



180-day/990-Hour Requirements and Learner Validated Enrollment Measurements FAQs

1. What are the minimum school day and instructional hour requirements for the 2020-21 school year?

[R277-419](#) requires LEAs to provide 990 hours of educational services/instruction over 180 days each year. The Board recently updated R277-419 to provide a one-year waiver of the 990-hour requirement for the 2020-21 school year only for LEAs that submit a [waiver form](#) with the LEA's reopening requirements template with information on how the LEA will ensure continuity of teaching and learning by providing high quality instruction that includes blended learning and formative assessments into the LEA's reopening requirements template. An LEA that receives a waiver from the 990-hour requirement must continue to provide 180 days of educational services.

2. How does the 2020-21 waiver of the 990-hour requirement impact schools with existing waiver agreements with USBE to conduct a four-day week?

LEAs with existing agreements to conduct a four-day school week have received those waivers conditioned on the LEA providing at least 990 hours of instruction. A school with an existing waiver may continue to rely on the agreement it has with USBE and continue to conduct school for 990 hours over less than 180 days, in accordance with the terms of the LEA's current waiver agreement. If the LEA chooses to rely on a waiver of the 990-hour requirement, the LEA will be required to meet the 180-day requirement. An LEA with an existing agreement may have a waiver from the 180 days or the 990 hours, but not both.

3. Does an online course count the same as a face-to-face course in calculating membership?

Yes. R277-419 defines an online, competency-based, or blended program as a "learner validated program". If the LEA provides an online program, either full-time or half-time, with the student attending in-person on alternating days or times during the school year, the LEA needs to establish a written policy that designates a learner validated enrollment measurement to document the student's enrollment status in lieu of conducting a daily attendance check. See the language from Subsection [R277-419-7\(4\)](#) below:

(4)(b) For a student enrolled in a learner validated program, an LEA shall:



(i) adopt a written policy that designates a learner validated enrollment measurement to document the learner validated membership or enrollment status for each student enrolled in the learner validated program consistent with Subsection (3)(c);

(ii) document each student's continued enrollment status in compliance with the learner validated enrollment policy at least once every ten consecutive school days; and

(iii) appropriately adjust and update student membership records in the student information system for students that did not meet the learner validated enrollment measurement, consistent with Subsection (3)(c).

(c) For a student enrolled in a learner validated program, the LEA may not count a student as an eligible student if the LEA has not personally engaged with the student during the prior ten consecutive school days.

4. How will LEAs track student participation in the new COVID era?

This depends on the LEA's instructional model and system. For an in-person learning only model, the LEA may continue to rely on daily attendance checks as required in Subsection [R277-419-11\(5\)](#). ("An LEA shall ensure that each school within the LEA completes a minimum of one attendance check each school day.") For an LEA implementing an online, competency-based, or blended program (learner validated program), the LEA shall establish a learner validated enrollment policy as described in Question #3 above and track student engagement using the LEA's learner validated enrollment measurement(s) described in the LEA's policy.

5. What are examples of learner validated measurements? An LEA may choose the learner validated measurements that work best for their LEA or school, which may include some or all of the following components: (a) a minimum student login or teacher contact requirement; (b) required periodic contact with a licensed educator; (c) a minimum hourly requirement, per day or week, when students are engaged in course work; or (d) required timelines for a student to provide or demonstrate completed assignments, coursework or progress toward academic goals. An LEA's learner validated measurements are not limited to those above. They are examples.

6. Do we need new codes in our SIS systems for students who are sick due to COVID-19? No, an LEA may use existing codes and code them as sick or as an excused absence in the same manner as you code students who are sick for other reasons.



- 7. If a student is quarantined, can the LEA continue to provide educational services by allowing the student to continue the student’s education through the LEA’s distance or online learning.** Yes. And, the LEA should track the student’s progress and engagement in the course work or program using a learner validated enrollment measurement as described in Question #3 above.
- 8. What if an LEA loses contact with a student participating in an online, competency-based or blended program or the student is unable to participate due to no access to broadband or wi-fi, can the LEA continue to count the student in membership?** [R277-419-7\(4\)\(c\)](#) states that an LEA may not count a student participating in a learner validated program as an eligible student in membership if the LEA has not personally engaged with the student during the prior ten consecutive school days.
- 9. What happens if an LEA has a “lost student”? Meaning the student hasn’t attended school, participated in an online program, logged in, or had contact with a teacher for 10 days or more. Does the LEA need to drop the student from membership?** Yes. According to [R277-419-7\(4\)\(c\)](#), after 10 days of no contact or participation, the LEA shall remove the student from the LEA’s membership roll. (An LEA “may not count a student as an eligible student if the LEA has not personally engaged with the student during the prior ten consecutive school days”).
- 10. What options does an LEA have if they choose to delay the start of the 2020-21 school year?** An LEA is required to provide 180 days of educational services (See [R277-419-5](#)). If the LEA amends its calendar and delays the start of the school year, the LEA should add additional days into the LEA’s calendar throughout the school year or add days at the end of the calendar.
- 11. What if an LEA chooses to start the school year later or change their school calendar and not make up the missed or cut days?** The LEA may seek a waiver from the 180 day requirement from USBE in accordance with [R277-121](#). If a waiver from the 180 days is not granted by USBE or received by the LEA, the LEA may lose funding for the number of days the LEA failed to provide educational services.