



Book	Policy Manual
Section	Special Update - July 2020
Title	New Policy - Special Update - July 2020 - VIRTUAL EDUCATION PROGRAM
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Status	

2370.05 – **VIRTUAL EDUCATION PROGRAM**

The School Board is committed to delivering strong instructional programs, and the School Corporation seeks through a Virtual Education Program to offer variety in the method of such delivery. The Corporation recognizes its responsibility to provide options for each student to extend, enhance, supplement, and expand their learning outside the traditional brick and mortar learning models.

Definitions

"Virtual education program" means a program provided by a school corporation in which more than fifty percent (50%) of instruction, other than instruction for recovery credit courses, to the students participating in the program is provided in an interactive learning environment created through technology in which the student is separated from a teacher by time or space, or both. However, students who will receive 50% or more of their instructional programming provided through virtual/distance/remote learning due to the contingency planning for COVID-19 are not to be reported as "virtual students" on the Corporation's ADM report but instead will be reported as "Virtual due to COVID."

"Virtual presence" refers to the regular participation of a student by virtual means. IDOE has recommended that a thirty (30) day period of inactivity be considered when developing student engagement policies. Therefore, in order to maintain a "virtual presence," a student may not exceed a thirty (30)-day period of inactivity absent a certificate of incapacity.

Mandatory Onboarding and Training

The Corporation requires that a student who wishes to participate in a Virtual Education Program and his/her parent must participate in an onboarding and training program prior to enrollment. If the student or the student's parent does not participate in this onboarding and training program, the student shall not be permitted to enroll or participate in the Virtual Education Program.

The student/parent will identify the educational goals of the student and, prior to the commencement of virtual instruction, determine if any educational needs or support services, including technical assistance, will be required during the Virtual Education Program.

(X) Each student that is enrolled in a virtual program shall be provided, at no cost to the student, all hardware necessary to fully participate in the Virtual Education Program, ~~such as a computer () and access to an internet connection.~~ **[End of option.]**

(X) Training on the proper use, storage, and required handling of the provided equipment also shall be provided. **[End of option.]**

Understanding the nature of virtual education is also a critical element of the Corporation's training process. The student/parent shall be advised that the ramifications of the student's failure to follow established attendance procedures and engage with the virtual class content are consistent with Policy 5200 – Attendance and standards established herein. Further, the Corporation, having provided proper notice to the student/parent, may withdraw the student from the virtual instruction program and disallow re-enrollment for the remainder of the school year if the student regularly fails to participate in courses and the student/parent does not demonstrate that the student's failure to participate in the course is due to an event that would be considered an excused absence under I.C. 20-33-2. If the student is a student with a disability, the withdrawal of that student is considered a

change of placement. Therefore, prior to the withdrawal of a student with a disability, the Corporation must convene a case conference committee ("CCC") and conduct a manifestation determination to determine whether the student's failure to participate was a manifestation of the student's disability.

The Corporation shall provide notice to the parent that a person who knowingly or intentionally deprives a dependent of education commits a violation of I.C. 35-46-1-4.

Finally, parents and students shall be advised that discipline for students enrolled in a virtual program may be imposed in accordance with Policy 5600 – Discipline.

Corporation Requirements

The Corporation shall install (**X**) software ~~() a system~~ **[end of option]** that can track student usage of the Virtual Education Program module where the teachers prepare lessons, share classroom content and provide their daily lessons to monitor the number of hours students are participating per day, per week, and to identify any student who has enrolled in the program but has not participated or logged in.

Additionally, this (**X**) software ~~() a system~~ **[end of option]** shall be used to monitor student attendance as required by State law. This will allow the Corporation to initiate the withdrawal from enrollment of a student who has been classified as "habitually truant" under State law.

Corporation teachers who are employed as licensed Virtual Education Program teachers shall comply with the mandatory licensed teacher training requirements established by State law.

Student Participation Requirements

To participate in the Corporation's Virtual Education Program, the student must be a resident of the State of Indiana.

The Corporation requires that if a student who attends the Corporation's virtual education program accumulates the number of unexcused absences sufficient to result in the student's classification as a "habitual truant" (as described in I.C. 20-20-8-8(a) (17)), the student must be withdrawn from enrollment in the Corporation's virtual education program. Provided, however, that a student with a disability first must be accorded the rights afforded him/her under the IDEA and Article 7, including a manifestation determination case conference.

Students participating in a Virtual Education Program shall take Statewide standardized assessments in accordance with State law.

(**X**) If a student with a disability seeks to enroll in the Corporation's Virtual Education Program, the student's (**X**) Case Conference Committee/IEP Team or () Section 504 Committee must determine whether the student's (**X**) IEP and/or (**X**) Section 504 Plan **[end of option]** is suited for such instruction and whether the student can benefit from the Virtual Education Program. Due to the Corporation's obligation to provide individualized special education and related services to students with disabilities and the extent to which such services are needed, participation in the Virtual Education Program might not be the least restrictive environment for such student to receive a free appropriate public education ("FAPE").

Tracking Virtual Education Program Attendance

While attendance will be monitored and collected at the student level, the tracking of attendance does not necessitate knowing what every student is doing at every moment with regard to the student's educational experience. Attendance in the Virtual Education Program can be tracked by evidence of participation, which may include but is not limited to:

- A. daily logins to learning management systems;
- B. daily interactions with the teacher to acknowledge attendance, which may include but are not limited to messages, emails, telephone calls, video chats or other formats that enable teachers to engage with students; and
- C. assignment completion.

The teacher will determine the number of hours a typical student would take to complete an assignment and report those hours of attendance when the assignment is completed. A teacher (**X**) may () should adjust the number of hours of attendance based on the length of time the student actually spent on the assignment, as reported by the student, parent, or other person with knowledge. **[DRAFTING NOTE: If a teacher knows that a regular education student or special education student took "significantly" longer (i.e., more than a *de minimis* additional amount of time) than the "typical" amount of time to complete an assignment, the student should be given additional attendance "credit." The administration will need to determine how it intends to verify the amount of time**

the student or parent reports it took the child to complete the assignment and the time a "typical" student would be expected to take to complete the assignment.]

Regardless of the way attendance is tracked, the Corporation will convert to and report attendance in increments in accordance with Policy 5200 - Attendance (i.e., attendance ~~(→) may~~ **(X)** will not be taken hourly in the remote learning setting, the attendance information collected will be reported in hourly increments for each student). **[DRAFTING NOTE: Attendance must be reported in increments consistent with Policy 5200 - Attendance. The Corporation may monitor attendance on a regular schedule (e.g., weekly) that provides flexibility for families as they support their children's completion of remote learning activities.]**

Student attendance in the Virtual Education Program shall be tracked in the same manner as hourly, in-person instruction. Teachers shall determine hourly attendance by evidence of student login and logoff data. **(X)** Teachers are encouraged to verify meaningful attendance in a method selected by the teacher, such as an ungraded quiz at the close of a lesson, a survey or poll questions (unrelated to the lesson and unpredictable) at the end of the lesson, or asking students questions at random throughout a session.

Absences from the Virtual Education Program, in addition to those detailed in Policy 5200 - Attendance, may be considered excused under the following circumstances, with **(X)** written **[end of option]** notice from a parent/guardian:

(X) temporary internet outage for individual students or households;

(X) unexpected technical difficulties for individual students or households, such as password resets or software upgrades occurring during a teacher-led remote learning lesson;

(X) computer/device malfunction;

(X) malfunction of a Corporation-owned device for which the Corporation is providing technical assistance, repair, or replacement.

If there is no evidence a student participated or engaged in any way in a Virtual Education Program learning activity, the student will be marked with an absence for the hours allotted for that Virtual Program Education learning activity.

The Virtual Education Program shall not be used to make up absences from in-school learning.

The Corporation's efforts to foster student attendance in a Virtual Education Program will be guided by the following principles:

- A. It is critical to build and maintain strong relationships that can endure time and distance. To this end, the Corporation will strive to (a) maintain updated contact information for students and parents, (b) engage in outreach opportunities to learn more about the student and/or family's digital access (including internet connectivity and technology devices), and (c) establish meaningful communication that connects students, families, educators and, in some cases, other caring adults from the community.
- B. The Corporation will balance its focus on consistent student attendance, including exposure to and engagement in learning, with a priority on the health and safety of students, families, and educators.
- C. The Corporation will seek to maintain frequent contact with students and families, connect students to appropriate resources, encourage student participation, and offer enriching, interesting and engaging learning opportunities.
- D. The Corporation will use data to drive its decisions that are aimed at understanding successes and opportunities, supporting diverse learning styles, identifying solutions, and driving continuous improvement.
- E. The Corporation will leverage community partnerships to strengthen its efforts to support student attendance, exposure to, and engagement in learning, and the student's overall mental health and well-being.
- F. The Corporation will employ a multi-tiered system of support to remove barriers that prevent students from participating and engaging in learning, mitigate negative learning experiences, address lack of engagement and misconceptions, and provide needed social-emotional supports.

Staff responsible for recording student attendance in the Corporation's student information system shall be afforded flexibility in situations where students have varied schedules throughout the week.

Withdrawal of Student

Prior to the withdrawal of a student who regularly fails to participate in courses, the Corporation shall:

- A. Provide adequate notice of the withdrawal to the parent and the student; and
- B. Provide an opportunity for the student or the parent to demonstrate that failure to participate in the course is due to an event that would be considered an excused absence under I.C. 20-33-2.

If the student is a student with a disability who has an IEP, prior to the withdrawal of the student the Corporation also shall:

1. Provide adequate written notice to the parent of a CCC meeting to be convened for the purpose of changing the educational placement and conducting a manifestation determination prior to the withdrawal;
2. Provide an opportunity for parental participation in the CCC meeting by scheduling the CCC meeting at a mutually agreed upon date, time, and place and by providing an opportunity for the parent to participate by other means if the parent cannot attend in person;
3. Conduct the CCC meeting without a parent in attendance if the parent chooses not to participate in person or by other means and keep records of the school's attempts to arrange a mutually agreed upon date, time, and place for the CCC; and
4. At the CCC meeting, determine whether the student's failure to participate was a manifestation of the student's disability.

If the CCC determines that the student's failure to participate was a manifestation of the student's disability, Corporation personnel shall take immediate steps, consistent with 511 IAC 7-44-5, to address the reasons why the student failed to engage. Specifically, the Corporation must either:

- a. review and revise the special education and related services in order to facilitate student participation; or
- b. take immediate steps to remedy any identified IEP implementation deficiencies. Alternately, if the CCC determines that the failure to participate is NOT a manifestation of the student's disability, school personnel may withdraw the student. Provided, however, the withdrawal of a student by the Corporation is considered a disciplinary removal, during which the student must continue to receive services until either enrolling in another school or aging out, consistent with the requirements of 511 IAC 7-44-5(f).

If the student is a student with a disability who has a Section 504 Plan, prior to the withdrawal of the student the Corporation also shall:

1. Provide adequate written notice to the parent of a Section 504 Committee meeting to be convened for the purpose of changing the educational placement and conducting a manifestation determination prior to the withdrawal;
2. Provide an opportunity for parental participation in the Section 504 Committee meeting by scheduling the meeting at a mutually agreed upon date, time, and place and by providing an opportunity for the parent to participate by other means if the parent cannot attend in person;
3. Conduct the Section 504 Committee meeting without a parent in attendance if the parent chooses not to participate in person or by other means and keep records of the school's attempts to arrange a mutually agreed upon date, time, and place for the meeting; and
4. At the Section 504 Committee meeting, determine whether the student's failure to participate was a manifestation of the student's disability.

If the Section 504 Committee determines that the student's failure to participate was a manifestation of the student's disability, Corporation personnel shall take immediate steps to address the reasons why the student failed to engage. Specifically, the Corporation must either: (1) review and revise the special education and related services in the Section 504 Plan in order to facilitate student participation; or (2) take immediate steps to remedy any identified Section 504 Plan implementation deficiencies. Alternately, if the CCC determines that the failure to participate is NOT a manifestation of the student's disability,

school personnel may withdraw the student. Students who have Section 504 plans are not entitled to receive services following withdrawal.

Cross Reference:

Students enrolled in the Virtual Education Program are required to abide by the requirements included in adopted Board Policies including, but not limited to:

Policy 2370 – Education Options

Policy 2430 - Corporation-Sponsored Clubs and Activities

Policy 2431 - Interscholastic Athletics

Policy 5111 – Determination of Legal Settlement and Eligibility for Enrollment of Students without Legal Settlement in the Corporation

Policy 5200 - Attendance

Policy 5420 - Reporting Student Progress

Policy 5421 - Grading

Policy 5460 - Graduation Requirements

Policy 6250 – Required ADM Counts for the Purposes of State Funding

Administrative Guideline 6250 – Required ADM Counts for the Purposes of State Funding

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Legal	I.C. 20-19-8
	I.C. 20-24-1-10
	I.C. 20-24-5-4.5
	I.C. 20-24-7-13
	I.C. 20-43-1-7.5
	511 IAC 7-42-7(a)
	511 IAC 7-44-5