

COVID-19

UPDATES FOR SCHOOL BOARDS



March 23, 2020

Members,

The U.S. Department of Education's Office for Civil Rights (OCR) and Office of Special Education and Rehabilitative Services (OSERS) released guidance concerning distance learning and the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act (Section 504), and Title II of the Americans with Disabilities Act over the weekend. You can [access it here](#).

Plan on joining us for FRIDAY LIVE again this Friday with Executive Officers and me. Call in time is 9 -10 a.m. EST. All members are encouraged to call, receive updates, and ask questions.

If you missed any of our previous communications from the previous weeks, you can access archived versions of them on our [Resources page here](#).

FRIDAY LIVE call-in information

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/998389365>

You can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

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Access Code: 998-389-365

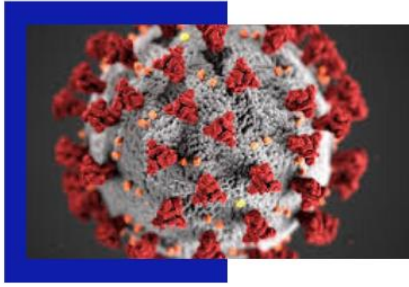
As always, please let us know if there is anything we can do to support you during this time.



Florida School Boards Association
ANDREA MESSINA
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Tallahassee, FL 32301
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March 24, 2020

Members,

New resources available:

Really handy, especially if you are new to tele/electronic conferencing [toolkit to help you tackle remote learning written by students for students](#)

CDC [Tips to keep childrens healthy while school's out](#)

[FLDOE COVID-19 Resources page](#) (all guidance issued archived)

[FLDOE Resources for Families page](#)

UPDATE and Q&A with FSBA:

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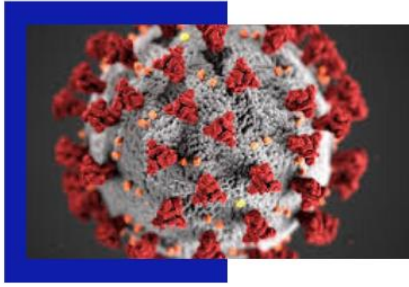
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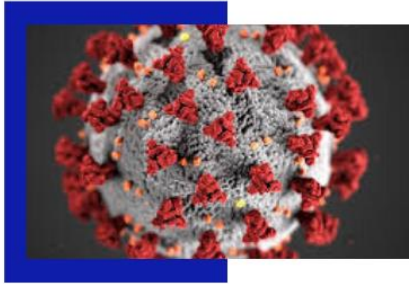
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March 25, 2020

Members,

[Governor DeSantis issues Executive Order urging all persons over 65 years of age to stay home and take other measures necessary to limit risk of exposure](#) If you have 65+ year old employees, you may need to take this guidance into consideration.

FLDOE submitted Federal Waiver, taking comments:

The Florida Department of Education has submitted a [waiver request](#) to the U.S. Department of Education to seek relief from federal assessment and accountability requirements as a result of school closures from COVID-19. One of the assurances of the waiver request is to provide public notice and the opportunity for public comment. If you have any comments on Florida's waiver request, please email them to ESSA@fldoe.org.

New resources available:

Take a moment and scroll through and one of these, from FLDOE: [State-Level Resources](#) • [Early Learning Resources & Engagement: Birth - Five](#) • [Resources for All Grades](#) • [Elementary School Resources](#) • [Middle School Resources](#) • [High School Resources](#) • [English Language Learners \(ELL\) Resources](#) • [Supporting Students with Disabilities](#) • [College Resources](#) • [Secondary and Postsecondary Career and Technical Education \(CTE\)](#) • [Food-Related Resources](#) • [Free Internet & Communications Providers](#) • [Virtual Classroom Sites](#) • [Resources for Understanding COVID-19](#)
Coping strategies for those with mental illness from the National Alliance on Mental Illness: [Coronavirus: Mental Health Coping Strategies](#) | [NAMI: National Alliance on Mental Illness](#)

Guide from the Center for Workplace Mental Health on Working Remotely during the Covid-19 crisis: workplacementalhealth.org/getmedia/...

Question:

What do you need right now that you are not getting from us? How can we better help you? info@fsba.org

UPDATE and Q&A with FSBA:

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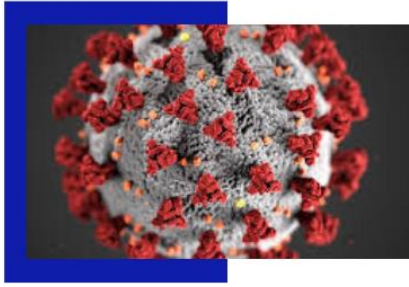
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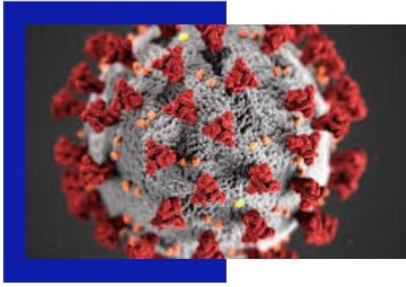
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March 26, 2020

Members,

Below are links to several new items we have curated for you.

[Letter from Governor DeSantis to President Trump, Requesting Declaration of Major Disaster \(approved by President Trump\)](#)

US Congress Coronavirus Relief:

[S. 3548 The Coronavirus Aid, Relief, and Economic Security \(CARES\) Act](#)

[NSBA information on CARES Act](#)

[Osceola School District has created a crosswalk, noting items of interest for school districts in the CARES Act](#)

BoardDocs districts:

BoardDocs is hosting [Navigating Public Board Meetings During Crisis](#), a webinar, tomorrow, Friday March 27th at 1pm Eastern time

[Legal Special Alert on Coronavirus in the Workplace](#)

FSBA Virtual Spirit Week:

Attached you will find suggestions for a Virtual Spirit Week beginning Monday. We hope you will participate.

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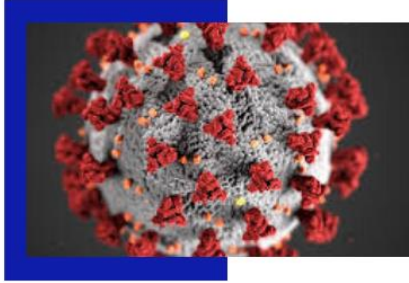
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March 27, 2020

Members,

Thank you for a very productive *Update and Q&A with FSBA* webinar this morning. ICYMI, you can listen to today's [Update and Q&A with FSBA webinar recording](#) or read the attached Q&A.

Also, ICYMI, Leadership Services Director Tina Pinkoson emailed [The Role of the School Board in Responding to the Coronavirus](#)

Other resources of note:

[**Labor and Employment Law Special Alert #3**](#)

[**Osceola County Emergency Policy Relating to School Board Meetings**](#)

Question:

What do you need right now that you are not getting from us? How can we better help you? info@fsba.org



UPDATE and Q&A with FSBA (Every Friday until further notice):

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Update and Q&A with FSBA 3.27.2020

9:13 AM Caroline Zucker **SUGGESTION**: Use bus drivers to deliver packets of material to those who do not have connectivity.

9:22 AM Chris Patricca

Q: Where, on the FSBA website, can we find the recording of this meeting?

A: this is the first recording; we will be putting it on the COVID-19 Resource Page

9:23 AM Colleen Conklin

Q: Should meeting facilitator, as was suggested during the webinar, be the chair or attorney?

A: I would recommend it not be the chair, because we're talking about the facilitator of the meeting. I recommend it not be the chair, because the chair is focused on making sure the agenda is followed. The facilitator is the person controlling the electronics of the meeting. And so if it would divide the Chair's attention from the important action that needs to happen because it's more of a management function, it should be someone else. It could be the attorney, but it could also be a support person of some sort who has real confidence with the electronic meeting platform or even your IT person, someone that knows their way around the software and can silence people or turn people's mic on, that sort of thing.

When layering in all the additional technology and monitoring that you need to do, a facilitator may just be an additional resource but isn't required. Can just be additional resource you can leverage to help you through the meeting process.

9:27 AM Teresa Jacobs

Q: There any advice on limiting the total amount of time for public input. Public input is critical to good decision making, but the amount of calls we may receive when people can participate from home may be substantially larger than what we normally experience.

A: Look to your policies on this. You should already have a policy that limits time (3 minutes/person or something like that). It may have a time limit for total input as well (30 minutes/meeting or something like that). Statutes that require the public an opportunity to speak before the board votes on items have NOT been waived. Consult with your attorney. Also (pro-tip), you don't have to answer every question the moment it is asked. "We will get back to you on that" is important if something needs to be researched or if the district hasn't yet made a determination on an issue. But, if you say you will get back to the person, make sure that it happens.

9:30 AM Mavis Liddie I have a Q.

Q: Are other Districts who "Buy Back" a set amount of Sick Leave tme for each employee to help during this stressful period? UPDATED to include: 9:39 AM Mavis Liddie Yes. If the district help the employees financial with this period for those is not working

A: This is a district by district decision, and is likely defined either in policy or your negotiated contract. Please check those documents to see what your district parameters may be for this option.

9:30 AM Mary Bolla **SUGGESTION**: Our plan has been to absolutely not meet with students in small groups.

9:32 AM Deidra Dunnell

Q: So are district encouraged to only conduct virtual meeting moving forth or are encouraged to have virtual meeting for public engagement?

A: Your question asks about how we have been encouraged. Encouragement has been silent on virtual meetings for the purpose of public engagement, though all meetings, regular and emergency, must include public input per statute. The recommendation has been to have virtual meetings to take care of business.

9:34 AM Colleen Conklin

Q: Do we have a listserv for board members to ask general questions? Other organizations have this and is extremely helpful to see how other districts are handling some of these items and share best practices.

A: We actually do not have a listserv. One of the reasons we have never had a listserv is because of the issues with Sunshine and Public Records. Most school board attorneys think it is not a good idea.

9:35 AM Tiffany McInarnay

Q: to me making sure I understood correctly...we are bound to have a monthly board meeting. Corcoran only made a suggestion not to do so until end of June. we are bound to do so statutorily?

A: [Florida Statute 1001.372\(1\)](#) requires school boards to hold not less than one regular meeting each month for the transaction of business. That statute has not been waived by the Governor through Executive Order. Please consult your school board attorney.

9:36 AM Wei Ueberschaer

Q: I watched a county commission meeting where the email public input was a consolidated because many questions were the same. Can we do that instead of addressing each question individually?

A: Just as you would in a live meeting if 10 people got up to speak on an issue, you may address the issue by consolidating the concerns. Also, though, you do not have to have immediate answers. It is perfectly acceptable to respond with, "We will research and get back to you," or the Superintendent may respond with, "One of my staff will get back to you..." Remember, though, if you say someone will get back to someone, it is important to do so.

I would also mention that if you do consolidate, maintaining all of the messages received as part of the public record is important.

9:36 AM Gina Geiger

Q: Who would you suggest the public send the emails to?

A: It depends on the content of the email. Most emails would go to whoever the superintendent has designated to handle incoming inquiries. Some districts have set up a "info@xyzschooldistrict" account for all inquiries. Operational questions would be handled just like they always are—through whatever channels your district and superintendent have already established.

If the emails are public input for a meeting, it might make sense to either the board secretary or the board attorney who can gather them and present them to the board chair who may share them during the meeting.

9:43 AM Colleen Conklin

Q: On a side note - do you know who is handling distribution of Covid-19 tests at the state level? Our county only received 100 with only a dozen or so left. Who is making the decision to send specific amounts to counties?

A: I would guess that on the state level, the Office of Emergency Management. You should check with your local health department for the correct answer to this question.

9:45 AM sue Woltanski

Q: Tim, you created a policy or a procedure? Don't policies still have to go through the regular approval timeline?

A: It was a policy ([linked here](#)). Your attorney can contact the Osceola attorney to see how it was determined to be of an emergency nature.

9:46 AM Wendy Atkinson

Q: For the purpose of the board meeting, we have public input but not q & a. We are going to handle Q & A as part of public input?

A: Normal public input may turn into Q&A because the public has so many questions right now. In this time of crisis, people want to know things they feel like they don't have information on. You may or may not choose to handle it during public input. You could say, "Thank you for your question, we will be releasing information soon." But people will be asking questions.

Reply in private

9:46 AM Gina Geiger

Q: I heard a rumor that DOE has now said that they may still require students to still take the state assessments that are required for graduation. Have you heard anything about this?

A: Please do not listen to rumor. Only rely on official information, especially from the DOE. Their guidance on this issue [may be found here](#).

9:46 AM Teri Barenborg

Q: Are districts paying employees that are actively working, such as custodians, time and one half?

A: this question is being researched; guidance forth coming.

9:49 AM Angie Gallo

Q: Has your staff had the chance to go through the stimulus package to see if it will be sufficient for school districts?

A: See our guidance [here](#) and [here](#).

9:50 AM sue Woltanski

Q: But didn't the DOE also say that this year's Algebra students will need some concordant test score in the future to graduate (except for current seniors)?

A: Correct. See DOE guidance on this issue [here](#).

9:50 AM Misty Belford

Q: Are they waiving those assessment requirements going forward. For example, if they don't take Algebra 1 EOC this year, will they still need it for graduation next year or later years or will it be permanently waived for students who took the course this year?

A: Or the Geometry EOC will cover for it. See DOE guidance on this issue [here](#).

9:51 AM Colleen Conklin

Q: Governors comments seem to be considering the opening up schools sooner rather than later. Do you believe schools will be opened by April 15th?

A: I do not like to speculate and have no ability to answer this question with confidence. Staff and I monitor the Governor's official announcements, Executive Orders, and directives.

9:53 AM Linda Kobert to me **SUGGESTION** Fyi, the only classified employees receiving time and a half are those who volunteer to work on our food distribution program in Orange County. UPDATED TO INCLUDE: 9:57 AM Teresa Jacobs to clarify, Orange County is under a 2-week stay at home order and that is why OCPS is paying employees time and a half for those who volunteer to assist with food service delivery.

Reply in private

9:54 AM sue Woltanski

Q: As School Boards can we keep our schools closed if we desire.

A: You will need to talk to your school board attorney.

9:56 AM Katy Campbell

Q: It was my understanding that the department of health is who makes the school closure call.

A: The Department of Health doesn't have unilateral authority to do that; typically the decision is made in conjunction with the DOH.

9:57 AM Caroline Zucker

Q: Do you think its necessary for boards to turn over their authority to the Supt.

A: I think it might be, depending on the circumstance and I think that there may be some decisions that superintendents need to make in between regular meetings. You will need to discuss with your superintendent, board, and school board attorney. UPDATED TO INCLUDE: 9:58 AM Caroline Zucker

Q: But if we are allowed to have virtual meetings why should it change?

A: Part of this has to do with advertisement for the meeting. You can have emergency meetings, as long as you can get everyone together and have the virtual meetings, but it also takes time, energy, and effort from staff to plan for and advertise and get these virtual meetings. There are a number of ways to address the problems that exist.

9:58 AM Teresa Jacobs

Q: Do we know how many districts are providing laptops or tablets to their students and for those that are, does that include K-5?

A: We do not have official data yet, because many districts will be starting their instructional continuity plans on Monday. Some districts are not providing devices to k-3, others are. This is happening district by district, depending on what is best for their community.

10:00 AM Colleen Conklin

Q: Did DOE distribute required components of the Instructional Continuity plan? If so can we get a copy of it?

A: We have not seen any official "required components" of the Instructional Continuity Plans and know that the ones being implemented this week by Duval, Collier, Union, and Putnam have assisted other districts. UPDATED TO INCLUDE: DOE is collecting the plans. There is no official guidance on required components.

10:03 AM Cynthia Stuart

Q: Is anyone starting to think about how their districts will conduct graduations? looking for contingency ideas?

A: We read this morning where a drive in movie theater in Marion has offered their facility. Read about it [here](#).

Follow up questions that were received via email:

Q: Does an emergency meeting count towards the monthly requirement of a regular school board meeting?

A: An emergency meeting would not count towards your regular school board meeting.

Your board approved the regular meeting schedule at the November reorganization meeting. Those were posted on your website and in other places (likely). The agenda items would be the routine business items that you would have addressed if this health event never occurred.

An emergency meeting would not be necessary if you were doing the business at the regular meeting. It would likely be called in between regular meetings if needed, and has more limitations on the agenda items—those things that need to be addressed immediately due to the health event (as declared by the Governor as an emergency).

Also, either way, please consult your school board attorney.

Q: Is there any talk of sending all 65+ year old employees home due to age-related susceptibility to the virus?

A: [Governor DeSantis issued Executive Order urging all persons over 65 years of age to stay home and take other measures necessary to limit risk of exposure](#) If you have 65+ year old employees, you may need to take this guidance into consideration.

Each district should be determining how to best meet the directives in the Executive Order. Please talk to your superintendent who was updated on this issue yesterday by FADSS.

Follow up needed:

10:04 AM Cynthia Stuart also our county just put a stay at home order in place, we are moving to more feeding sites next week, but I anticipate the daily feeding will need to move to weekly, waiting on federal guidance but is anyone else considering this?