



## COVID-19 School Closures:

### Frequently Asked Questions

Last Updated: 2:00 pm, March 31, 2020

*Newest questions posted a beginning of document.*

#### **What are the guidelines I need to follow if I want to do read alouds, either live or recorded, to my students?**

Published books have copyright protection. Below is an explanation of what copyright covers:

*Copyright, a form of intellectual property law, protects original works of authorship, including literary, dramatic, musical, and artistic works, such as poetry, novels, movies, songs, computer software, and architecture. Copyright does not protect facts, ideas, systems, or methods of operation, although it may protect the way these things are expressed. (<https://www.copyright.gov/help/faq/faq-protect.html> 3/3-/2020)*

During the current CoVID-19 crisis, a number of book publishers are providing temporary guidelines for using copyrighted material for read alouds with students. The specific guidelines do vary by publisher, but the general guidelines are as follows:

- The teacher should start the read aloud by stating the name of the book, the author, and that the publisher has granted permission for use.
- The read aloud, whether live or recorded, should be done using a school's private platform (school Zoom account) or through another closed group or platform with limited access for your students only.
  - Some publishers will make allowances for public platforms, such as YouTube.
- Recordings should be deleted by June 30, 2020.

***Please be sure to check on your book's specific guidelines prior to making a live or recorded read aloud.*** The *School Library Journal* has posted a list of publishers and their guidelines at the following link: <https://www.slj.com/?detailStory=publishers-adapt-policies-to-help-educators-coronavirus-covid19>

#### **Does the Fair Use provision of Copyright Law apply to teachers?**

Fair use is a legal doctrine that promotes freedom of expression by permitting the unlicensed use of copyright-protected works in certain circumstances (<https://www.copyright.gov/fair-use/more-info.html> 3/31/2020). In general, fair use applies to teaching situations. However, there are many variables in the determination of whether the use of copyrighted material without permission is fair use or not. Teachers should follow the guidelines discussed in the preceding question to ensure compliance with copyright law.

Individuals who wish to explore fair use in greater detail may find the links below helpful.

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- *More Information on Fair Use* – <https://www.copyright.gov/fair-use/more-info.html>
- *What is Fair Use?* - <https://fairuse.stanford.edu/overview/fair-use/what-is-fair-use/>
- *Measuring Fair Use: The Four Factors* - <https://fairuse.stanford.edu/overview/fair-use/four-factors/>
- *Can Teachers Read Books Out Loud Online? Actually, Yes.* - <https://www.edsurge.com/news/2020-03-30-can-teachers-read-books-out-loud-online-actually-yes>

**Should school trips, such as trips to Washington D.C., be postponed until the summer months, or should they be cancelled?**

The Office for Schools and Catholic Mutual Group have completed a thorough analysis of these situations by considering

- Current archdiocesan policy.
- The importance to students of year-end educational trips.
- Available information on the CoVID-19 outbreak, including current trends and predictive models.
- Enterprise risk assessment, including strategic, financial (liability), operational, compliance, and reputational factors.
- Financial impact on individual students and families.

An additional overriding factor is the sheer unpredictability of what the next few months may bring.

***Therefore, all planned school-sponsored trips through August 31, 2020, should be cancelled.***

**When will schools be able to re-open?**

All schools in the State of Wisconsin are currently ordered closed by the Wisconsin Department of Health Services. This order is in effect until April 24<sup>th</sup>, although Governor Evers has stated schools should expect to be closed indefinitely. Until this order is lifted, schools must remain closed.

There are many unknowns with the CoVID-19 crisis and what the re-opening of schools will look like is one of the unknowns. Unknowns include questions such as

- Will all schools be able to re-open at the same time or will this happen geographically?
- Will there be a lag time between the announcement of re-opening and the actual date schools can re-open?
- Will the Archdiocese of Milwaukee dictate when schools will re-open?

Once the closure order is lifted, individual schools will need to assess their local community situation to decide on the appropriate day to return to school. The Office for Schools will be providing a guidance document to help schools evaluate their local community situation.

**If a student is formally withdrawn from a school, does the school need to reimburse any paid tuition?**

***Policy 3240.1: Rules for the Collection of Tuition*** applies here. The first paragraph states:

*Every school must have a tuition/enrollment contract that specifies tuition, fees, and other terms and conditions for student enrollment and parent/guardian involvement. The contract must identify if and when tuition and other fees are nonrefundable.*

If your policy allows for reimbursement of paid tuition, there may be tax implications for parents who take advantage of available tax deductions for tuition expenses. Parents should be encouraged to contact their tax consultant for more information on this aspect.

The school may want to ensure that the family understands that this is a permanent termination of enrollment at the school and that any subsequent request for re-enrollment is subject to the school's enrollment policies.

### **There are many issues impacting our schools being discussed at both the federal and state government levels. How is our voice being heard?**

There are five primary advocacy groups working on our behalf. On the national level both the United States Conference of Catholic Bishops (USCCB) and the National Catholic Education Association (NCEA) represent us. Within Wisconsin, the Wisconsin Catholic Conference (WCC) and the Wisconsin Council of Religious and Independent Schools (WCRIS) are our primary voice. School Choice Wisconsin is also a strong advocate, but since they represent all Choice schools, including non-religious schools, there is not always complete alignment of priorities between us.

It is important to note that school employees may not advocate or lobby as representatives of the school in the political process. This would jeopardize the 501(c)3 status of the organization. A school employee may contact a state or federal legislator as private citizen but may not give the appearance of representing the school in such an action. Schools may provide information to parents on issues, preferably provided by the WCC or WCRIS, that encourages them to act, but care must be given so it does not appear that the school is suggesting the parents act one way or another.

### **Are there any special considerations when sending school-issued devices home for students to use during the current closure?**

Schools that issue school devices to students for use at home should be sure to include the Safe Environment Program recommendations addressing VIL (see below in document).

For schools that have an existing one-to-one style program in which students are allowed to take their school-issued devices home, the existing agreement between the school and the family should be sufficient.

Schools allowing students to take school-issued devices home for the first time should create a document stating expectations for use. This should be very similar to the expectations for use that exist when students are present in your facility. The document should be provided to parents, who should acknowledge that they have received the guidelines. An electronic acknowledgement is acceptable, but a record of it must be kept by the school. This acknowledgement can still be sent even if devices have already been issued.

Considerations for issuing school-owned devices to students include:

- The device should be used only for school-related purposes and is not for personal use.

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- The firewall protections and blocked sites implemented at school may not work at home. Parents need to monitor student use.
- Students may be held financially responsible for damaged devices.

Technical support: All schools need to provide information to students and parents regarding support for the devices. Consideration needs to be given to the process to facilitate the support, as some support will require a school employee to physically work on the device.

### **Should School Advisory Commissions and Boards of Directors continue to meet during the closure period?**

A number of schools have cancelled meetings that were scheduled to be held either last week or during the upcoming one or two weeks. We do not advocate cancellation as a long-term strategy, as these commissions/boards play a vital role in the life of the school. When the meeting occurs, the agenda may be shortened and should focus on the most important roles of the commission/board and on what individual members can do to help. Institutional advancement should be an area of focus:

- Development: there is a strong need to keep the tuition and third-source funding coming into the school.
- Marketing and Public Relations: tell the positive story of how the school is keeping the learning going. Spotlight what teachers are doing and share testimonials from students and parents.
- Enrollment Management: this is an important time in the enrollment cycle. Personal contact can help retain current families. Sharing the success stories of the school during this time of need can help attract new families.

Schools should be able to facilitate a conference call or video call to bring members together as needed regardless of whether the date was previously published. A reminder: private schools are not subject to open meeting/records rules. Please contact the Office for Schools if assistance is needed.

### **Are there any specific considerations for Early Childhood learners regarding VIL?**

During this time of unprecedented shift to VIL, our early childhood teachers need a way to share ideas for their students. Authentic learning environments based on the concept of structured play are not easily replicated, if at all, using a VIL format. Regardless, we must try our best to keep connected with our students and provide fun and clever ways to continue to inspire our little learners to play, investigate, and learn. We must also do this in a way that is as stress-free as possible for parents and caregivers.

The *Archmil Early Childhood* Facebook page is an excellent platform for teachers to share ideas and network with each other. This is a closed group so two questions will need to be answered when you make your request to join. If your EC teachers are not members, please encourage them to join. Principals are also invited to join. Link to join:

[https://www.facebook.com/search/top/?q=archmil%20early%20childhood&epa=SEARCH\\_BOX](https://www.facebook.com/search/top/?q=archmil%20early%20childhood&epa=SEARCH_BOX)

### **Are child care centers allowed to be open?**

Yes. Governor Evers issued Emergency Order #6 on March 18, 2020. The order limits the number of children present at any one time to 50 and staff to 10. Although licensing is not mandated for parish/school run child care centers, most state licensing and operating requirements should be followed, as they set the standard for care to which parishes/schools will be held by their clients.

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Additional information is available at <https://dcf.wisconsin.gov/childcare> (608-422-7000) or through your local Wisconsin Department of Children and Families.

Please access the following links for thorough information on this question:

- Emergency Order #6: Restricting the size of Child Care settings (#/18/2020) - [https://evers.wi.gov/Documents/COVID19/DHS%20Order6\\_3.18.2020.pdf](https://evers.wi.gov/Documents/COVID19/DHS%20Order6_3.18.2020.pdf)
- Department of Children and Families (DCF) Guidance Order #2 Child Care, Head Start and 3 and 4-year old Kindergarten Programs and their Workforce (3/18/2020): <https://dcf.wisconsin.gov/files/press/2020/dcf-order-2-covid-19.pdf>
- DCF Guidance Order #7 Frequently Asked Questions on Administrative Rule Suspension - <https://dcf.wisconsin.gov/files/press/2020/dcf-order-7-covid-19.pdf>
- Wisconsin Department of Health Services: <https://www.dhs.wisconsin.gov/covid-19/schools.htm>

The decision to keep your child care program open, or to perhaps re-open, should be made in consultation with your local parish and school leadership. We also encourage consultation with your local health department.

### **What are the communication responsibilities for a school leader if a community member reports a positive test?**

The first point of contact should be with the school's local health department. They can provide you with guidance as to whether a notice to the school community needs to be sent or not. The response needs to be locally determined, as circumstances are community-specific.

The relationship between the positive case and the school will influence the response of the school. For example, a student's uncle, who may have picked the student up from school a week ago, will call for a different response than a staff member who tests positive. The health department may take the lead in contacting / notifying necessary community members and /or they may work with you on pushing out a notification. The message from the school to its community, whether dictated by the health department or not, is an opportunity for parish and school to be pastoral to all. In times of duress, people look to their leaders for accurate information and for reassurance. To provide this as the leaders of a Catholic institution is a gift, an opportunity for the Holy Spirit to guide us in comforting those entrusted to our care.

As with any communication, remember the privacy rights of the individuals and families involved.

Please do not hesitate to contact Amy Grau, [graua@archmil.org](mailto:graua@archmil.org), 414-588-1506, for communication assistance.

### **What do we do if a teacher gets sick from the virus? How do we deliver instruction?**

As schools are transitioning to Virtual Instruction and Learning and other innovative instruction and learning approaches, thought must be given to building contingencies and alternative into the delivery methods. Schools should be prepared for instances when teachers either get sick themselves (CoVID-19 or other illnesses, given the project length of school closure) or need to care for a family member who is ill. The ability to access a substitute teacher in the traditional sense is probably not an option.

We recommend:

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- Principals have the ability to access any school-owned teacher account:
  - Email
  - Learning Management System
  - Electronic gradebook
  - Educational software, e.g. Class Dojo, IXL, Zearn Math, etc.
- Teachers submit learning plans to principals on a regular basis. Include:
  - Links to online resources
  - Designated availability for students / parents to contact teacher for support
  - Expectations for student participation in online activities
  - Expectations for submission of student work
  - Specific accommodations for individual students
- Teachers should share, preferably virtually, with colleagues what they are doing with students.
  - The traditional substitute teacher will probably not be available
  - Colleagues may be called on to “cover a class or two” for each other

### **What are some ways that student assessment can continue, both utilizing VIL and not utilizing VIL?**

Assessment can take many forms. We will dive into this in much greater detail in the Monday VIL Guidelines, but at this point we need to make sure all VIL is directly tied to priority standards and designed in a way that provides demonstration of proficiency. The expectation of 3-5 pieces of evidence is still in place, even if that means deferring grades for a number of standards to the end of the year. More on report cards next week, but those who are grading quarterly should have been within a week of closing the quarter when schools closed. Teachers could grade standards for third quarter if they had sufficient evidence to do so before the closure. We will be forwarding a link to the NCEA webinar on designing virtual learning tasks and assessments as soon as we receive it. It should be required virtual PD for all teachers.

In those situations where VIL is not being utilized, the expectation of 3–5 pieces of evidence still applies. The mechanism for students to get the evidence to the individual teacher will need to be developed locally. If a school is providing daily lunch pick up, there could be a drop-off routine established for academic work. The teacher would not necessarily need to be present for this, but would at some point need to come and pick it up. This could facilitate the delivery of materials to students as well. Please remember that email and phone conversation – adhering to Safe Environment guidelines referenced below – can facilitate learning and assessment.

### **Given the probable length of the closure, what are some guidelines for introducing / teaching new content to students?**

We will discuss this in greater detail later, but this will involve using various platforms so teachers can interact with students rather than solely provide assignments/tasks. This will vary from school to school, but some way to have “face time” with students needs to be pursued as we move from “emergency VIL” to true VIL. Many of our schools are doing this well. Reach out to your deanery peers for assistance.

### **Should there be any expectations for VIL during the previously scheduled spring / Easter break?**

Spring break can be treated as the vacation time it is. These are not instructional days on your calendar. It may provide the breathing room everyone needs.

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### **What message should schools be sending to parents regarding Easter Break – should there be an expectation that these could become student contact days?**

This is a local decision. If a school is implementing VIL or other forms of non-VIL for students and are on track to meet the hours of instruction threshold, the Office for Schools recommends that the Easter Break be used as intended – a break, or vacation, from school. The adaptations we are all making to keep our students learning is challenging and stressful for all. The break is necessary.

However, if a school is not continuing student learning at a pace to meet the hours of instruction threshold, then the Easter Break may need to be used as school days. If this is the case, early communication to parents of this possibility is advised.

Given the March 17 announcement by Governor Evers that closed schools indefinitely, this may become a moot point.

### **How can student attendance be tracked?**

This will vary depending on how you are continuing to deliver instruction. For schools implementing VIL, the platform you are using should allow a teacher to document that a student is participating in some capacity. The local decision would need to be whether attendance is taken once per day, by one teacher, or taken by each teacher the student is expected to interact with that day.

The Office for Schools will not be requiring schools to report attendance to us. The standards-based learning and assessment environment we want to see implemented in our schools relies on the student's demonstrating mastery of the standards. That mastery is what is important, not when during the day, or for how long, the student is doing the work.

The current unknown is how the requirement for attendance will be addressed by the Wisconsin Parental Choice Programs.

### **Should schools be considering tuition refunds?**

No. The school is continuing to provide for the learning of its students. What is different is the delivery method. The parent is still paying for the service the school provides. Where schools will need to be empathetic and flexible is understanding families who are adversely impacted by the current situation and may have had their income reduced or eliminated.

### **Will the Office for Schools waive the hours of instruction requirement?**

The Office for Schools believes it is essential that schools make a good-faith effort to educate their students effectively during this period of facility closure. All schools have the ability to implement innovative programming, including, but not limited to, Virtual Instruction and Learning, in situations when schools are unable to provide traditional face-to-face instruction. As such, there is the expectation that our schools will implement this programming with the goal of finishing the 2019 – 2020 school year on schedule and with fulfillment of the required hours of instruction.

Applicable policy:

- Policy 6112.1: Instructional Time states in part:

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- *Schools will provide class schedules that will most effectively serve the essential components of instruction within that school; namely, the needs of students, the school's philosophy and goals, and the programs that flow from these.*
  - *Effective July 1, 2009, the school day shall consist of the following minimum instructional time.*
  - **Kindergarten:** *437 hours per year or two (2) hours and 30 minutes for five-year old children and two (2) hours for four-year old children.*
  - **Grades One to Six:** *1050 hours per year or 6 hours.*
  - **Grades Seven to Twelve:** *1137 hours per year or six (6) hours and 30 minutes.*
- Policy 6111: School Calendar states in part:
  - *If school is closed due to inclement weather or other emergency event, the day is not required to be made up as long as the total number of hours of direct pupil instruction meets the yearly hour minimum stated above.*

We do encourage schools to have teachers log their activities in order to document the school's effort to meet the instructional requirements. The Office for Schools will not be asking for this documentation. The following excerpt from the March 16 document [Virtual Instruction and Learning Guidelines for the Week of March 16, 2020](#) may be helpful:

- We do not have clear answers on how VIL will translate into the required instructional minutes mandated by state law. **It is very important that, beginning today, all K-12 teachers keep logs of their planning time, virtual office hours for communication (includes recorded lessons, conference calls, individual feedback to students, website updates and posting of materials), and estimated completion time for students on assigned tasks.** This can be formalized for accountability purposes later. Note: There is not an expectation that time spent at home equals in-school hours. VIL should be reasonable and age-appropriate for a home setting.

### **What about the potential waiver for hours of instruction by DPI?**

We are aware that the Wisconsin Department of Public Instruction is probably going to allow private schools in the Wisconsin Parental Choice Programs to apply for a waiver from the required hours of instruction. We believe this waiver would provide relief from the burden of documenting hours of instruction for Choice schools, but it does not relieve them from their responsibility to continue to educate students to the best of their ability. *See answer to above question.*

The Office for Schools is pursuing the potential to apply for this waive on behalf of all of our Choice schools, so that each individual school does not have to do so. As soon as we have clarity on the process, we will let schools know.

### **Are there Safe Environment Program concerns specifically related to Virtual Instruction and Learning?**

Yes. In addition to all other Safe Environment protocols:

- Emails between students and teachers should be sent through the school assigned email accounts and/or school learning management system.

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- Video conferencing should be conducted in group settings whenever possible. Any 1-to-1 interaction between a teacher and student should be conducted in a public place in the home and should be for instructional purposes. This would include video conferencing or a phone call.
- We recommend the following guidelines for 1-to-1 interactions between an adult and student:
  - A designated time should be set for the phone call, preferably when a parent, guardian, or other caregiver is also available to be present either on the call or in the room.
  - We recommend the teacher receive verbal confirmation from the child's adult caregiver that he/she is present.
  - A log of all such interactions should be kept by the teacher/adult.
  - An audio recording to be kept of the phone call or video conference (if possible)

**Is there facility access allowed after 5:00 pm, March 18, 2020?**

Yes. Essential adult personnel, which must be determined locally, are allowed access to facilities. This would include, but not be limited to, maintenance personnel and school employees needed for food distribution (if a school is doing this). There may be a need for select administrative personnel and staff to be present at various time, e.g., Choice Designee.

Please keep in mind the essential reason for the closure is to “flatten the curve” of the virus spread. Therefore, the number and frequency of personnel in the facility should be limited. Encourage all employees to work from home if at all possible. This includes teachers who may conducting VIL; it should be done at home if they have the capacity to do so. It is certainly acceptable for a teacher to come into the school facility to access needed materials and / or receive technical assistance.

***Under the current closure order, there may not be any gatherings on students in our facilities after 5:00 pm, March 18, 2020.*** Students may come to pick up lunch and to drop-off / receive academic packets, but this needs to be accomplished with a process that limits time and exposure for all involved. Ideally this is accomplished with access to a confined area of the facility.

Principals are encouraged to conduct any necessary staff meetings via conference call or Zoom (or similar program).

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