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Kate Brown, Governor



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**Online & Distance Learning
Joint Special Committee on Coronavirus Response
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Co-Chair Roblan, Co-Chair Holvey, and members of the committee. I am Colt Gill, Deputy Superintendent of Public Instruction and Director for the Oregon Department of Education (ODE). This written testimony is to provide you with information on distance learning.

First, I'd like to thank you all for your efforts and your leadership under unprecedented times. Oregon has not applied a statewide school closure in recent history. This is a new challenge and one we are all learning about as we move forward. As part of the state's ongoing response to school closure and in support of districts responding to the COVID-19 outbreak, ODE continues to publish updates and guidance available [on our website](#) and collecting and responding to statewide inquiries via the [COVID-19 inbox](#). We are also regularly convening school district superintendents to be actively engaged and responsive to the needs of local schools and communities.

The aim of my written testimony is to share the distinctions ODE is making between the meeting legal requirements of offering online school during closure AND the planned guidance we are developing for districts to provide "supplemental education and learning supports" to the extent practical as directed by Governor Brown in [Executive Order 20-08](#).

Meeting Legal School Requirements

The impact to students, families, and educators during a school closure are significant. The learning time and direct supports students receive at school are not easily replaced. Understanding the desire and responsibility of families and educators alike to provide continuity for every student in their learning, many school districts are assessing the feasibility of providing online school in the event of extended school closures.

Shifting from a "brick and mortar" school environment to comprehensive online learning that meets the regulations of holding "school" is a complex task that requires thoughtful planning, serious consideration of practicality, and assessment of risk.

In looking at these options, it is important to consider the practical steps necessary to appropriately serve every student equitably and the extent to which a traditional school environment can be quickly replicated online. It is not a simple task, nor is it one that should be attempted without addressing equity and access.

ODE guidance is aimed at supporting schools in evaluating moving fully towards the approach of offering online school while meeting their legal obligations, and the standards for the delivery of instruction.

In our analysis, many school districts have not developed the capacity needed to implement a comprehensive approach to online school. As districts develop the wherewithal to provide online school or explore options for the delivery of distance learning, ODE has the responsibility to ensure all students are served.

Districts or schools in some areas may have the capacity to offer online school that meet legal requirements and with students earning credits. If a district or school is seeking to build capacity for online school, ODE has asked that they consider the regulations that **need** to be met to replace their current in-person “brick and mortar” school with online school:

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

Districts must apply an equity lens when considering operating fully online schools. Districts must address the impacts on underserved groups, including students of color, tribal citizens, students with disabilities, students who are English Learners/Emergent Bilinguals, students experiencing poverty and homelessness, and students who belong to other protected classes. Considerations include whether the model will improve or worsen disparities between populations and the barriers to equitable implementation and unintended consequences.

Supplemental Education and Learning Supports

School districts are required to deliver “supplemental education and learning supports” for students during the period of school closure. Governor Brown’s Executive Order ([EO 20-08](#)) makes clear that a school district’s receipt of state school funds during this period of school closure is conditioned on meeting legal school requirements, including the delivery of “supplemental education and learning supports” to students to the extent practical through independent study and other appropriate options.” We recommend districts encourage students and families to stay engaged with “supplemental education and learning supports” by creatively utilizing online and offline resources that can keep students’ hearts and minds active and maintain a sense of connection while not having access to school.

The term "supplemental education" refers to academic exposure, including review and enrichment activities, for students in subjects including but not limited to reading, language arts, social sciences, and math. “Learning supports” refer to strategies, practices, and services provided to help enable all students to have an equal opportunity for success. “Supplemental education and learning supports” are not intended to replace school or core curriculum tied to progression through Oregon's standards. “Supplemental education and learning supports” are **not** intended to meet the legal standard for credit-earning standards-based instruction.

Encouraging Creative Responses from Districts

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

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

In conclusion, we are living in unprecedented times, where social distancing has become necessary, and students and families are called upon to limit in-person interactions. For this reason, it is of the utmost importance for educators to connect regularly with their students and families. These interpersonal connections provide access to ongoing trusting relationships that create stability for students.