

Instructional Operations for Fall 2021

Rev. May 28, 2021

Background

Pursuant to the Governor's Emergency Order 01-20, the Agency of Education enabled a certain degree of operational flexibility for school districts to ensure they would be able to maintain some continuity in their instructional programs for students during the COVID-19 pandemic (see [Decision Making for School District Operations for the 2020-2021 School Year](#)). This flexibility included being able to toggle between in-person and remote learning as needed, and the ability to offer mixed modes of instruction under what became known as hybrid learning (see [A Strong and Healthy Start: Hybrid Learning During the 2020-2021 School Year](#)). Additionally, the agency provided guidance (see [Clarification on Hybrid Learning Guidance for Inclement Weather Days](#)) on how hybrid learning could be employed during inclement weather days including snow days.

It is likely there will not be a state of emergency in the Fall of 2021 which means these guidance documents will no longer be applicable and the State will return to the normal regulatory framework for operating schools. The purpose of this guidance is to clarify how instructional operations should be organized in the fall to support this transition from a state of emergency to what should be fairly normal operations.

Public Health Conditions

Districts should plan on implementing full in-person instruction in the fall. If any or some virus mitigation measures are necessary, they are likely to be nominal and not specific to schools. This means there will not be any distancing requirements for students and staff in the fall.

Student Attendance

Schools will follow the normal regulatory framework for determining student attendance and student days. Attendance is generally determined by a student's physical presence in a school building's classroom for a certain number of hours. State statute requires public schools to be "maintained and operated for ... 175 student attendance days," with at least 51% of the student body "recorded ... as in attendance" per day (16 V.S.A. § 1071(a)). State Board of Education rules establish the minimum number of hours that "constitute a school day" as being between 2 and 5.5 hours, depending upon grade level (Rule 2312.1). Alternatively, a cumulative total of between 10 and 27.5 "hours of instructional time" in a calendar week constitutes five school days (Rule 2312.1).

The Secretary of Education may "permit alternate methods of counting the cumulative instructional hours" provided that students do not lose instructional time and "related" educational programs, and the alternate method is "otherwise in the interests of the students

and the district” (Rule 2312.2(b)). This regulatory flexibility was utilized during the pandemic to support the implementation of hybrid learning. Specifically, the Agency provided an alternate method of counting student attendance through remote means, which in many cases allowed a minimum student contact to count as full attendance for the school day. A similar degree of flexibility will not be given in the fall.

Similarly, districts were permitted to count inclement weather days as "attendance" days if remote learning was implemented in accordance with the pandemic attendance guidelines. This will no longer be the case for the fall – inclement weather days such as snow days will need to be made up later in the year if necessary.

Remote Learning

Remote learning was utilized prior to the pandemic under the normal regulatory framework and may be utilized in the fall in accordance with normal rules and regulations. In many ways, the pandemic has advanced the use of technology in our education system. For example, the Vermont Virtual Learning Cooperative (VTVLC) has expanded its capacity during the pandemic and will continue to offer remote learning opportunities through its normal cooperative model. Schools and districts should consider joining VTVLC under its cooperative model to expand remote learning options for students.

Student-centered decision-making for all students will be critical in district recovery planning efforts. For most students, returning to in-person learning will be a critical re-engagement strategy. However, SUs/SDs and schools should not ignore data and student/family reports on the efficacy of virtual learning for some students. Nor should schools and districts forget the pre-existing regulatory framework established through Act 77 that provides districts the flexibility to offer different pathways for student learning, especially for those who need additional support. Online and blended learning has been an historical flexible pathway in Vermont that has proven highly successful for certain students. School leaders and teams, as part of their planning efforts, are not precluded from offering students access to programs such as VTVLC based on student data and are encouraged to continue making student-centered decisions when developing plans for next year.