

Old Capitol Building  
PO Box 47200  
Olympia, WA 98504-7200



Washington Office of Superintendent of  
**PUBLIC INSTRUCTION**  
Chris Reykdal, Superintendent

k12.wa.us

December 2, 2022

Action Required

Due date:

Informational

## BULLETIN NO. 077-22 LEGAL AFFAIRS DIVISION

**TO:** Educational Service District Superintendents  
School District Superintendents  
School District Business Managers

**FROM:** Chris Reykdal, Superintendent of Public Instruction

**RE:** Continuous Learning for Non-Pandemic Facility Closures

**CONTACT:** Matt Schultz, Chief Legal and Civil Rights Officer  
360-764-6025, matt.schultz@k12.wa.us

## PURPOSE/BACKGROUND

This bulletin is intended to clarify and provide guidance on the use of Continuous Learning 2.0+ for non-pandemic related school closures. Due to the different contexts and barriers that arise in other events requiring a facility closure, OSPI recommends utilizing temporary closures rather than Continuous Learning for these short-term interruptions.

Schools may need to close on a short-term basis for many reasons. Inclement weather is often the primary cause, though other unforeseen circumstances may also result in temporary closures. In-person schools will typically take these days off and utilize make-up days later in the year or, depending on the circumstances, may request a waiver to the instructional time and day requirements that currently exist.

With the establishment of Continuous Learning 2.0+ as part of Washington's COVID-19 pandemic response (see and [Bulletin 076-21](#)), OSPI is receiving some questions from local education agencies (LEAs) about whether they can plan for and implement Continuous Learning provisions in response to these other types of temporary school closures.

## What is Continuous Learning

[Continuous Learning](#) is a framework for the delivery of the program of basic education that allows students to access their instruction and services through synchronous online instruction.

This framework was initially developed in response to COVID-19 pandemic and the immediate health and safety needs that prevented access to the in-person instructional model.

Continuous Learning is part of public education. As with any other public education offering, State and Federal public education regulations apply to Continuous Learning. This learning model must meet Washington's instructional hour expectations, providing meaningful rigorous instructional activities, with students maintaining access to all the regular and entitled services, just like any other instructional setting.

Continuous Learning was developed in the specific context of COVID-19 facility closures. Existing guidance acknowledges the challenges of transitioning to and doing remote learning of a meaningful quality without significant planning for content, delivery, technology, equitable access, and safety/supervision for kids at home. Existing guidance does not account for some of the additional barriers that may arise for other types of school closure.

Due to the different contexts and barriers that arise in other events, OSPI recommends utilizing temporary closures rather than Continuous Learning for these short-term interruptions.

## **Additional Considerations**

Please use these considerations to identify whether the school and its students are prepared for a sudden shift to a short-term continuous learning model, or if there would be more value and equity in a short-term closure with in-person make-up days.

### **Equity**

Schools should consider which students are more likely to be unable to participate in a short-term shift to Continuous Learning. If the most underserved and marginalized students lose access to instructional time due to additional barriers or lack of planning, utilizing continuous learning can reinforce this marginalization and can contribute to a growing opportunity and achievement gap.

### **Access to Entitled Services**

Students may not be able to access their scheduled services or other activities they are entitled to in an unexpected shift to Continuous Learning. Instead, utilizing planned make-up days would guarantee these students have sufficient opportunities to make these up in addition to the lost instructional time. A school implementing Continuous Learning unexpectedly should be planning for providing these services remotely or following up with the student post-closure to reduce the impact of the missed services.

### **Length of Closure**

Transitioning to continuous learning and providing meaningful instruction takes significant preparation and practice. As such, short term closures (1-2 days) likely won't be able to overcome these challenges and students will not likely benefit from a short-term transition to

Continuous Learning. Schools should plan for a day of closure before counting a day as continuous learning.

### **Planning Instructional Activities**

Providing meaningful content to students remotely requires planning and understanding the expectations and limitations of the model. Unplanned schedule changes may not provide meaningful instruction or activities. Including students and staff in advanced planning, establishing expectations may support this transition.

### **Access to Equipment and Materials**

Weather related closures often prevent students and staff from being able to access necessary materials or technology if they do not already have them on their person. Even when there is some advance notice, students or staff who are absent prior to the closure may not have what they need. If the school intends to be able to transition to this model for a short closure, the school needs to make sure that students and staff maintain possession of necessary equipment and materials including resources to access the internet.

### **Students Absences**

A school utilizing continuous learning on a short-term basis should have in place a follow-up plan for students who were unable to or did not participate in the remote instruction to ensure this doesn't contribute to them falling behind or disengaging.

### **Collective bargaining agreement**

Verify that your collective bargaining agreement will allow this.

### **Family Choice**

The school should be engaged with their community including families to understand how they want to use the time during the closure. There may not be an interest to participate in online education during a brief closure.

### **Household Environment**

The cause of the school closure may also impact student and staff living situations. Households experiencing power outages, flooding, etc. will not have equitable ability to participate in continuous learning. Additionally, households continue to provide varying degrees of supervision and support for their students while home during the school day, particularly younger students.

## **ADDITIONAL GUIDANCE**

[Continuous Learning website](#)

## INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact Matt Schultz, Chief Legal and Civil Rights Officer, at 360-764-6025 or email [matt.schultz@k12.wa.us](mailto:matt.schultz@k12.wa.us). The OSPI TTY number is 360-664-3631.

This bulletin is also available on the [Bulletins](#) page of the OSPI website.

Matt Schultz  
Chief Legal and Civil Rights Officer

Michaela W. Miller, Ed.D., NBCT  
Deputy Superintendent

Tennille Jeffries-Simmons  
Chief of Staff

CR:js

*OSPI provides equal access to all programs and services without discrimination based on sex, race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog guide or service animal by a person with a disability. Questions and complaints of alleged discrimination should be directed to the Equity and Civil Rights Director at 360-725-6162/TTY: 360-664-3631; or P.O. Box 47200, Olympia, WA 98504-7200; or [equity@k12.wa.us](mailto:equity@k12.wa.us).*