

Steve Sisolak
Governor

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MEMORANDUM

TO: All School District Superintendents
All Charter School Sponsors

FROM: Jhone M. Ebert, Superintendent of Public Instruction 

DATE: November 6, 2020

SUBJECT: Implementation of Path Forward Programs of Distance Education

As required by Governor Steve Sisolak's Emergency Directive 022, the Nevada Department of Education (NDE) promulgated guidance regarding Path Forward Programs of Distance Education. Guidance Memorandum #20-05 included the following minimum expectations:

"Plans for Path Forward Programs of Distance Education must include but are not limited to how the school district or charter school will:

(1) Implement contingency plans to provide distance education as public health protocols require, including but not limited to:

- a) Full-time distance education for all students as a result of a school building closure; and*
- b) A hybrid learning model to accommodate social distancing requirements while providing instruction to all students.*

(2) Transition between in-person instruction, full-time distance education, and hybrid learning models as necessitated by public health conditions..."

Since the start of the 2020-21 school year, some districts and schools have implemented the contingency plans included in their Plans for Path Forward Programs of Distance Education due to local public health circumstances exacerbated by COVID-19. For example, air quality issues caused by wildfires throughout California and northern Nevada created circumstances in which schools could not use outdoor spaces to support social distancing and could not circulate air through indoor spaces to the extent necessary to reduce the potential for airborne transmission of the virus. The shift to distance learning for 100% of students on such days was determined to be allowable by NDE in alignment with the intent of Guidance Memo #20-05.

This memo is intended to clarify that the flexibility created by Declaration of Emergency Directives and related guidance does *not* allow for the implementation of distance learning for all students for reasons unrelated to public health conditions created by COVID-19. For example, it is

not allowable for districts and schools to shift to 100% distance learning in response to inclement weather or plumbing issues. If there is a need to close school buildings due to natural disaster, inclement weather, accident, or any other extraordinary circumstance that does *not* interact with health and safety protocols put in place to prevent the transmission of COVID-19, districts and schools are expected to use contingency days as described in Nevada Revised Statutes 388.095.

This memo is further intended to clarify that, unless they are operating under an approved alternative calendar per Nevada Administrative Code (NAC) 387.125, districts and schools must provide a minimum of 180 instructional days during the 2020-21 school year. Per Guidance Memo #20-05, up to ten of those days can be used for professional development; five as allowed per NAC 387.120, and an additional five directly related to the district/school's response to COVID-19 with approval of the Superintendent of Public Instruction. This means that districts/schools must provide a minimum of 170 days of instruction to students.

If you have any questions regarding the content of this memo or related guidance from NDE, contact Megan Peterson, Compliance Coordinator for the Division of Business and Support Services, at meganp@doe.nv.gov.