# Superintendent’s Memo #272-20

  
**COMMONWEALTH of VIRGINIA   
Department of Education**

DATE: October 9, 2020

TO: Division Superintendents

FROM: James F. Lane, Ed.D., Superintendent of Public Instruction

## SUBJECT: Remote Learning for Inclement Weather Days

Many school divisions across the state have built or reorganized their service delivery models to provide instruction and support to their entire student population in a remote setting. As winter weather approaches, the Virginia Department of Education (VDOE) has received a number of inquiries regarding the use of remote learning infrastructure to continue instructional programming on days in which school may have otherwise been closed for inclement weather. Additionally, local school divisions have requested clarity on whether this instruction can count towards certain time-based requirements.

Superintendent’s memo #[230-20](http://www.doe.virginia.gov/administrators/superintendents_memos/2020/230-20.docx), issued August 28, 2020, reinforced the statutory and regulatory requirements that remain in place for the 2020-2021 school year. School divisions are expected to meet both the length of school term (also known as the 180-day or 990-hour requirement) and core instruction minimums, among other standards. Divisions unable to offer 180 days and 990 hours to ***each*** student in the brick-and-mortar setting will be required to submit a length of school term waiver based on flexible waiver criteria, as further defined in the memo, which establishes an alternative baseline for demonstrating “completion” for the 2020-2021 school year. Core instructional requirements could also be met through a combination of in-person and remote (synchronous or asynchronous) instruction. See VDOE’s [Supporting Virtual Teaching](http://www.doe.virginia.gov/instruction/virtual_learning/support-virtual-learning/index.shtml) webpage for more information. Additionally, divisions are expected to meet state and federal obligations to serve students with disabilities, as the U.S. Department of Education has not issued any waivers for the Individuals with Disabilities Education Act.

While remote learning provides school divisions with more options for serving students in non-traditional settings, inclement weather poses a unique set of operational and logistical challenges. With that in mind, school divisions ***may*** be able to apply remote instruction delivered during an inclement weather day towards its measure of “completion” for the school year or for core instruction. However, this flexibility is allowable only for the 2020-2021 school year at this time and is contingent on the school division’s ability to offer equitable access to and quality of instruction and services to ***each*** student as they would on any other remote school day.

Prior to offering remote instruction on an inclement weather day, school divisions should consider the following:

* Have power and other required utilities been impacted or are they still widely available throughout the division?
* Do all students have devices and/or other supplemental supplies necessary for successful engagement in the content?
* Have the road conditions impacted a parent or guardian’s ability to provide or arrange for child care, which may be a prerequisite for participating in remote learning?
* How will the division provide any support services required for students with disabilities?
* How will the division maintain school meal services for eligible students? Divisions will need to consider their current service delivery model - i.e. National School Lunch Program or Summer Food Service Program - and relevant conditions.

Having the information above will be decisive in determining whether a school division is able to provide remote instruction and services in an equitable manner that is comparable to a regular remote learning day. If school divisions are able to provide instruction and services to each student on these days, instruction can be counted towards “completion” for the length of school term and core instruction hours for this school year.

If a school division elects to use remote instruction to maintain continuity of learning during inclement weather days, this will need to be denoted in the length of school term waiver application in addition to certification that the division was able to serve ***each*** student as they would on any other remote school day.

If you have any additional questions, please do not hesitate to contact the Office of Policy, at [policy@doe.virginia.gov](mailto:policy@doe.virginia.gov) or (804)225-2092.

JFL/lms