

## Alaska Department of Education and Early Development

### *Guidance for districts applying for waivers for school closures related to Novel Coronavirus (COVID-19)*

The school term in Alaska is 180 days in session, allowing 10 of those days for in-services and other events (Please refer to AS 14.03.030(2) School Term for further details). If a school closure results in less than 170 days in session, a waiver approval by the Commissioner of Education and Early Development is necessary unless the days are made up.

In the event of school closures due to COVID-19 outbreaks, it is essential to keep students academically engaged even if they are not able to congregate. Students should continue to practice reading, writing and math skills during any time when schools are closed due to pandemics.

If a district chooses to apply for a waiver to excuse one or more days in session, the following needs to be provided to the Commissioner of Education and Early Development for approval:

#### **1. Description of the School District Plan of Service for Academic Support during School Closures**

##### District plan of service must include:

- List of participants who were involved in the creation of the plan. This should include administrators, board members, parents, and community members.
- Description of the menu of options for academic supports that are district-approved for each site (district lesson plans, identified web sites, and teacher-specific resources)
- Description of how materials provided at the school level will be parent-friendly (will provide answer keys, will consider non-English speakers, and will be in layman's terms)
- Signature of the Superintendent

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Superintendent Signature and Date

## 2. DEED School Closure Template for each impacted school

### *DEED School Closure Template*

School Name \_\_\_\_\_

#### Materials:

- What materials were provided for students and families during the closure? (Electronic, web site, workbooks, handouts)
- How were materials provided, disseminated and/or delivered to families during the closure? (Web site, emailed, picked up at central location, delivered to houses)

#### Communication with Families:

- How was contact with families accomplished during the closure to support student academic success? (Phone, email, text messaging, radio)

#### Collection/Verification:

- What materials were returned to the classroom teachers? (Completed worksheets, journals, reading logs)
- How was academic support verified to the Principal at the school? (Log of completed materials from each classroom)

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Principal Signature and Date

## Alaska State Statute and Regulation related to School Term and Closures

### Sec. 14.03.030. School term.

A school term begins and ends on the dates fixed by the governing body of a school district. A school term shall include not less than 180 days in session unless, with the approval of the commissioner,

(1) a day used for in-service training of teachers is substituted for a day in session, up to a maximum of 10 days;

(2) an emergency closure day is substituted for a day in session because of conditions posing a threat to the health or safety of students; or

(3) the school board adopts a different school term that includes at least 740 hours of instruction and study periods for pupils in kindergarten, first grade, second grade, and third grade and at least 900 hours of instruction and study periods for pupils in grades four through 12 if the commissioner finds that the school board has submitted an acceptable plan under which students will receive the approximate educational equivalent of a 180-day term.

### Sec. 14.03.040. Day in session.

Each day within the school term is a day in session except Saturdays, Sundays, and days designated as holidays by or according to [AS 14.03.050](#). A school board may approve Saturdays as a day in session. The day in session in every school shall be at least four hours long, exclusive of intermissions, for the first, second, and third grades and five hours, exclusive of intermissions, for all other grades. The commissioner may approve a shorter day in session for any grade. The period of the day in session shall be devoted to the instruction of pupils or to study periods for the pupils.

### 4 AAC 05.090 Discontinuation or closure of schools.

(a) After a school has been started in a community, either by renovating an existing facility or constructing a new facility, that school may be temporarily or permanently discontinued or closed only

(1) through action of the governing body of the district or regional school board;

(2) after the district or regional school board provides at least 10 days written notice to each of the affected students' parents or guardian; and

(3) after submission of a plan under (d) of this section, that is approved by the department using the standards set out in this section, except in an emergency or case-by-case situation under (e) of this section.

(b) A plan for permanent discontinuation or closure of a school must be submitted to the department for approval and may not be executed until it is approved by the department. A plan will be considered approved if the department does not disapprove the plan within 90 days after submission.

(c) A plan for temporary discontinuation or closure of a school during the school year must be reviewed and approved at a public meeting of the governing body of the district or regional school board and submitted to the department for approval at least ten days before temporary discontinuation or closure of the school except as provided under (e) of this section.

(d) A plan for temporary or permanent discontinuation or closure of a school must include

(1) the provision of educational services to all eligible students, including students with a disability consistent with [AS 14](#), this title, and other laws applicable for the operation of public schools in the state;

(2) the provision of pupil transportation services, if needed;

(3) a schedule for providing compensatory services under [4 AAC 52](#), if required;

(4) the reimbursement to the department of public money already paid by the department for the period of discontinuance or closure unless the school year is extended to make up for the period of discontinuance or closure; and

(5) the steps for reopening of the school if temporarily discontinued or closed including a school disciplinary and safety program under [AS 14.33.120](#).

(e) A superintendent may order the emergency closure of a school under [AS 14.03.030\(2\)](#) if closure is necessary to protect the public health or safety of the students, staff, or community. To the extent practicable, the superintendent shall consult with the department and with state and federal agencies with jurisdiction over public health and safety. The superintendent shall notify the department in writing no more than 24 hours after ordering an emergency closure.

(f) If a school is temporarily discontinued or closed for disciplinary or safety reasons, the facility must remain closed for all purposes until the school is reopened.

(g) A superintendent who has ordered an emergency closure of a school shall submit a modified calendar for the school to the department as soon as practicable after the closure. Under the modified calendar, the district shall implement one or more of the following actions:

(1) if the original calendar provided for more than 180 days, reduce the number of days in session or days used for in-service training for the school, so the combined number of days in session and days used for in-service training under the modified calendar remains in compliance with [AS 14.03.030](#);

(2) designate emergency closure days in place of days in session or days used for in-service training if the emergency closure days have been approved by the commissioner under [AS 14.03.030\(2\)](#) and (h) of this section;

(3) designate additional days that the school must be in session to replace school closure days that were not reduced under (1) of this subsection or approved as emergency closure days under (2) of this subsection.

(h) A district may, on a form prescribed by the department, apply to the commissioner for approval to substitute an emergency closure day for a day in session or a day used for in-service training. The commissioner may approve all, none, or some of the days the school was closed as emergency closure days, and require that the district replace the remaining days. In determining whether to approve, deny, or partially approve the request, the commissioner will consider

(1) the extent to which the district implemented a continuation of educational services plan during the closure;

(2) the depth and quality of the educational services the district provided to students during the closure;

(3) if the district had warning of the pending emergency, the extent to which the district used the warning to prepare for continuation of educational services specific to the pending emergency;

(4) the communication with families of students to facilitate delivery of educational services during the emergency;

(5) the nature and duration of the emergency;

(6) whether teachers and administrators were in on-duty status working to deliver educational services during the emergency;

(7) the academic needs of the students in the district; and

(8) the public interest.