POLICY SERVICES

ADVISORY

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Policy advisory discussion

Introductory Comments. Policy Services finds it interesting that the Public Education Department (PED) has used the term "Guidance" to provide direction to school districts during the current pandemic when discussing schools returning to the provision of educational services. Without the weight of statutorily mandated rule making procedure it occurs to Policy Services that the recent guidance may not be legally enforceable direction, particularly when certain terms are used. For example, in the Remote Learning Models guidance, paragraph three, titled Attendance for Success Act: 2020-2021 IMPLEMENTATION recently distributed by PED the term *should* is used as in "attendance should be updated" and "revised policies should be adopted." This is an uncommon practice by PED and one that can either be interpreted to give wide discretion to school districts in providing for attendance, participation and engagement or be a means by which PED can be distanced for purposes of enforcing the recently enacted Attendance For Success Act. For purposes of this Advisory, the term "Guidance" will be considered to give wide discretion in each school district for the development of a supplemental set of its own policies and procedures for documenting and reporting attendance, participation and engagement while using remote learning models.

Policy Advisory No. 208. JE Supplement - Student Attendance Supplement. Due to the coronavirus pandemic and emergency circumstances therein, a supplement to current mandatory student attendance policies has been prepared for District consideration. The PED has provided Guidance for keeping attendance and

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following requirements of the Attendance for Success Act. The policy is written in general terms to accommodate a variety of technology platforms and measures that may be necessary for remote instruction reporting and record keeping. The policy should be considered only as an interim means of accomplishing the PED requirements as expressed in their Guidance documents for the Attendance for Success Act. This presentation and the information included are a compilation of materials from sources indicated in the attached List of References located following the suggested policy. Each district should feel free to modify or make changes to the suggested policy to meet their circumstances or beliefs as to accomplishing the necessary record keeping and reporting. In addition, each district should keep in mind there are three (3) other policies that must be submitted along with the JE Supplemental policy being suggested to meet the guidelines as posted by PED. These three (3) additional policies are JE - Student Attendance, JH - Student Absences and Excuses and JHB - Truancy / Chronic Absence. Be aware that if your attendance policy is in great detail it will not permit flexibility in interpretation. The detail should be in the administrative regulation indicating the procedural steps which is subject to modification by the Superintendent There are no applicable guidelines in law, rule or policy that will serve as backup to the Districts election of methods. Attendance has always been determined by law and rule while grading and engagement have been matters based on subject matter, instructional methodology and teacher preference with some limits by policy. Note that engagement is the primary source of determining attendance in most of the suggestions.

NOTICE: The policy JE Supplement is intended as the Boards direction to the Superintendent to establish a process and procedure (a Superintendent's Regulation) for the attendance taking to be reported to the Public Education Department. Policy Services will properly code and name the regulation upon submission with either this recommended policy or a district determined policy.

Notifications and requests that should be considered

Since each district is required to send all parents of students enrolled in school a copy of the districts attendance policies and procedures as well as publish them on the district web site, Policy services suggests this means be used to affirm whether the parent will agree to student remote attendance and if so the level of cooperation in validating attendance, participation and engagement. This would also be a good time to determine if the following are available in the student home or are needed for remote engagement of EACH student:

- access to high speed internet or wi fi;
- a computer, tablet, or phone with a camera and microphone running the

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most recent version of its operating system;
- the most current version of one of the following web browsers - Google Chrome, Microsoft Internet Explorer, Safari, or Firefox;
- a current Google account or similar account of local determination;
- the most current version of the Google Hangouts application or similar application of local determination; or
- the most current version of Zoom Rooms software or similar meeting software of local determination.

Having the above information will assist in the provision of alternate instructional modes for those without the prerequisites and to assess what is needed to accommodate those who have need of supplements or aids to receive instruction.

Districts might want to assign teachers of students who are non-English speaking with a Pocket Talk device to assist in communicating with the students and their families. Prices range from $130 to over $500.

The District, upon being required to provide a remote learning environment due to the coronavirus pandemic, may supplement the current District policies with this document under the guidance given by the New Mexico Public Education Department. Given the variety of platforms available for remote instruction, and the difficulty of some students in their ability to access remote instruction as well as the broad spectrum of instructional methodology used in a grade range of pre-kindergarten through grade 12, the district may use a recommended set of alternative means for taking attendance and participation. This is particularly true for purposes of assessing chronic absence and reporting attendance to maintain compliance with the "Attendance for Success Act".

Future Concerns and information.

The following is a list of policy issues the PED suggested in a recent virtual conference on July 30, 2020, with comments on each issue by Policy Services. Most of these suggestions have been considered in standard or recent policy recommendations or Alerts by Policy Services.

<div align="center">

Policies suggested by PED

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"On line student success and remote instruction" – From this the PED appear to be referencing the attendance and implementation of the Attendance for Success Act. This also implies attendance in a remote circumstance. This is being considered in the Policy Services interpretation of the latest guidance on the Act by the supplemental policy.

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"Attendance and grading" – Attendance is the policy item being considered in the preparation of the supplemental policy at this time. Grading is still a subject and teacher centered item. Current policy on grading will still apply if the District requires teacher determination of the grades. IKA Grading and Assessment Systems is the applicable policy and the regulation is the operant direction.

"Cleaning and sanitization" – A Policy Services Alert regarding GBGC-E - Employee Assistance exposure control plan for bloodborne pathogens, OSHA guidelines, sent out in May of 2020 provides a plan for cleaning and needed protective gear. Each District should supplement the protective gear required in GBGC-E with current Center for Disease Control (CDC) recommendations. Keep in mind that the term Bloodborne also includes body fluids, i.e. sweat, slobbers, spit and the like. See the May 2020 Alert from Policy Services.

"Social and Emotional Learning and Well Being" – This is tangential at best given that the instruction mode and method of observation is limited. If the suggestion falls in the health curriculum or food services area it is already covered by policy IHBC Programs for At Risk / Disadvantaged Students. Districts already have a health and wellness advisory council and a policy JL- Student Wellness that together with the cross referenced policies covers the social and emotional aspects that are indicated.

"Technology Access for Students and Staff" – Policy IJNDB, Use of Technology Resources in Instruction, covers the local system, protections, use and requirements of the local District technology uses. Policy EDC - Authorized Use of School Owned Materials and Equipment provides for loaning equipment and even has a form for tracking loaned computers etc.. The rest of the access will how to distribute equipment and establish the needed connections. That is a unique determination and one that can be put into a procedure or regulation only by the local District through an assessment of how to do so locally.

"Food Services and Nutrition" - JL- Student Wellness and a number of other policies found in the cross references of JL apply but the Federal Government authorization to allow student meals covers any issues related to remote feeding. Districts don't need to try to put limits on local efforts at distribution when distribution has already been determined and implemented locally.

"Support for Vulnerable Student Populations" – Vulnerable populations are already covered in at risk and disadvantaged programs in the IH section of the Policy Manual. (See policies IHB through IHBHD.) Adaptations to the policy application may be necessary, but that is not a matter for policy but for

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instructional methodology based upon 504 programs or individual education programs while keeping cognizant of child protection issues through contacts.

"Human Resources (Leave Policies, Support for Employees with Health Risks)" Policy Services, in the July 10, 2020 Alert regarding the Families First Coronavirus Response Act, provided Districts with the information needed to make the necessary adjustments in the application of the Family and Medical Leave Act. District's current leave policies are mostly district driven so if it falls outside of FMLA, it is a locally determined leave issue. It is one the District would have to make Policy Services aware of rather than a policy issue for which Policy Services could recommend a general policy.

REMEMBER THAT "revised policies should be adopted by school boards by September 30, 2020. Pursuant to the Attendance for Success Act (Section 6.D) schools will provide a copy of the attendance policy to all parents of students enrolled in the school, and the schools will publish the policy on the schools' website."

A copy of the web addresses and guidance that may affect the policy as referenced in the above discussions can be found at the end of this advisory.
If you have any questions, call Policy Services at (505) 469-0193 and ask for Donn Williams, Policy Services Director or send an E-mail to [nmsbapolicy@cox.net}.

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J-0540 © **JE supplemental**
STUDENT ATTENDANCE Supplemental for REMOTE LEARNING

The Superintendent is to assess the effectiveness of each of the following rubrics of participation and attendance based upon the currently available remote instruction capability within the District by grade and special circumstances, including teaching methodology and programmatic necessities. The rubrics which apply, for the purpose of reporting and implementing interventions required by the Attendance for Success Act, shall be selected in accord with the best instructional practices and circumstances available. They will be listed according to the grade or subject to which the rubric more specifically applies and will be used to submit reports on attendance and to determine chronic absence for purposes of intervention in so far as that is possible. All actions regarding implementation of the Attendance for Success Act following the identification of attendance or non attendance shall be considered by applying policy and procedures JEA and JHB.

Remote learning environments can be characterized by whether instruction is happening in real time (synchronously, as in a virtual classroom) or without real time interaction (asynchronously, as in viewing a video remotely or following a learning packet). These environments each present unique participation measurement hurdles that are also affected by the level of technology available. Specific measures may vary according to technological capacity and instructional design, below are some guiding principles:

- Students should have multiple opportunities to demonstrate their participation, potentially in any given instructional day.

- Measures should be easily tracked by teachers or administrators.

- To the extent possible, measures should readily indicate whether a student or group of students is engaging in remote learning content and activities.

Tracking attendance and participation

Taking attendance is still important for tracking who is participating and whether they are doing it synchronously or asynchronously. Below are listed some examples:

Synchronous (real time)

- Participation in conference or other individual phone calls
- Participation in video conferencing with staff or live virtual classroom

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- Participation in interactive tutorial
- Participation in an online study group

Asynchronous (not real time)

- Text (including group text)
- E-mail with question or other student-initiated contact
- Packet pick ups and returns
- Submission of an assignment
- Posting in a discussion forum or online academic discussion with time-stamp
- Completion of online web forms or surveys

General synchronous or asynchronous

- Requiring a response. If you are doing a live class through Zoom or other architectures, you likely have the ability to create polls (The Zoom polling feature for meetings allows you to create single choice or multiple choice polling questions for your meetings). You can use this function to take attendance. Using live polls or questions is a good way to keep track of who can attend synchronously as well as who may be having a difficult time with the course content.
- Pre-class assessments. For live and asynchronous instruction, pre-class assessments or quizzes can be a good way to both record who is showing up to engage with course content as well as promote learning. Additionally, they are useful for gauging students' prior knowledge or the level of understanding with which they are approaching the week's instruction.
- Incorporate some kind of written reflection activity into the instruction. It breaks up the presentation, but also gives students an opportunity to engage more critically with the course content and give instructors a chance to check-in regarding whether students are thriving or struggling.

For students who are unable to complete online assignments or assessments, the district may furnish offline instructional resources like pre-loaded flash drives assigned to each student or work packets. In those instances, the student will submit the flash drive or packet to the teacher within 1 week of completing the assignment for grading. The school principal shall identify the approved offline resource that is available for the students or alternative non electronic means to be made available for remote instruction.

This Supplement to Policy JE is to provide interim suggestions for attendance taking for remote instruction and application of that attendance for purposes of applying policy JHB which implements the "Attendance for Success Act".

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Adopted: date of manual adoption

LEGAL REF.   22-8-2 NMSA (1978)
               22-12A-9 NMSA
               22-12A-11 NMSA
               22-12A-12 NMSA
               6.10.8.7 NMAC
               6.10.8.8 NMAC
               6.10.8.9 NMAC
               6.10.8.10 NMAC

CROSS REF.:   JE - Student Attendance
               JEA - Compulsory Attendance Ages
               JH - Student Absences and Excuses
               JHB - Truancy / Chronic Absence

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REGULATION   REGULATION

STUDENT ATTENDANCE Supplemental for REMOTE LEARNING

(Remote Learning Daily Attendance)

The following should serve as an example only. It is not intended to be used as THE regulation for a school district. A Districts' regulation should reflect the best available method for describing the attendance information based upon the selected technology or other means of remote learning.

Student attendance and daily participation remains a critical component of learning. This is particularly important in a remote learning environment. Parents should continue to call in to the school's attendance line to report absences.

Student attendance will be captured in the following ways, and will always be determined no later than 11:59 pm each night:

For grades 4-12

Every morning each student will be sent an e-mail, text to telephone or as otherwise individually arranged (this could be a predetermined code, or other medium) with a form that requires students to return the form (notice, information or other means) certifying that they are present in school for the day and ready to participate in their classes.

Students must also check in to each of their classes on the day that the class meets by 2:30 pm (the check in to be determined by instructions provided to the teacher). Attendance in a distance learning environment is defined as "engaged with the assigned material." This will be measured by the "check-in" assigned by the teacher, one for every class period that meets.

For grades pre-K to 3

Each student's parent or caregiver shall provide daily affirmation of the student's readiness and presence for instruction by a scheduled time indicated

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by the teacher. Each student will keep a portfolio of completed assignments to be returned to the teacher

Check-in's can be measured in a variety of ways, including:

- Participation in conference or other individual phone calls
- Participation in video conferencing with staff or live virtual classroom
- Participation in interactive tutorial
- Participation in an online study group
- Text (including group text)
- E-mail with question or other student-initiated contact
- Packet pick ups and returns
- Submission of an assignment
- Posting in a discussion forum or online academic discussion with time-stamp
- Completion of online web forms or surveys
- Requiring a response. If you are doing a live class through Zoom or other architectures, you likely have the ability to create polls (The Zoom polling feature for meetings allows you to create single choice or multiple choice polling questions for your meetings). You can use this function to take attendance. Using live polls or questions is a good way to keep track of who can attend synchronously as well as who may be having a difficult time with the course content.
- Pre-class assessments. For live and asynchronous instruction, pre-class assessments or quizzes can be a good way to both record who is showing up to engage with course content as well as promote learning. Additionally, they are useful for gauging students' prior knowledge or the level of understanding with which they are approaching the week's instruction.
- Incorporate some kind of written reflection activity into the instruction. It breaks up the presentation, but also gives students an opportunity to engage more critically with the course content and give instructors a chance to check-in regarding whether students are thriving or struggling.

IMPORTANT: "Check-in's" related to class assignments do not need to be done DURING the "class" time unless that is a part of the direction.

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GUIDANCE OR REFERENCES APPLICABLE TO THE POLICIES AND DISCUSSION

Guidance from PED original guidance on Attendance for Success Act
https://webnew.ped.state.nm.us/wp-content/uploads/2020/07/NMPED_SupportDoc_AttendanceforSuccessAct.pdf

Latest change to PED guidance on Attendance for Success Act

Remote Learning Models
For schools that enter remote only instructional models as a result of an emergency, such as the COVID-19 pandemic, the school's attendance policies, along with the Attendance for Success Act, shall provide the basis for how attendance is taken. Attendance during periods of remote only instruction must continue to be taken and reported to the NMPED.
Student ability to participate in remote learning opportunities is inherently inequitable. While some students will have time, space, equipment and support to participate in instructional activities remotely, others will not. School policies on attendance must account for those inequities when providing for how student attendance in remote learning is determined. For instance, if attendance is taken during a synchronous online learning activity, students should have the opportunity to call in, participate in an asynchronous learning activity, or otherwise provide evidence of their engagement with the curriculum.
Attendance policies should be updated to include how attendance will be taken during periods of remote learning and the revised policies should be adopted by school boards or governing councils by September 30, 2020. Pursuant to the Attendance for Success Act (Section 6.D) schools will provide a copy of the attendance policy to all parents of students enrolled in the school, and the schools will publish the policy on the school's website.

Videos of attendance taking
https://www.bing.com/videos/search?q=attendance+taking+for+remote+instruction&qpvt=attendance+taking+for+remote+instruction&FORM=VDRE
Attendance and engagement discussed
https://engagedteaching.ucsd.edu/_files/resources/attendance-and-engaging-students-remote-instruction.pdf
tracking participation
https://www.galenaparkisd.com/cms/lib/TX02217083/Centricity/Domain/116/Tracking%20Student%20Participation.pdf
On line testing strategies for remote exams and participation

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https://cteresources.bc.edu/documentation/emergency-remote-instruction/assessing-learning/

Remote Instruction Resources

Include links to online instruction, databases of curriculum, lessons, videos, and more, all designed to assist parents, teachers and schools in delivering content in a remote learning environment.

- Open Education Resources

- Curriki

- Eastern Michigan University Open Ed Resources

- GeoInquiries

- PBS Learning

- YouTube Learning

- National Geographic

- Illinois Online Network OER

- Imagine Learning (ESOL Resource)

- Scholastic Learning

- 2Simple

- ABCMouse/Adventure Academy

- Alchemie

- American Chemical Society

- Boardmaker

- BookCreator

- BrainPop

- Breakout EDU

- Century

- Class Hook

- Conjuguemos

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- [Deck Toys](#)

- [Delta Math](#)

- [Discovery Education](#)

- [EduTogether](#)

- [FreeMath App](#)

- [Hippocampus](#)

- [Kami](#)

- [Khan Academy](#)

- [Libby](#)

- [Minecraft Education](#)

- [Newsela](#)

- [Parlay](#)

- [PenPal Schools](#)

- [Prodigy](#)

- [Smart Music](#)

- [Typing Club](#)

- [Vroom](#)

- [Waterford UPSTART](#)

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