cold holding equipment for transporting and serving meals in alternate locations, if applicable; any meal pattern waivers that may be available; the suitability of food items for the age/grade group that will be served; and the suitability of food items to be consumed with disposable plates and utensils.

Accommodations for Disabilities

Accommodations for disabilities that enable equal access to the program must be provided when supported by the proper documentation. The meal pattern must always be met to the extent that a child's disability allows. Meals must be served in a manner that offers a safe environment for children with food allergies. Strategies for providing safe and appropriate meals may include:

- Ensuring that surfaces are cleaned prior to meal services and adequate hand-washing facilities are made available.
- Working closely with other school staff who may be involved in the service of meals to ensure there is proper communication on what is needed to provide safe meals.
- Ensuring all written food safety plans include standard operating procedures to ensure safety in the production and service of meals to children with allergies.
- Publishing planned meals and identifying allergens, if able.

- Identifying secure methods to receive and communicate protected, student-identifying information with families and other school staff (cannot be emailed).

Consideration should be given to providing children with equal access to the meal pattern to the maximum extent that a child's disability allows, providing meals in a safe environment for children with food allergies. A medical statement with all required information (refer to USDA's Accommodating Children with Disabilities in the School Meal Programs) must be received when meal pattern requirements cannot be met.

Food Safety

Food Safety Plan

Each school and/or feeding site is required to have an individualized, written food safety plan that is applicable to anywhere program meals are stored, prepared or served. The written food safety plan must include standard operating procedures that are specific to the processes used within that site to mitigate any food safety risks. To ensure there is an adequate food safety plan in place:

- Each school site or location that has a production kitchen; a meal service where meals are consumed by students; or stores food and beverages for the child nutrition program should have an individualized, written safety plan.
 - In each individualized plan:
 - Review and update the menu process charts with the updated menu for that location.
 - Review and update the operational description to identify how the program operates within that site.
 - Review the standard operating procedures (SOPs) to identify if: new SOPs need to be added to the plan; if SOPs are no longer applicable and need to be removed from the plan; or if SOPs need to be modified to reflect updated processes.
 - Train all staff on, and ensure they understand, the SOPs relevant to their assigned duties, with an emphasis on SOPs for handwashing, proper glove use, personal hygiene, serving safe food to students with food allergies, cleaning, sanitizing food contact surfaces and the food service health policy.

Consideration should be given to the meal service method(s) that will be utilized, how the food safety plan should be adapted when meals are consumed in areas outside of the cafeteria, and where modifications are needed to include the role of other school staff in meal services.

Safe Food Practices

Creating a culture of food safety in all areas of the school building ensures that food safety practices outlined in the food safety plan are implemented. To ensure safe food practices are followed:

- Train all school staff on the food safety processes and SOPs in the food safety plan that are relevant to their role in providing meals.
- Identify any additional equipment or supplies such as thermometers, alcohol wipes or other equipment that may be needed to keep food safe when transported and served in other areas of the school.
- Obtain or develop posters or other aids to assist non-food service school staff to implement safe food practices when they participate in the service of meals.

Consideration should be given to the staff that will be involved in the service of meals. This may include teachers, administrators and janitors, depending on the meal service method(s) utilized. Normal training and communication methods may need to be altered for non-child nutrition staff who may not be familiar with food service processes and child nutrition program requirements.

Operational Support

Operational Procedures

Clearly written policies and procedures must be developed and implemented to successfully operate the child nutrition program. All staff must be knowledgeable about food service policies and procedures, and be able to collaborate and communicate effectively with other stakeholders as needed. Strategies to achieve this goal may include:

- Reviewing written policies and procedures to ensure they are up-to-date and clearly communicated to all applicable staff.
- Ensuring that written procedures for food safety, meal preparation and meal counting and claiming are available and easily accessible to staff when needed.
- Ensuring meal counting and claiming procedures are appropriate for the child nutrition program in use.
- Ensuring schools are properly staffed for the food service production and service methods that are and will be used, and that regularly assigned staff and substitute staff are properly trained.
- Identifying other school staff who may be trained to carry out select food service processes or tasks when staff shortages are expected.
- Establishing written procedures for when school staff receive household applications or other program-related documents or communications.
- Working with vendors to create delivery plans for each location in order to establish processes that: reduce or eliminate contact with staff; ensure only one delivery is received

at a time; and ensure all required health and safety guidelines for deliveries will be followed.

Consideration should be given to ensuring there are clearly outlined roles and responsibilities for both child nutrition staff and all other non-child nutrition staff that interact or participate in program activities. Collaboration with non-child nutrition staff stakeholders is key to ensuring that processes are agreed upon and understood.

Outreach and Communication with Student Households

It is imperative that those in students' households know and understand how to communicate and interact with the child nutrition program. Families and caregivers must be able to provide and receive program-related information in a manner that is accessible to them. Strategies to achieve this goal may include:

- Identifying a specific contact person or people in each school to receive and respond to household communications. This contact should be included in all written materials that are provided to households and to school staff.
- Identifying multiple methods of communication concerning program activities and information. Communication can be simultaneously posted on a website, emailed to households, made through automatic calls and provided in written materials sent home with students.
- Reviewing the program-related information provided on the websites of the school and district. Assess areas where additional or clearer information may be needed to enhance communication about the program. Provide links to directly access documents and answers to frequently asked questions. Ensure that information is presented in a user-friendly format.
- Developing a program-specific information or policy document that details program activities that affect households, such as whether the use of vending machines is allowed, any changes to a la carte sales, policies concerning outside food brought into the building and restrictions on outside persons during the meal service.

Consideration should be given to providing program-related information and activities through multiple avenues to make program information as accessible as possible and identify avenues for households to easily interact with child nutrition staff.

Frequently Asked Questions

Is a school district required to opt in to the non-congregate and meal service times waivers to provide meals to students receiving non-traditional instruction due to COVID-19?

No. Schools are not required to opt in to the non-congregate and meal service times waiver. However, if a school does elect to use the non-congregate and meal service times waiver to provide non-congregate meals, then meals must be offered to every enrolled student whether

they attend virtually through non-traditional instruction or in person. (Reference Question 1, SP24-2020)

Are schools required to provide potable water to students who are doing virtual learning and who are not eating lunch at school?

No. Potable water is not a requirement for non-congregate meal service modules outside of the school building. (Reference Question 15, SP24-2020)

Are schools offering meal services through the Summer Food Service Program also able to provide an after-school snack through the National School Lunch Program After School Snack Program?

Yes. USDA permits sponsors who currently are operating SFSP under the COVID-19 waivers to also operate simultaneously the National School Lunch Program's Afterschool Snack Program. (Reference SP 01-2021, CACFP 01-2021, SFSP 01-2021: Questions and Answers to the Nationwide Waiver to Allow Summer Food Service Program and Seamless Summer Option Operations through School Year 2020-2021 Extension – Q & As No. 2.)

Resources

- [School Nutrition Association COVID-19](#)
- [Institute of Child Nutrition: Food Safety Resources](#)
- [Institute of Child Nutrition: Practice Safe Hygiene and Cleaning](#)
- [USDA Food and Nutrition Service: Food-Safe Schools Action Guide](#)
- Kansas State University: [Center for Food Safety in Child Nutrition Programs](#)
- U.S. [Centers for Disease Control and Prevention](#)
- [School Nutrition Association: COVID-19 Thought Starters on Reopening Schools for SY 2020-21](#)

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