



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

Guidance: Using Routine & Situational Distance Learning

May 31, 2023

Background

Schools may utilize distance learning as a part of their instructional model; however, there are certain parameters on its use. Distance learning may be provided on a routine or a situational basis.

Scope

This document describes the requirements for the use of routine and situational distance learning for the 2023-24 school year in District of Columbia public and public charter schools.

Effective Date

This policy will take effect from July 12, 2023, and will remain in effect until further notice.

Definitions

- *Asynchronous*: Non-simultaneous distance instruction where a student completes work independently without a teacher providing real time instruction.
- *Distance*: Instruction that takes place when the student is not physically present in the educational institution in which the student is enrolled or where the student is assigned to attend.
- *Hybrid*: Instruction that is provided through both in-person and distance instruction on a routine basis.
- *Routine distance*: The use of distance instruction by a school on a regular or otherwise routine and predictable, nonemergency, basis.
- *Situational distance*: The use of distance instruction by a school otherwise providing in-person instruction to address a temporary, emergency need.
- *Synchronous*: In synchronous modules, teaching and learning occur simultaneously such

that the teacher is able to react and respond to students in the moment and vice-versa.

Guidance

Distance learning may be provided on a situational or routine basis.

Situational Distance Learning

All public and public charter schools may use situational distance learning when circumstances arise that prohibit a school from providing instruction due to some temporary, emergency need. Such a need may be to address an **unplanned emergency circumstance** (i.e., public health response, operational issue, weather, etc.). Situational distance learning may be used for the entire school, for individual groups of students, for example, classrooms or grades, or for an individual student.

Situational distance learning for the entire school population may be used in accordance with [OSSE's Instructional Day Guidance](#). Every school that routinely provides in-person learning has a bank of five distance learning days that can be used at its discretion. Situational distance learning may be offered synchronously or asynchronously at the school or LEA's discretion. Attendance must be reported in accordance with 5-A DCMR § 2101.18 and OSSE's [Attendance Guidance](#).

Situational distance learning may be used for a temporary, emergency need pertaining to threats of physical violence to the student(s) under certain, limited circumstances. To place a student in situational distance learning because of a threat of violence, a public or public charter school must:

1. Report a credible threat of violence against the student to MPD, including by whom and the nature of the threat;
2. Possess a reasonable belief that the student is reasonably likely to be a victim of serious bodily harm;
3. Possess a reasonable belief that providing situational distance learning will ameliorate the threat of violence;
4. Coordinate with, and receive permission from, the student's family for providing distance learning;
5. Develop and effectuate a plan to reduce the threat of violence to the student, and return the student to in person learning as soon as possible;
6. For students with disabilities receiving special education services, consider whether or not the student's individualized education plan (IEP) can be implemented in the distance learning setting, and convene the student's IEP team to address any potential changes in placement or services, as appropriate;
7. Input the student safety situational distance learning attendance code; and
8. Submit documentation to OSSE verifying 1 through 4 by or before the day the student is moved to situational distance learning.

Further, schools must limit the use of situational distance learning to the greatest extent possible. Schools must submit the above documentation every time a student is placed in situational distance learning and every 10 consecutive school days.

Public and public charter schools are not obligated to provide situational distance learning due to a child's medical condition, perceived risk of illness, or absence from school unless the student has a medical condition that requires 10 or more absences and thereby triggers [home or hospital instruction](#).¹ Schools may adopt their own procedures for providing children who are absent from schools with make-up work or make up instruction.

Routine Distance Learning

Schools may use distance learning as a part of their instructional model. This use of distance learning is on a routine basis. That means distance learning is built into the student's schedule throughout the semester or school year.

Schools must be approved by their authorizer- District of Columbia Public Schools (DCPS) or the Public Charter School Board (PCSB) to provide routine distance instruction to students. Schools and programs that offer routine distance learning must meet instructional day requirements as outlined in 5-A DCMR §§ 2100.3 and 2101.11 and OSSE's [Instructional Day Guidance](#). The instructional day requirements for a school year are 180 days at six hours per day; additional flexibilities are described in the guidance document.

Schools and programs that offer routine distance learning must design their instructional day and report attendance in accordance with 5-A DCMR §§ 2101.11–2101.17, OSSE's [Instructional Day Guidance](#), and OSSE's [Attendance Guidance](#).

A school that provides instruction through routine distance learning must abide by all laws and policies applying to public and public charter schools. Specifically, schools and programs providing routine distance learning **do not** have flexibility with the following requirements:

- Instruct students using the statewide academic standards;
- Administer the statewide assessment in required subjects in compliance with all applicable laws, regulations, and policies;²
- Comply with requirements for English learners;
- Comply with requirements of the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and other federal protections for students with disabilities;
- Residency requirements;
- Discipline requirements; and

¹ DC Code §§ 38-251.01–38-251.11 (students' right to home or hospital instruction).

² Currently, statewide assessments must be administered in-person.

- Immunization requirements

Schools and programs that offer routine distance learning must address barriers to attending. These schools and programs must:

- Provide comparable access to mental and behavioral health supports to students attending school in-person in their local education agency and refer students for such supports when warranted;
- Ensure enrolled students have adequate access to the internet and internet enabled devices (e.g., laptops) without cost to students or families; and
- Inform families of the obligation for adequate supervision of children during distance learning instruction.

Finally, any school or program that offers routine distance learning must allow for OSSE to observe instruction and review any associated records to meet federal and local compliance requirements.

Hybrid Distance Learning

A school or program may use hybrid distance learning on a routine basis. A school or program may determine the number of in-person and distance learning days or hours (i.e., four days in-person, one day distance) that are provided in their program at their discretion. Yet, this in-person and distance learning structure must be provided on a routine basis or throughout the entire school year.

Schools must be approved by their authorizer- District of Columbia Public Schools (DCPS) or Public Charter School Board (PCSB) to provide hybrid distance instruction to students. Schools and programs that offer hybrid distance learning must meet instructional day requirements as outlined in 5-A DCMR §§ 2100.3 and 2101.11 and OSSE's [Instructional Day Guidance](#). The instructional day requirements for a school year are 180 days at six hours per day; additional flexibilities are described in the guidance document.

Schools and programs that offer hybrid distance learning must design their instructional day and report attendance in accordance with 5-A DCMR §§ 2101.11–2101.17, OSSE's [Instructional Day Guidance](#), and OSSE's [Attendance Guidance](#).

A school that provides instruction through hybrid distance learning must abide by all laws and policies applying to public and public charter schools. Specifically, schools and programs providing hybrid distance learning **do not** have flexibility with the following requirements:

- Instruct students using the statewide academic standards;
- Administer the statewide assessment in required subjects in compliance with all applicable laws, regulations, and policies;³

³ Currently, statewide assessments must be administered in-person.

- Comply with requirements for English learners;
- Comply with requirements of the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and other federal protections for students with disabilities;
- Residency requirements;
- Discipline requirements; and
- Immunization requirements

Schools and programs that offer hybrid distance learning must address barriers to attending; These schools and programs must:

- Provide comparable access to mental and behavioral health supports to students attending school in-person in their local education agency and refer students for such supports when warranted;
- Ensure enrolled students have adequate access to the internet and internet enabled devices (e.g., laptops) without cost to students or families; and
- Inform families of the obligation for adequate supervision of children during distance learning instruction.

Finally, any school or program that offers hybrid distance learning must allow for OSSE to observe instruction and review any associated records to meet federal and local compliance requirements.

Questions?

If you have questions related to this guidance, please contact, Andrew Gall, Deputy Chief of Staff for Legislative Affairs and Policy, at (202) 802-5827 or Andrew.Gall@dc.gov.