

## Frequently Asked Questions: Governor DeWine's School Closure Announcement

Updated on **Saturday, March 14, 2020 at 1:15PM**

### BACKGROUND:

On March 12, 2020, Governor Mike DeWine made an unprecedented announcement ordering all of Ohio's **public, community** and **private K-12 school buildings** to be closed to students for a three-week period—beginning at 12:01 AM on March 17 and ending at 11:59 PM on April 3, 2020—due to the ongoing coronavirus health crisis.

This FAQ document is intended to help school and district leaders think through important local-level decisions. It has been co-designed in partnership with Ohio's major education associations and informed by some of Ohio's most trusted and innovative school and district leaders. **The FAQ will be updated on a regular basis throughout the coronavirus crisis.**

### KEY QUESTIONS:

- 1. At his March 12 press conference, Governor DeWine used the phrase “extended spring break” in his announcement. What exactly does that mean?**

Shortly after making the announcement, Governor DeWine further clarified that he ordered schools to be closed to students<sup>1</sup> for three weeks. [Here](#) is his full March 12 press release.

**Today, Saturday, March 14, 2020, Dr. Amy Acton, Director of the Ohio Department of Health, is expected to issue an order providing additional clarification.** It explains:

- “All school buildings that provide any kindergarten through grade twelve instruction in the State of Ohio are to be closed to students beginning at 12:01 a.m. on March 17 and ending at 11:59 p.m. on April 3, 2020.
- ...this closure does not include administrators, teachers, staff, vendors or contractors of a school. The administration of each school shall determine the appropriate level of access to the school during the closure.
- This order does not apply to and/or excludes activities or events at schools for voting, food services, housing of students at boarding schools, health services, charitable work, or any activity approved by the local health department.”

Governor DeWine's actions are taken as part of the state's strategy to slow down the spread of the coronavirus. Minimizing the operation of places where large numbers of people congregate can contribute to this desired outcome. The Governor continues to promote healthy practices such as handwashing and encouraging social distancing to slow or limit the spread of the highly contagious coronavirus disease from person to person.

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<sup>1</sup> Throughout this document the word “closure” is used to reflect the concept of “closed to students.”

It is in this spirit that we urge school leaders to consider the following **three principles** when making local-level decisions regarding use of school buildings during the three-week closure:

1. Is use of the building essential?
2. Can the activity be done virtually?
3. If there is no other choice, then can the activity be done safely? This means that individuals are separated by distance and not congregating in close proximity and that the health of participants is protected. Consulting the local health department is advisable and encouraged.

Additional clarifications follow:

### ***Continuing Educational Services***

- On March 12, Governor DeWine said, “During this extended period of closure, schools should work to provide education through alternative means.” This statement indicates that schools should try to make a good faith effort within available capabilities to support continued learning outside of school.
- This could be done in a variety of ways including remote and/or online learning opportunities, depending on available options at the local level. It is understood that there are students and geographic areas that may not have access to technology-based options.
- Ultimately, the intent is that local school leaders, boards of education, governing authorities, and union leadership work in partnership to maintain continuity of educational services as much as practicable during this unprecedented health crisis.
- Administrators should be appropriately flexible in accommodating circumstances that may arise, including staff members who encounter child-care needs and challenges within their own families as a result of this crisis. Telework options should be explored whenever feasible.
- Schools should feel free to use blizzard bags for this purpose even beyond the normal three days.
- Schools that may not have included use of online learning as part of their plan to make up hours may, at this time, revise those plans to include online learning during the closure period.
- We recognize that attempting to track student attendance under such circumstances would be extremely complicated. Consequently, students will be deemed to be in attendance during the non-spring-break periods included in the three-week closure. The Ohio Department of Education will provide additional guidance for coding student attendance in EMIS during the ordered closure period.

### ***Supporting Needs of the Whole Child***

- Ohio’s schools provide important whole child supports including behavioral and mental health services, healthcare services, supports for students with disabilities and meals to many qualifying students. Ideally, these services should continue as much as practicable and delivered remotely or in ways that minimize creating gatherings. Consider the three principles identified above when making local decisions about school building use and congregating students.
- To help maintain meal services, on March 12, 2020, the U.S. Department of Agriculture granted Ohio a waiver enabling Summer Food Service Program and National School Lunch Program Seamless Summer Option sponsors “to provide meals during an unanticipated school closure due to the novel coronavirus at both school and non-school sites and in a non-congregate setting.” This waiver allows for the distribution of meals while maintaining social distancing.

### ***Supporting School Staff and Personnel***

- School leaders are strongly encouraged to work closely with their local boards, governing authorities and union leadership to determine certified and classified staffing needs during this time. As Governor DeWine stated at his March 12 press conference, “Now is the time to pull together.” Staff members should continue to report to school so that coherent plans can be locally developed to address the educational and non-educational needs of students.
- With regard to hourly employees, Governor DeWine’s intent is not to cause unnecessary disruptions to people’s lives. Hourly employees should continue to “report to school” and partner with their schools to support students and be paid consistent with Collective Bargaining Agreements or employee contracts. Employees should be flexible in the manner in which they contribute to the continuity of operations. The Governor also stated in his March 12 press release that local education administrators may identify needed personnel during this three-week closure period who are required to report to the building.

#### **2. Does the ordered school closure apply to internet- or computer-based community schools and e-schools identified in Ohio Revised Code 3314.013?**

No. The Governor’s order applies to school buildings only. Internet- or computer-based schools should continue operations in their normal fashion according to their regular calendar.

#### **3. Does the ordered school closure apply to community schools that use a blended learning model?**

Yes. The Governor’s order would apply to the site-based portion of a blended learning model used by a community school. The school should, as much as practicable, use the online delivery component of the blended model to continue to provide educational opportunities for students.

#### **4. How does the ordered school closure affect minimum instructional hours required by state law?**

Since the desire is for schools to make a good faith effort to provide educational services within available capabilities during this period, there should be limited impact on minimum instructional hours requirements. The Governor and the Ohio Department of Education are committed to working with the Ohio Legislature to seek necessary flexibility to minimize any additional financial burden for schools. More details will be forthcoming.

#### **5. How does the ordered school closure affect funding for traditional school districts and joint vocational school districts?**

Foundation funding for traditional schools and joint vocational school districts is not affected by the ordered school closure. Funding remains unchanged and will continue through FY20 and FY21 at levels equal to FY19 foundation funding.

#### **6. How does the ordered school closure affect funding for community schools and STEM schools?**

Given that schools are being asked to make a good faith effort to provide educational services within available capabilities, and that under these circumstances students are deemed to be in

attendance, there is no need to make any adjustments to the manner in which community schools and STEM schools are paid. Additional guidance will be provided at a later time should circumstances change.

**7. How should community schools handle the 72-hour auto-withdrawal requirement?**

The 72-hour rule applies when a student is absent “without legitimate excuse.” The Governor called for schools to close to students, but he advocated for the continued provision of educational services.

We recognize that attempting to track student attendance under such circumstances is very challenging. Consequently, students will be deemed to be in attendance during the non-spring-break periods included in the three-week period. The Ohio Department of Education will provide additional guidance for coding student attendance in EMIS during the ordered closure period.

**8. Must Ohio Department of Education-licensed preschool programs be closed?**

Yes. Preschool programs licensed by the Ohio Department of Education are subject to the ordered closure. This includes programs that operate in schools as well as those operated in other facilities (including, but not limited to, programs operated by Educational Service Centers).

**9. Must Ohio Department of Education-licensed school-age child-care programs be closed?**

No. School-age child-care programs licensed by the Ohio Department of Education may remain open at the discretion of school administrators. Parents and/or caregivers are encouraged, however, to remove students from these programs to the extent possible during this period in the interest of public health. These programs should be limited in nature and used to serve students for whom no other reasonable care alternative exists. These programs serve as an important support to families as part of Ohio’s child-care system.

**10. What options are available to provide remote learning—especially if internet or devices are not available?**

Options will vary depending on circumstances, and in some cases, there may be no viable options for online instruction. Cell phone service or internet service are the usual requirements for e-learning. We have confidence in the creativity and flexibility of our educators to work together and with community partners to provide what makes the most sense in these situations. At the very least, identifying local resources, encouraging reading and writing practices during this three-week period, and other enrichment activities can be conveyed to students if no other options available. Schools may establish “pick up and drop off” points as may be appropriate for access to instructional materials, being careful not to create conditions that result in students congregating together at one time. We encourage schools to partner with Educational Service Centers (ESCs) and Information Technology Centers to seek solutions regarding remote learning.

**11. How will the ordered school closure affect testing?**

The most important consideration at this time should be the health and safety of students and of the community. Obviously, no state testing will take place during the closure period. The Ohio Department of Education will take appropriate action to adjust the state’s testing schedule (both in terms of administration and reporting) to accommodate the three-week closure. The intention

is to be as flexible as possible. We will be asking the U.S. Department of Education for the maximum flexibility in accommodating the current circumstances.

Many, but not all, juniors have completed the state-sponsored SAT or ACT. The Department of Education is committed to working with vendors to identify additional testing opportunities. Additional information regarding assessment timelines and the return of results will be shared when available.

**12. What does the ordered school closure mean for report cards?**

Many have suggested that an interruption to the school year of this magnitude could result in an unfair portrayal of a school's performance on the state report card. We are sensitive to this reality. The intention is not for schools to be punished or penalized for conditions beyond their control. It is too early to make any final decisions, but our focus will be to ensure that the state's report card system appropriately accommodate these circumstances. Additionally, we are committed to working with the U.S. Department of Education to seek relief from requirements for state accountability systems.

**13. What about career technical education centers? Will students and teachers be able to access the buildings?**

During the ordered closure, career technical education centers will not be open to students. However, the closure does not include administrators, teachers, staff, vendors or contractors of a school. Per the order from the Ohio Department of Health, "The administration of each school shall determine the appropriate level of access to the school during the closure."

**14. Are students still permitted to work as part of apprenticeships, internships, etc. that are supervised by the school?**

The answer to this question depends on the individual arrangement. In some cases, it might be appropriate if the student's work based-learning experience is safe and is attentive to social distancing (i.e., the student interacts with very few other people). It may also matter if the student is actually an employee of the business. Ultimately, this is a local decision that should be made in partnership with the student, parents and/or caregivers, school leadership and the employer.

**15. Career technical education centers also provide adult education through their Ohio Technical Centers. Is it permissible for career technical education centers to allow adult students on site for instruction?**

The ordered closure does not apply to Ohio Technical Centers which serve adults. As such, schools should make their own determinations about the continuing operations of these programs. Schools may want to consider distance learning options to the extent practicable. Schools should also be attentive to the Governor's emphasis on social distancing and avoiding large gatherings.

**16. What happens after the ordered three-week closure period ends?**

No specific decisions have been made at this time. The three-week time period was selected to allow for the state to gauge and monitor the status of the coronavirus outbreak. Decisions about future educational activity will be made prior to the end of the three-week period.

**17. What if my school's spring break is scheduled for the week of April 6, immediately following Governor DeWine's ordered school closure period? Can our district still observe our original spring break?**

Schools can decide to modify their calendars should they choose to change spring break. The intent of the Governor's action was not to force any deviation from a school's originally established calendar. Schools can continue to observe spring break originally scheduled for beyond the three-week window.

**18. Can a school move its previously scheduled spring break to fall within the three-week closure time frame?**

Yes. This action is within the scope of authority of the local board of education. Decisions should be made in consultation with local union leadership and attentive to collective bargaining agreements.

**19. Should schools provide related services and intervention to students with disabilities if they are offering some form of instruction during this ordered closure period?**

Yes. The school should make a good faith effort to provide such services. If instruction is offered to all students, including alternate delivery models like online learning or distance learning, then districts are required to provide students with disabilities special education services. If, however, a student with a disability cannot access the alternate delivery models being offered to general education students, then the district should consult with parents and/or caregivers to determine the needs of the student and identify the most appropriate means for meeting those needs during the closure period. In the interest of community health, districts should take steps to identify the most appropriate location for delivering those services, such as a daycare, home or other location. Compensatory services might need to be considered.

**20. Should ESCs or districts send itinerant staff to provide specialized services in daycare (and in a child's home if applicable)?**

If necessary, yes. Since many daycare facilities will be open, and these services are delivered pursuant to a contract, the ESC should evaluate the health risk to students and educators by the continuation of these services versus the temporary suspension of such services. The district should consult with the parent to determine the best and safest location to offer services. Those services could take place in the home or another location mutually agreeable to the family and district with due consideration to the health of educators and students. Compensatory services may need to be considered.

**21. Can ESCs keep open their central offices?**

Yes. ESC offices are not included in the Ohio Department of Health's order and may be treated as other workplaces for adults. All precautions should be taken to minimize health risks of central office staff, including consideration of telework options.

**22. Can medically fragile students be provided services through home instruction?**

The school district should consult with parents and/or caregivers to determine the needs of a medically fragile student specific to the period of school closure. Together, they should identify

the services that will best meet those needs and how those services will be delivered with due consideration to the health and safety of students, families and service providers.

**23. Will timelines be altered related to Evaluation Team Reports or Individualized Education Program plan development? Can IEP meetings occur virtually?**

The district should act in good faith to support the needs of students with disabilities during this challenging time being attentive to the health and safety of students, educators and other service providers. The Department's goal is to provide maximum flexibility regarding regulatory compliance requirements in the context of this emergency. The Department of Education is pursuing clear guidance from the U.S. Department of Education Office for Special Education Programs relative to such flexibility. The district should notate exceptional circumstances as appropriate.

**24. What about teacher evaluations?**

There are statutory requirements and collective bargaining agreement provisions specific to the teacher evaluation process that outline specific timelines and deadlines. Superintendents and union leaders are encouraged to work through the collective bargaining agreement language at the local level and develop a Memorandum of Understanding to address local teacher evaluation process questions.

**25. What about graduation?**

Ensuring that the Class of 2020 is on track to graduate is an important priority. Schools should take this opportunity to review the status of each senior to determine the extent to which the student has met [graduation requirements for the Class of 2020](#). There is significant flexibility in the graduation requirements for the Class of 2020. It is important that schools understand the needs of each of their students and have, to the extent possible, a plan to help each student complete these requirements during the remainder of the school year, both during the closure period (as practicable) and at such time as school may resume.

Should the current situation change, the Department of Education will provide additional information. Our commitment is to provide reasonable flexibility in the interest of doing what is right for students.