

# A Strong and Healthy Start: Hybrid Learning During the 2020-2021 School Year

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## Background

Plans for reopening school in the fall should focus on the return to in-person instruction. There is considerable consensus among public health experts that the return to in-person instruction is the optimal approach to address both student learning needs and the larger social, emotional and health needs of students (see [COVID-19 Planning Considerations: Guidance for School Re-entry](#) from the American Academy of Pediatrics). Nevertheless, it is important that each district plan for a certain amount of flexibility to shift school instruction along a continuum of options from full in-person instruction to full remote learning, including a hybrid learning approach that might include both.

This guidance provides a summary of the statutory and regulatory framework that should inform the implementation of hybrid learning and describes considerations for school districts choosing to implement some form of hybrid learning during the 2020-2021 school year.

## Statutory and Regulatory Framework

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).

Regardless of the model used to provide instruction – in-person, remote or hybrid – school districts must conform to the law as set out in statute and State Board rule. However, the ways in which a district meets legal requirements might vary depending upon the mode of instruction. For example, although 16 V.S.A. § 166(b)(6) prohibits paying public tuition funds to a fully online independent school (approved distance learning program), a school district may decide to supplement its academic offerings through online providers such as the Vermont Virtual Learning Cooperative.

Attendance is generally determined by a student’s physical presence in a school building’s classroom for a certain number of hours. Nevertheless, Vermont law provides flexibility in determining what constitutes a “school day.” For example, a day may be counted as a full day of school if the school board “send[s] the pupils home after school has begun due to emergencies such as the outbreak of a contagious disease” (Rule 2312.2(a)). In addition, 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)).

A school district in remote or hybrid mode may choose to record a student as in attendance if:

- On each day for which attendance is recorded, an educator makes contact with the student by video chat or telephone or the student logs into a Learning Management System (LMS) and engages in learning activities (e.g., completes asynchronous assignments, assessments, etc.); and
- Minimum instructional hours are met in any one of the following three ways:
  - The total hours of direct instruction and expected independent student work for the day equal the minimum daily hours set forth in State Board Rule 2312.1; or
  - The cumulative hours of direct instruction and expected independent work for the week equal the cumulative minimums set forth in State Board Rule 2312.1; or
  - The school board obtains the Secretary of Education’s prior approval of another method of counting instructional hours per State Board Rule 2312.2.

## **Other Considerations**

School districts should consider adopting formal rules and procedures for implementing hybrid learning. These rules and procedures could take the form of formal school board policy and/or administrative procedures promulgated under the superintendent’s authority. Considerations for these rules include:

- What grade levels will have the option for hybrid learning with an emphasis on ensuring in-person instruction for students in the primary grades.
- The process for parents to sign up and discontinue participation in hybrid learning.
- Expectations for the completion of student work and achievement of academic milestones, proficiencies and other benchmarks.
- A description as to what extent hybrid learning experiences will be synchronous to comparable in-person instructional activities.
- The provision for educational supports including teacher-student check-ins and other supports provided under the district’s regular EST process.
- How special education services and related services will be provided.
- A process for sharing information about student status (remote / in-person) with your school nutrition program so that they are able to provide meals at home or at school.
- Student participation in in-person extracurricular activities such as clubs, sports and music ensembles.

In addition to rules and procedures, districts should work closely with their staff and their labor representatives to address working condition considerations relative to implementing hybrid learning.

Also, like in-person instruction, hybrid and remote learning should be implemented as part of a coherent instructional systems design relative to current education quality regulations which require each school district to have:

- An Educational Support System.
- A Local Assessment Plan.
- A Coordinated Curriculum among all its schools.
- A Needs-based Professional Development System.