

UNITED STATES DEPARTMENT OF EDUCATION

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CONTINUING EDUCATION DURING PROLONGED SCHOOL

CLOSURES

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CONFERENCE CALL

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TUESDAY,
DECEMBER 18, 2007

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The conference call commenced at
3:00 p.m.

PANELISTS:

DANA CARR, Office of Safe and Drug-Free
Schools, US Department of Education,
Moderator

LAURA DUOS, Office of Special Education and
Rehabilitative
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JAMES HODGE, Center for Law and the Public's
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P R O C E E D I N G S

3:10 p.m.

(Proceeding in progress)

MR. HODGE: - certain quality to this. We believe there's sufficient legal authority, but is there really? This was what really led us into this specific project. We had several project goals we wanted to accomplish.

We wanted to be able to assess the - the laws and regulations and any policies that may exist at the state level that would authorize school closure for potentially up to a 12 week period of time. We wanted to then identify well if schools may be closed pursuant to the legal authorities that exist, who's responsible for those decisions? Is it departments of education, is it the departments of public health, is it departments of emergency management? And then, what criteria might they be using in trying to assess when and where to close

1 schools for extended periods of time.

2 Well, with that in mind, let me
3 start with a general presumption and then I'm
4 going to walk you through some of the key
5 results that we found. The first presumption
6 is an important one. We presume that every
7 state has some sort of general public health
8 power that exists in government, the state or
9 even local level to close schools for various
10 different reasons.

11 That power does exist. It's a
12 fundamental presumption. But we, with this
13 study, moved well beyond that fundamental
14 presumption. We're looking here for express
15 specific authority to close schools in non-
16 emergencies and declared emergencies for an
17 extended period of time in response to actual
18 and potential spread of diseases or other
19 issues like pandemic flu.

20 In other words, what we're after
21 here with this particular study is we're
22 looking for express statutory or regulatory

1 authorization to close schools for an
2 extensive period of time.

3 Let me break down the results for
4 you of what we found. This is - shows up so
5 much nicer from slides that we can make
6 available. You'll see this sort of geographic
7 distribution in the jurisdictions I mentioned.
8 But the results are quite compelling as well.

9 We basically looked at the laws in
10 non-emergencies and in declared emergencies.
11 Let me take you through the nine emergency
12 status first. We found in 17 jurisdictions,
13 and only 17 jurisdictions, there is very
14 express statutory or regulatory authorization
15 to close schools in response to disease
16 through epidemics.

17 There's many examples of this that
18 you'll see in - in the slides which we'll make
19 available. In ten jurisdictions there's a
20 little more of a generalized authority to
21 close schools to protect the public's health,
22 that's much more generalized. It's not

1 focused on an epidemic or a specific disease
2 threat.

3 And then in 22 jurisdictions
4 there's some authority that will close schools
5 for what we might consider a sort of catchall
6 other purposes type of issue. And that's
7 beneficial, obviously, but the real question
8 arises under these specific laws, who is
9 actually authorized to close schools?

10 This analysis is equally
11 interesting to us. In 30 jurisdictions, it's
12 largely the Public Health Department that's
13 principally responsible for closing schools.
14 In 24 jurisdictions, it seems to be the
15 Education Department.

16 So in other words, you see very
17 big difference between various jurisdictions
18 depending on who is authorized to actually
19 make the decision to close schools. And this
20 is of course during non-emergencies.

21 What's interesting about that as
22 well, is the extent to which the level of

1 government is implicated as well. In some
2 jurisdictions, the State Department of
3 Education will make this decision. In others
4 it's the local Department of Education.

5 There's tremendous diversity we
6 saw in the non-emergency scenario. Now,
7 pandemic flu has, without question, the
8 potential to create states or declare an
9 emergency, unquestionably. So once a state of
10 emergency's been declared at the state and
11 local level. How does this analysis change?

12 Well, basically, what you see is
13 there's multiple things to close schools that
14 exists in all the regulatory or statutory
15 regulatory provisions on emergency provisions.
16 Well, for example, in seven jurisdictions they
17 recognize a very express authority to close
18 schools during an emergency in response to any
19 specific disease threat.

20 38 jurisdictions sort of recognize
21 a different authority to utilize or close
22 facilities or property in general. These

1 would include schools, for sure. And in 45
2 jurisdictions there's the express provision of
3 power of government to evacuate premises or
4 evacuate entire areas of - of geographic
5 nature.

6 In essence, those would also
7 authorize school closure without question. So
8 during an emergency, what you really see is
9 this sort of express shift to very defined
10 routes to close schools that might not exist
11 in non-emergencies.

12 Now, this is an important
13 observation I'll get to in just a moment. But
14 let me tell you a couple more things about
15 what you see in emergencies that's quite
16 critical. In emergencies, what you see is a
17 major shift of power as well.

18 When I mentioned the non-
19 emergencies about education departments or
20 public health departments at state or local
21 level being authorized to close schools, I was
22 referring there to the ability of those

1 entities to make those decisions. During
2 emergencies, that power almost, across the
3 board of the United States, shifts to
4 emergency management agencies.

5 So the decision on when and how
6 and under what circumstances to close schools
7 may be made, and probably would likely be
8 made, in conjunction with education and public
9 health authorities. But it's the emergency
10 management entity, at the state level usually,
11 that's authorized to make that decision.

12 Major power shift that occurs leading to some
13 potential issues relating to confusion or
14 otherwise.

15 Let me, very briefly, spell out --
16 I think what - there's some helpful explicit
17 conclusions from this study that's been
18 ongoing with us for a few months now. First,
19 the explicit authority to close schools during
20 non-emergencies is lacking in many
21 jurisdictions. In fact, among 24 states we
22 don't see really strong, explicit authority to

1 close schools for 12 weeks, potentially.

2 No, don't confuse that with school

3 closures for snow removal or what have you.

4 This sort of authority really does not exist

5 in a lot of jurisdictions. Multiple

6 departments may be authorized to close schools

7 in non-emergencies.

8 So at the state or local level

9 You're seeing wide diversity in who is

10 actually responsible for making those

11 decisions. And I'll assure you, in some

12 states, both departments of public health and

13 departments of education are both responsible

14 for making the decision in a very conflicting

15 sort of way.

16 There's very wide differentiation

17 about the level of government that are largely

18 responsible. And as I mentioned before,

19 there's major shift of authority that occurs

20 between - in non-emergency state versus a

21 declared state of emergency, will be an issue

22 that may show up in regards to actual

1 implementation of school closure during
2 pandemic flu.

3 There's really not significant
4 legal clarity of the sort of criteria for the
5 appropriateness of school closure. This does
6 not get - it's not spelled out well
7 in the law. It doesn't show up well in the
8 legal provisions. Some states do spell it out
9 a little more so than others, but the reality
10 is there's not considerable clarity on that.

11 So, with these various points in
12 mind, let me draw a single conclusion that
13 perhaps is - is something that we - we see
14 from this particular study, and that is the
15 variations in the legal authority that exist
16 across the United States in regards to this
17 issue of explicit school closure authority can
18 lead to, and I think predictably in the past
19 historically have led to, potential
20 disagreements about the responsibility, the
21 timing and the duration of school closures.

22 It will lead to, or at least

1 contribute to consideration of balancing
2 competing interests. There will be competing
3 interests that dominate this issue and these
4 laws certainly reflect some of that. And at
5 least at the very end of the day, perhaps the
6 most important consideration is there will be
7 opportunities for delay.

8 Delay because of political
9 struggles, delay because of need to interpret
10 what the law actually does or does not allow.
11 These delays could lead to unfortunate
12 morbidity and mortality in the populations.
13 But these are the very brief conclusions
14 before the report went available; we'll spell
15 a lot of more of this out. But I hope this
16 brief synopsis helps you all assess some of
17 that legal environment, at the least on a
18 national scale.

19 MS. CARR: James, thank you for
20 that brief snapshot. You've managed to boil
21 down a really complex issue into just a few
22 minutes. And I hope that gives everyone just

1 a taste of the real complexity of these
2 issues.

3 To - to add to this - these
4 complex issues, I will turn it over now to
5 Donna and Laura from our Office of Special
6 Education and Rehabilitative Services here at
7 the Department of Education.

8 MS. DUOS: Thank you, Dana and
9 good afternoon everyone. It's great to be
10 included in such an important call. As you
11 know a number of issues arise when considering
12 continuing education for children with
13 disabilities. Science will be issued in the
14 near future that are specifics to pandemic
15 flu.

16 And that guidance will contain
17 information addressing continuing education
18 for children with disabilities. But this
19 afternoon, I want to talk with you about a few
20 of the major issues regarding children with
21 disabilities that you can think about as you
22 continue to plan for a school closing. As

1 Dana said, there is a range of services,
2 school districts can offer during a school
3 closing.

4 But regardless of what kind of
5 educational services you decide to provide,
6 you should consider the needs of children with
7 disabilities. As we go through these issues,
8 keep in mind that the Individuals With
9 Disabilities Education Act, referred to as
10 IDEA, in section 504 of the Rehabilitation
11 Act, require states to make free appropriate
12 public education available to all children
13 with disabilities in the state.

14 Meanwhile, I will specifically
15 address is a situation in which schools would
16 be closed for an extended period of time.
17 However, the prohibition against
18 discrimination on the basis of disability
19 underlies these laws. So it might be helpful
20 just to keep this focus in mind as you and
21 states and local education agencies prepare
22 for a school closure.

1 If a school district or a local
2 education agency, which I'll refer to as an
3 LEA, closes its schools and does not provide
4 educational services to the generalized
5 student population, then LEA would not be
6 obligated to provide special education and
7 related services to students with disabilities
8 during that period of time.

9 If, however, educational services
10 are provided to general education students,
11 then children with disabilities also must have
12 access to the same educational services.
13 Plans for continued educational activities
14 should include strategies to ensure that
15 students with disabilities have equal access
16 to the continuing education program.

17 Children with disabilities also
18 should receive educational benefits that are
19 comparable to those received by others in the
20 program. To do this you may want to consider
21 modified or separate agent services that
22 provide access to students with disabilities.

1 For example, a school district can use
2 obligation to make televised educational
3 programs accessible to children who are deaf
4 or hearing impaired by using closed
5 captioning.

6 Some students with disabilities
7 also may need additional programming or phone
8 tutoring to receive educational benefits.

9 Additional - additionally, LEA's in schools
10 should think about how they can work with the
11 parents of children with disabilities to
12 assist them in overseeing a child's access to
13 educational services during a school closing.

14 If participation in a distance
15 learning program is required, states and LEA's
16 must ensure that each child with disabilities
17 receives a special education and related
18 services identified in a child's
19 individualized education program for IEP. In
20 such cases, the members of the students IEP
21 team, including teachers, related service
22 providers and parents, may meet by

1 teleconference to determine if some or all
2 special-education and related services can be
3 provided through alternate methods.

4 This message can include tutoring
5 by phone, the internet or closed-circuit
6 programming. If during a school closing, it
7 is not possible for certain special education
8 or related services to be provided through
9 alternate methods, a student's IEP team would
10 make an individualized determination as to
11 whether compensatory services are needed once
12 school resumes.

13 Now, by compensatory services, I
14 mean makeup services that are offered to
15 compensate for services not provided during
16 the school year. These services are provided
17 because child experience is nominal state and
18 the services can help a child make the
19 progress he or she would have made had the IEP
20 services been provided.

21 We know that questions will arise
22 as to the LEA's responsibility to ensure FAPE

1 during a school closing. For example, under
2 what circumstances is a denial to free
3 appropriate public education for a child with
4 a disability likely to occur during a school
5 closing?

6 The determination of nominal state
7 will be made by each child's IEP team. If a
8 school continues to provide instruction during
9 a school closing, but is not able to provide
10 FAPE, all special education related services
11 on the IEP, the child's IEP team should
12 determine what services the child needs in
13 order to receive FAPE.

14 The fact that a student did not
15 receive all of the services on his or her IEP
16 during a school closing does not necessarily
17 mean that the student was denied FAPE . For
18 example, if a child does not receive all the
19 specialized instruction on the IEP, but still
20 makes progress toward the IEP goals, there
21 might not be a denial of FAPE.

22 Remember ,however, that this must

1 be an individualized determination for each
2 child. For example, in Alaska a teacher
3 strike occurred and children with disabilities
4 did not receive services. In that case to
5 ensure FAPE, each child received an
6 individualized determination as to whether and
7 to what extent compensatory education would be
8 needed to provide and help students regain
9 skills that might have been lost during the
10 period in which services were not provided.

11 If a denial of FAPE occurs, a
12 student's IEP team could address the denial of
13 FAPE in a number of ways, such as providing
14 extended school year services, extending
15 school days, providing tutoring for after
16 school or providing additional services during
17 the regular school hours.

18 Keep in mind that all compensatory
19 services must be directly linked to the
20 educational harm or regression that occur as
21 a result of a student not receiving services
22 during the school closing.

1 Now let's discuss a few procedural
2 issues, such as annual IEP meetings and
3 evaluations and re-evaluations during the
4 school closing. It is unlikely that IEP teams
5 will be required to meet while schools are
6 closed and when there are no alternative,
7 compulsory programs in place.

8 However, IEP teams or relevant
9 members of the team should continue to work
10 with children with disabilities and parents
11 during a school closure. Activities can
12 include conducting informal or formal
13 assessments, such as child and or parents
14 surveys and reports and offering advice as
15 needed to ensure that students do not regress.

16 When considering whether and how
17 to evaluate a child during a school closing,
18 common sense should prevail. For example, if
19 a school closing is due to the pandemic flu
20 and evaluation of a child with a disability
21 requires face to face meeting or observation,
22 the evaluation would need to be delayed until

1 school reopens.

2 However, evaluations and re-
3 evaluations that do not require face-to-face
4 assessments or observations could take place
5 while school is closed. After schools have
6 reopened evaluations or re-evaluations that
7 are due or past due would need to be
8 completed, and the child's IEP team would need
9 to - to determine if adjustments are needed in
10 the child's IEP.

11 In your planning you also should
12 consider how to assist children with
13 disabilities once school reopens. When a
14 child with a disability returns to school, the
15 child's IEP team should review the IEP and
16 determine whether any changes are needed. An
17 IEP team might consider using informal
18 assessments to determine whether there have
19 been changes in the student's performance.

20 If changes are occurred - have
21 occurred, the IEP team should determine
22 whether changes are needed in the services and

1 reports provided to the student. For example,
2 an IEP team might consider whether extended
3 school year services are needed if a child
4 regress during the school closing. Once
5 school reopens any changes made to the general
6 education students also would apply to
7 children with disabilities.

8 For example, if a school year is
9 extended for all students as a result of a
10 school closing, special education related
11 services should be provided to students with
12 disabilities during the extended school year.
13 As some of you may know some children with
14 disabilities placed in private schools by
15 their parents receive what are called
16 equitable services.

17 IDEA requires a consultation
18 process with private school officials. So
19 this consultation would be a good opportunity
20 for LEA's to establish procedures and
21 strategies, including a communications system
22 that the entity would implement in the event

1 of a school closing.

2 As you are planning for a school closing, it
3 is important to consider how technology can be
4 adapted for children with disabilities.

5 You may consider using tools such
6 as captioning, narrations, screen meeters and
7 magnifiers, high-volume headsets and braille.
8 Some students may benefit from content
9 delivered in a variety of formats including
10 paper, computer and video. Using all four
11 approaches for delivering continuing
12 educational services may be valuable for all
13 students and may help ensure students with
14 disabilities receive the materials and
15 instruction they need to be successful.

16 And then I believe we have another
17 speaker who can talk a bit more about
18 technology. That's all we have at this point.

19 MS. CARR: Okay Laura, you're all
20 set?

21 MS. DUOS: Yes.

22 MS. CARR: Okay. Thank you so

1 much. That was a really - that was Laura from
2 the Office of Special Education Rehabilitative
3 Services. That was an excellent rundown of
4 the issues around special-education. And
5 you're exactly right, Tim Magner is next,
6 discussing the technological approaches to
7 respond to the school closures.

8 And speakers I will just remind
9 you, please make sure that your phones are own
10 mute if you're not speaking. Thank you. Tim?

11 MR. MAGNER: Thanks Dana. I - I'm
12 delighted to be able to be here today and I
13 appreciate Laura and the Office of Special
14 Education Services really teeing up the whole
15 technology conversation. I think there is a
16 fairly broad continual of technologies that
17 are available today to be used in the event of
18 - of a school closure. Many of them are may
19 be in place today in schools and used on a
20 regular basis.

21 And so in some cases, it's
22 extending existing infrastructure and other

1 cases, the amount of use or the variety of use
2 may in fact, require additional planning for
3 expansion, both in terms of the number of
4 concurrent users, for example, or the amount
5 of - of time and duration that folks may use.
6 What I'd like to do, I think, is start with
7 framework for evaluating the expectations for
8 the type of continuum or the - the level of
9 service continuation that schools may expect,
10 and use that as a driver to begin a dialogue
11 around the particular technologies that may be
12 appropriate for a - a given implementation.

13 I - I think it's important to,
14 particularly from a planning standpoint, to
15 look at the expectations for continuation as
16 well as the environment and the availability
17 of particular technologies in a community to
18 begin that planning process. For example,
19 exposing, you know, having exposure -- or as
20 Dana indicated early on, simply providing a
21 level of - of continuous access to information
22 so that students are able to keep up or able

1 to have - have a sense of - of normalcy is a -
2 is a fairly basic level of - of connection
3 and - and continuity.

4 That's very easily accomplished
5 through papers and books, worksheets and - and
6 those types of things, which tend to be
7 readily available. In addition, being able to
8 use broadcast television or - or cable TV
9 channel, where you are simply making students
10 are aware of using existing off air program -
11 on air programs or encouraging the use of
12 timeshifters such as TiVo or digital video
13 recorders or what have you, that allow parents
14 and - and students to - to take advantage of
15 resources that are already out there in the -
16 in the wild as it were.

17 And similarly on the internet,
18 there are a broad range of websites from
19 reputable content providers that address a
20 range of content issues that are covered in
21 grades, really K-12. And so making those
22 available or - or highlighting the

1 availability of those types of resources can
2 provide an opportunity for parents and
3 students to feel connected with the content
4 that students might be learning in their
5 school, but doesn't necessarily provide
6 structure or an evaluation mechanism to be
7 able to determine how - what kind of progress
8 students might be making.

9 So you have in - in that instance,
10 you have a situation where the access to the
11 resources is - is fairly good, they tend to be
12 fairly ubiquitous. And the expectation for
13 the level of student connection or
14 participation with that content is also fairly
15 low.

16 When you begin to increase the
17 expectation for a student participation up to
18 looking at enrichment or looking at connecting
19 with existing curriculum or even getting to
20 the point where you're beginning to explore
21 the idea of having students participate
22 online, having a two-way dialogue being able

1 to connect to the specific resources or
2 connect to specific experiences that are
3 required from a curriculum standpoint,
4 potentially being assessed or evaluated over
5 the web or - or through some other real-time
6 mechanism, you begin to ramp up not only the
7 expectations but the level of technology
8 that's necessary to be able to deliver those
9 services.

10 As those two increase the
11 availability of that technology may in fact,
12 become more scarce. So, for example, if
13 you're looking at having a asynchronous videos
14 or being able to put video up on the web or to
15 be able to take advantage of a subscription to
16 video a streaming service or something that
17 the school might already have access to, may
18 require a computer in the home for starters,
19 as well as internet access but also may
20 require a certain class of computer or a
21 certain bandwidth to be able to make adequate
22 use out of this.

1 In addition, the whole question
2 then of being able to create content for
3 delivery by staff to students. Again, this
4 generally require some sort of money
5 management system or other infrastructure.
6 Many school districts which have those today,
7 but which are use often as a supplemental or
8 often as a parent communication facility as
9 opposed to being used as a - as a specific
10 teaching tool.

11 So I think the - the challenge
12 from a planning standpoint then is to develop
13 an understanding of what resources are
14 available today in the school district. And
15 I think as - as Laura mentioned, continuing to
16 look at things like telephone and broadcast,
17 we're doing quite well with several hundred
18 people it sounds like on our conference call.

19 And so it's not inconceivable that
20 you could have a discussion or a dialogue with
21 a class, particularly as students are at a
22 maturity level in - in high school, and others

1 where there used to be able to communicate and
2 - and collaborate in - in larger groups but
3 also with a little more self direction.

4 And so being able to look at the -
5 the range of technologies that are available
6 from what we think of today as analog of paper
7 and books up to telephone, looking at broad --
8 television, both local cable channels that
9 might be available to provide specific content
10 or specific broadcast as well as a sort of
11 found broadcast, those things that might be
12 available either through a subscription
13 service or - or traditional over the air
14 broadcast.

15 Looking at cable and satellite,
16 again, some school districts have access to
17 these channels, and depending on the
18 relationship that they have with a content
19 provider, might be able to provide more
20 scheduled sort of on air experiences for
21 students through their local cable and
22 distribution channels. Then they might be

1 able to do and off air type of environment.
2 I'm certainly providing the online experience.
3 Again, we know that many schools
4 and - and districts have access to the
5 Internet in their own communities. One
6 approach, especially if there's sufficient
7 warning that school closures might - might be
8 occurring, there may be an option to lend
9 computers or to provide computers to - to
10 students who don't have them at home. Again,
11 that's a - that's a logistics and a - and a
12 planning challenge.

13 But it may prove a efficacious,
14 especially if there's an attempt to being - to
15 use the internet as a communication medium for
16 delivering particular instruction or if there
17 are materials such as encyclopedias or other
18 CD-ROM or DVD-based materials that are
19 available in the school that could be
20 available - made available to students, either
21 as a supplement or as - as Laura indicated, in
22 the case of special education students who

1 need a particular level of access in order to
2 maintain some educational connection.

3 The opportunity then to is to
4 think of this both as an asynchronous and -
5 and a synchronous model. Asynchronous,
6 meaning that it's not at the same time. So
7 you could have students participating in a -
8 in a web discussion, where they're
9 participating at different days in different
10 times. That level of effort required to
11 support those types of communication
12 structures is often lower than if you're
13 talking about a synchronous situation where
14 everybody's together at the same time.

15 There are obviously technologies
16 that provide support both asynchronous and
17 synchronous. It tend - the synchronous
18 communication tends to be more of a logistical
19 challenge. Although again, there are emerging
20 technologies that are being used, not just in
21 schools, but in - in businesses as well that
22 support a variety of multimedia delivery

1 options that include voice and include desk
2 top sharing and - and ideas like that.

3 So it is conceivable that you
4 could have a fairly high level of instruction
5 delivered if you have both the capacity on the
6 part of the teacher to provide that as well as
7 the infrastructure in place at the school and
8 at the homes to be able to take advantage of
9 it. And so I think that, to my earlier point,
10 taking stock of the technologies that are
11 available both that are ubiquity in the
12 community.

13 The access that's available within
14 the school district, the sophistication of the
15 network and infrastructure it's ability to
16 support potentially hundreds, and in some
17 cases thousands of users at a - at a given
18 time slice, as well as then understanding the
19 matching up the available technologies the
20 level of infrastructure that's available with
21 the expectations that the community may have
22 for educational continuity, both for the

1 general education population. Again, as Laura
2 indicated, for the special education
3 population as well.

4 I - I think for many schools and -
5 and districts the challenge is going from a
6 short term closure situation, as we'll hear
7 about with San Diego. And as many schools
8 experience on a record basis with snow and
9 other inclement weather to a much longer term
10 closure situation. And it may be worth it
11 from a planning standpoint, as well, to look
12 at the matrix of technology used and
13 continuity expectations from a time span
14 perspective as well.

15 There may be things that are very
16 easy to do. Worksheets, for example, you
17 could do for a week or two. But that may be
18 too much harder to for a 12 week period. As
19 a consequence, staging the technology pattern
20 with the technology usage model to
21 accommodate, sort of a rolling or a phased
22 approach also enables you to build capacity

1 into being able to deliver extended services.

2 So, for example, if the
3 expectation is that there is going to be a
4 significant period of closure, it may be
5 possible to use the first several weeks of
6 closure, while students are using more paper,
7 book, or - or telephone-based models while you
8 ramp up the ability to deliver instruction
9 through a more online or synchronous, or even
10 a setting up sort of a TV station sort of
11 model to be able to provide that.

12 So having a phased approach to
13 that planning may allow you to use a variety
14 of technologies to reach not only a broader
15 range of individuals in the community, but to
16 also provide different levels of continuity at
17 different points of closure as the - because
18 in - in many cases as the - as the closure
19 expands, the -- or extends, the availability
20 of or the ability to - for students to catch
21 up with work diminishes and so you may need to
22 ramp up a level of services the longer schools

1 are closed in order to maintain the consistent
2 level of continuity.

3 So I think those are all the marks
4 that I have. I'm happy to take questions at
5 the end, if you have.

6 MS. CARR: Great, thanks so much,
7 Tim.

8 MR. MAGNER: Certainly.

9 MS. CARR: Daphne from the Centers
10 for Disease Control will talk with - with us
11 a little bit about some opportunities for
12 further research and to answering some of
13 these very complex questions. Daphne?

14 MS. COPELAND: Hi. Yes, at the
15 CDC we are looking at some planning - planning
16 some assessment activities that look at the
17 impact, the process and issues surrounding
18 school closure. And our goal is to be able to
19 help provide some guidance during an influence
20 of pandemic and hopefully it would be
21 applicable to other closures that might result
22 from communicable disease or possibly other

1 situations. We've identified some key
2 information needs that we plan to explore.

3 And these broad categories include
4 the following, so there's quite a few of them
5 that were planning to look at; the legal
6 authority to close, which James Hodge has
7 already touched on; state and local
8 collaboration issues; the triggers for closure
9 and a process and triggers for reopening
10 communications, including at all different
11 levels at state and local as well as between
12 the Department of Education and - and the
13 Department of Health, as well as communication
14 through media and to parents; care related
15 issues for extended closure; continuation of
16 funding; continuation of - continue -
17 continuity of education, which we're hoping to
18 work with the Department of Education on this
19 topic; social distancing; childcare, meaning
20 childcare facilities; extended closures, the
21 applicability during these lengthy extended
22 closure possibilities; and also the

1 applicability for seasonal infectious
2 diseases.

3 Please let us know if there's
4 anything that comes up that could be helpful
5 for assessing any of these issues. We're
6 hoping to do about six, what we call FEA's,
7 during this coming year to explore issues
8 surrounding school closure. In fact, right
9 now we're - we're looking at learning more
10 from the situation in the California, wildfire
11 school closures. So I'm very interested to
12 hear from our next speakers about that.

13 And if there's anything that you
14 can share with us that would be helpful, we
15 would love to hear from you. And you can get
16 our contact information from Dana. And that
17 is about it.

18 MS. CARR: Great, Daphne, thanks.
19 And again, if anyone has any thoughts or
20 information, if you have a school closure
21 incident, you can get in touch with me and I
22 will send you in the right direction. Thanks

1 again.

2 We're going to turn it over now to
3 Jess Martinez and Jim Esterbrooks from San
4 Diego who will tell us of the bit about their
5 experiences during the school closures related
6 to the California wildfires and their - maybe
7 some of the beginnings of their understandings
8 of their lessons learned around providing
9 continuity of education and related issues.
10 Jim and Jess?

11 MR. MARTINEZ: Jim, you want me to
12 go first?

13 MR. ESTERBROOKS: Go ahead, if you
14 could, Jess. That would be great. Maybe a
15 little overview of the - of the scope of the
16 fires.

17 MR. MARTINEZ: Okay. Well. To -
18 to -- let me tell you a little bit about what
19 I do for the San Diego Office of Education.
20 I'm a program coordinator, pardon me. If I
21 start fading in and out, I'm just getting over
22 a cold, so please forgive me.

1 I'm a program coordinator,
2 readiness and emergency management for
3 schools. I - I administer a REMS grant in San
4 Diego County. And during the recent
5 wildfires. We - we learned a lot of things.
6 And - and as I was pulling up my notes on
7 lessons learned, one of the things that I
8 would recommend in order to assist - I'm not
9 so sure that it's a long-term solution, but it
10 certainly will help, is a mass notification
11 system in place at the school district level
12 so that school districts can notify parents of
13 the circumstances surrounding the school
14 closure.

15 We used it quite a bit. And about
16 52% of our districts have some sort of a mass
17 notification system in our county. And that
18 number might be a little bit higher. That's
19 just per one particular vendor that provides
20 the service. Might be a little bit higher,
21 but regardless, that was used quite a bit and
22 in - informing parents on school closures. At

1 first it was a day to day - the first couple
2 of days of - of the fire, we weren't sure we
3 were going to be close the whole week. But we
4 notified parents on Monday that, you know,
5 school would be closed.

6 For those schools that had opened,
7 some had to evacuate. But the word got out,
8 using this mass notification system. The
9 second day of the fires, it became pretty
10 evident that we were probably going to have to
11 close the whole week. But what - what I was
12 thinking and - and looking back, was the mass
13 notification system would also serve as a - as
14 a way, a conduit of informing households that
15 have students of what kinds of work they could
16 be involved in, what assignments they could be
17 completing at home.

18 It's a very simple, straight into
19 the home 30 second message -- 60 second
20 message saying, you know, this is what you can
21 - your children could be doing in the, you
22 know, while the - the school was closed. And

1 we - we didn't necessarily use the mass
2 notification systems during the fires before
3 that. We use it more for updating the school
4 closures day to day, informing parents of what
5 the school districts were anticipating during
6 the course of the week.

7 But in - in hindsight, I would
8 think that might be a possibility of how you
9 get the message or the information as to what
10 students can be involved in doing to continue
11 their education at home. You can make it very
12 personal from - a teacher can notify his
13 students. It's - it's - it can - he can put
14 out, or he or she can put out a message. It
15 can be very personalized very specific to a
16 subject matter. So that's a possibility.

17 The other thing that we did, and
18 Jim might mention this because Jim was more
19 involved in this part, was in keeping our -
20 our parents informed by daily updates on our
21 website on - our webpage for the San Diego
22 County Office of Education, informing parents

1 of what the status was of school
2 closures. Again, how long we anticipated the
3 closures to - to go on. And Jim might mention
4 something about that in just a minute. But
5 that - those were our - those were two avenues
6 or two conduits that we - we used to inform
7 parents of the situation.

8 And then I know that we also did
9 something with instructional television, but
10 I was not involved in that. So I'm going to
11 allow Jim to maybe take it from here and maybe
12 expand on some of the points I brought up. So
13 Jim, you want to -

14 MR. ESTERBROOKS: Sure.

15 MR. MARTINEZ: We'll kind of -
16 we'll kind of team tag this discussion here.

17 MR. ESTERBROOKS: Okay. Thank you
18 Jess and - and everyone else out there. The
19 County Office of Education, where - where Jess
20 and I work is a service organization. I - I'm
21 not sure if the structure is - is similar in
22 other parts of the country, but our

1 organization provides services - a broad broad
2 range of services for 43 separate school
3 districts.

4 Each of those school districts
5 have a superintendant and an Elected Board of
6 Education. And so they are autonomous. We
7 provide services for them, as I say, a broad
8 range of areas. The - the county, taken as a
9 whole, we run from the international border,
10 Mexico up to the Marine Corps base at Camp
11 Pendleton along the coast and then from the
12 ocean out to the - the mountains and
13 deserts. So roughly 700 schools, half a
14 million students. And we're in broad range -
15 huge range from tiny tiny remote districts
16 with a couple hundred kids to San Diego
17 Unified School District, which has 140,000.
18 Similar vast range in the demographics from -
19 from vast wealth to extreme poverty. As we
20 have a real significant EL population. So,
21 and needless to say, that the fires didn't -
22 didn't hit everyone equally. They - they were

1 concentrated in - in a few areas.

2 They spread, you know,

3 horrifically fast, but not all of the counties

4 suffered the same level of damage. But a

5 decision was made by the - the school district

6 superintendents jointly that Tuesday - Monday

7 afternoon that all the schools would be closed

8 the rest of the week. Some of them were

9 closed from the very onset that they - they

10 put out that automated voice message system to

11 their families Sunday night that schools would

12 be closed.

13 And another note on - on those

14 mass notification phone systems, one district

15 in particular that was - that was - really was

16 hit hard, it was - it was right in the path of

17 the fires, Poway Unified School District.

18 It's a district of about 30,000 students maybe

19 35,000. I - I don't have the - the number

20 right in front of me. But they put out more

21 than 700,000 automated voice messages. That's

22 a district of you know, 32,000 -- I see the

1 number now, 32,000 kids, 700,000 messages they
2 delivered. Those things are really, really
3 invaluable, the mass notification phone
4 systems.

5 The two or three main vehicles
6 that we utilized during the fires, one was the
7 cable television station that we operate here.
8 Jess mentioned it. It's called - it's -- the
9 call letters are ITV. It's a cable station.
10 San Diego County's a fairly -- heavily cabled
11 county. There are about 800,000 cable homes.
12 We don't reach - well we're capable of
13 reaching all of them - no time is every
14 television set tuned in to ITV. But it was -
15 it was a viable vehicle during the fires.
16 More viable, I think, was the website for our
17 County Office of Education.

18 And - and Tim eluded, you know, to
19 the - the broad continuum of technologies
20 available and - and - the - our - our website
21 at the County Office of Ed. I think was the
22 most viable. We - we had - and we made - we -

1 we were shameless - in - in borrowing and -
2 and crediting the folks that we borrowed from,
3 but we - we - asked our - our districts, "What
4 is the best stuff you've got?" And - and San
5 Diego Unified School District, by far, our
6 largest district -- they had some great
7 resources online.

8 So we - we tapped those. We put -
9 we linked to those from our site and
10 combined those with the ones we already had
11 online and - and so basically we had subject
12 by subject, grade by grade, standards aligned
13 activities that folks could log onto, anybody
14 with an internet access. In the case of San
15 Diego Unified, they threw this together
16 really, really fast, Monday morning of the
17 fires, whatever the - that date - that
18 terrible date was. It was the -

19 MR. MARTINEZ: 21st, I think.

20 MR. ESTERBROOKS: Yes, I think
21 you're right. Their executive director of
22 curriculum and instruction put out the call to

1 her cabinet staff, her - her directors and
2 said we need ASAP, the best online you've got
3 and I need them right now. And they scrambled
4 and scrambled and an hour later, they had
5 them. And they - they had them up online
6 within about 90 minutes and the County Office
7 of Ed. homepage then linked to those.

8 We had a lot of other stuff
9 available to folks aside from - from the
10 learning resources, reimburse them for lost
11 days, meal reimbursement, reopening and
12 closing schedules, the reverse 911 cell phone
13 protocols, some - the temporarily displaced
14 student guidelines under NCLB - the - the
15 local utility's rolling blackouts schedule.
16 But the - the stuff that was of most interest
17 to - to teachers, and - and well to the
18 families for sure was - were the learning
19 resources.

20 We had as many as possible
21 translated into Spanish, and provided mental
22 health resources for families, tips for

1 parents for watching news accounts. If - if
2 kids were going to be watching the news with
3 their families. How could parents talk with
4 them to get the most out of it. And those
5 were - well, and I guess -- well, we work with
6 the news media throughout the - the fires -
7 all day throughout each day. And I try to
8 make a point in talking to reporters every
9 time. That - these - there are resources
10 available to parents so that students can
11 continue to learn during the fires.

12 They can turn on Channel 16, ITV
13 channel 16 or log on to sdcoe.net. And there
14 are ways to allow students to continue to
15 learn while they are homebound. And - and
16 that was a continuing message. One of the
17 things we learned from a media relations
18 standpoint is it's almost impossible to say
19 the important things too many times.

20 Different folks are on duty on the
21 assignment desk, different reporters are in
22 the newsroom and what is reported - what is -

1 what we would relay to a TV station, for
2 instance at 11 a.m., the staff could turn over
3 at 11:30 and they didn't -- they didn't leave
4 the notes. So it was really imperative to -
5 to continue to repeat and - and send
6 information out repeatedly.

7 And so we did. And I - we - I
8 guess it was - it was fortunate in one sense,
9 unfortunate in another. San Diego County was
10 hit really, really hard by wildfires in 2003.
11 And so we did learn some things then, and I
12 think the biggest difference, at least from my
13 standpoint as the communications officer was
14 that - our - our communications capabilities
15 are far, far greater now.

16 The -- the use of the internet is
17 far, far greater. And I think we are able to
18 provide more resources for parents. We are
19 able to rely upon the news media as more of a
20 partner and a resource this time and - and
21 prevail upon them to deliver some of our
22 messages. So those are the main points.

1 Jess, anything we - that I'm -- we're missing?

2 MR. MARTINEZ: You've done a
3 stellar job in my opinion, Jim. I don't - not
4 at this time, but you know, maybe as questions
5 are asked. It'll prompt us to - with more
6 information.

7 MS. CARR: All right, great. And
8 in my opinion to you guys did a great job.
9 Thanks to all of our great speakers. This has
10 - this has been a really terrific introduction
11 to some really important and complicated
12 issues. We've received several questions from
13 the field, and I've been e-mailing them to
14 folks as they've come in. We'll go through as
15 many as we can in the time remaining.

16 Again, if you have questions that
17 you think of, you can e-mail them either to
18 me, dana.carr@ed.gov or to Sara Strizzi, S -
19 S-A-R-A dot Strizzi S-T-R-I-Z-Z-I at ed dot
20 gov. And we will do our best to get through
21 as many as we can. The first question comes
22 from Nancy from the Metropolitan Washington

1 Council of Governments. And her question has
2 come up time and again for us.

3 The question is, "Many children
4 depend on school food programs for their
5 meals. How will schools deal with meeting
6 this need, if the schools are closed due to a
7 pandemic or school closure when congregation
8 needs to be avoided?" We were supposed to
9 have someone from the USDA, the US Department
10 of Agriculture School Food Programs with us
11 today, but she got called for jury duty, and,
12 on a break, actually sent me the answer or an
13 answer to this question. And if any of you
14 have this question, hopefully this will help.
15 She asked folks to refer to the food and
16 nutrition site website, which is www dot f as
17 in Frank, n as in nutrition, s as in service
18 dot USDA dot gov. From there you can go to
19 disaster systems and choose pandemic planning.

20 All of their plans are discussed
21 there and there's a link to the child
22 nutrition program guidance and the disaster

1 food stamp program that what they're expecting
2 to use to fill the gap during a pandemic or a
3 prolonged school closure. This is also still
4 an ongoing topic and an area of discussion.
5 If you have further questions about school
6 feeding or school food, you can let me know
7 and I will for that on to Brenda Lisi.

8 Our next question - and we've
9 actually gotten this question from a couple of
10 different people. The first is from Susan and
11 the second is from Sandy in Philadelphia and
12 they're - they're related. The question is,
13 "If classes are canceled for an extended
14 period of time and no public outings allowed,
15 a lot of people will be out of work and
16 funding for schools will become a huge issue.
17 We can set up systems to provide services to
18 students. But if we don't have funding, how
19 can we operate and actually do the things we
20 want to do if we have no guarantee of money to
21 pay our employees?"

22 And the other questions related

1 is, "In the event that schools are closed by
2 the state for a long period, who has
3 responsibility for payment of staff?" I'm
4 sorry, but James Hodge isn't still on the line
5 to sort of help us think this through. And
6 Sara Strizzi, if you have any thoughts on this
7 you can jump in as well. My understanding is
8 that funding is dependent on the district and
9 the state. Staff may be paid if they are
10 working.

11 So if they are providing
12 continuity of educational services, they may
13 get paid. And at the federal level that's how
14 the Office of Personnel Management is
15 addressing those issues for the federal
16 government. Sara do you have any additional
17 thought?

18 MS. STRIZZI: My only additional
19 comment to that is that - that's part of the
20 planing process to figure, you know, what the
21 essential functions are and - and who would
22 need to be paid and, if necessary, work with

1 your union to make those arrangements and set
2 up any type of, I guess, prearranged plans for
3 - for that.

4 MR. ESTERBROOKS: Yes, in San
5 Diego County the teachers were paid during
6 that week. I was speaking with one of our
7 district superintendents just prior to our
8 call here and he - he likened it to, on the
9 east coast, you know, snow days. We - we had
10 not made those sort of provisions in advance.
11 We enjoyed a real good relationship with our
12 state superintendent of public instruction.

13 And when the governor declared it
14 a state of emergency, the state superintendent
15 was in touch with our county superintendent
16 right away and he assured us - he assured our
17 - our county sup that we would be - we would
18 receive full funding. That - that enables
19 school districts to ask more of their teaching
20 staff to reach out to students throughout a -
21 a school closure.

22 And the superintendent I was

1 speaking with - he commended his - his staff
2 for the work that they did during the fires,
3 but he also said that it's an area where even
4 more could have been done. And I, you know,
5 know planning is essential for that, but it's
6 - it's an area to think about.

7 MS. CARR: Okay. Great, thank you
8 very much. Okay, the next question is for -
9 for Tim Magner and for Sara. "What offices in
10 the school district have the responsibility
11 to ensure emergency operations and
12 preparedness, i.e., is there a school district
13 that has assigned an entity or office that's
14 responsible for e-prep implementation and
15 compliance? Do you have an opinion as to what
16 or who this should be? Tim, you want to
17 start?

18 MR. MAGNER: Yes, I think - I
19 think it's - and I guess the folks in San
20 Diego might also be able to give us their -
21 how - how they've been doing it. But my sense
22 is that this has got to be a district level

1 coordination effort, and that there are going
2 to be different aspects of the organization.
3 They're going to have different levels of
4 responsibility, I know in our own case here at
5 Ed, a lot of the continuity of operations
6 responsibilities from a technology standpoint
7 obviously fall to the chief technology of the
8 chief - Office of the Chief Information
9 officer for us.

10 And so I think that as part of the
11 system like pandemic planning approach
12 identifying what particular technologies would
13 be necessary, both for continuity of
14 instruction but also as the folks in San Diego
15 pointed out simple -- for simple
16 communications and - and awareness as well as
17 for emergency contact. So making sure that
18 the various offices have a clear set of
19 responsibilities, but that there's also a
20 clear line of authority, so that you know who
21 to go to.

22 And I think that in most cases of

1 particular responsibilities will break down
2 along organizational lines, the curriculum
3 folks will be in charge of one piece, the -
4 the technology folks in charge of another.

5 But that - there may be value in,
6 if not establishing an office to do this, but
7 rather establishing a core group or set of
8 oversight individuals who play that role in
9 the event of some sort of emergency situation
10 so that there's - there's clear coordination,
11 but that every - every part of the
12 organization has a distinct role of - from
13 planning standpoint, as opposed to trying to
14 make it up as you go along, I think is
15 probably one of the - the key learnings that
16 we've - we've seen.

17 MS. STRIZZI: And this is Sara,
18 and I - I agree completely with what Tim said
19 that it does need to be a centralized
20 organization or in some cases it's just a
21 person that kind of organizes the district
22 wide effort. In our experience that bowl has

1 been fulfilled in a variety - by a variety
2 different offices or people within the
3 district. It's really, you know, the
4 districts - school districts across the
5 country are very different, but it's hard to
6 generalize and say it should be in this place
7 and it should be this person.

8 But it should be someone who, as
9 Tim mentioned, has the authority to - to
10 coordinate this - this effort within the
11 district. It could be someone within the
12 district's Emergency Management Office, it
13 could be someone even within the district's
14 Safety and Security Office or even within
15 Office of the Superintendent. So it really
16 does vary.

17 MR. MARTINEZ: You know, Dana I
18 wanted to mention - this is Jess Martinez, to
19 mentioned I - I have - I've had the - the
20 opportunity to visit many school districts and
21 I've seen many sides to this. And I'm going
22 to coin here something that maybe someone else

1 has already coined as a - as a term. But
2 there needs to be more lead redundancy
3 regarding this matter, because often times
4 what I have found is you have one very
5 overworked individual with a lot of
6 responsibility and very little authority to
7 effectuate these - these policies, these
8 preparedness efforts at district levels.

9 And this individual's trying to
10 get the principles and, you know, everyone
11 else on board and - and, you know, and it's
12 never convenient. This is - this is not a
13 convenient effort, it never will be, but it
14 needs to be done. And - and then I've seen
15 districts where you have the superintendent,
16 maybe not personally, but who has someone just
17 - an assistant superintendent, often the
18 assistant superintendent over business, the
19 CBO, who is - is responsible for this.

20 But that individual also has two
21 or three other individuals that helps shoulder
22 the load. One of the things that I've learned

1 is that if you give it all the responsibility
2 to one individual, then that process - this
3 effort -- preparedness effort is going to -
4 it's going to go about as fast as that person
5 is able to do the other 15 things that they're
6 supposed to be doing on the job description.

7 Whereas if you spread it around
8 and give it to at least three other people -
9 there's that rule of three again from the NIMS
10 ICS training, if you have three people at
11 least working on this effort, collaboratively,
12 I'm sure one of them might get stalled during
13 some other project at this part of their job,
14 but the effort continues to move forward.

15 And - and having two or three
16 people, at least, working on this effort
17 together, they're able to support each other.
18 They're able to keep each other accountable.
19 They know that - that they're there for each
20 other. And so I would recommend that - that
21 there be lead redundancy in this effort. And
22 they'll not just be given to one person in a

1 cubicle somewhere with a lot of
2 responsibility, but very little authority.

3 And then cross our fingers that
4 when something happens that everything is
5 going to go great, because typically it
6 doesn't, if - if that's - if that's the way
7 it's been - this - this concern has been
8 treated over time.

9 MS. CARR: That's actually - that
10 kind of leads into another question that I
11 wasn't going to ask until later, but it sort
12 of fits right in here. This is from Yvonne in
13 - in Irvine. "Does anyone on the panel have
14 a good response when grantees approach their
15 superiors and ask to address this issue of
16 educational continuity?" I had one response
17 that said, during this type of crisis, people
18 would be more interested in staying alive and
19 will not be interested in continuing
20 education. I see his point, but I would like
21 to have a valid response."

22 JIM ESTERBROOKS: Well, of course,

1 folks have to be safe. And - and they got to
2 see to their personal safety before they're
3 going to be interested in - in the education
4 of their children. Once that has - once
5 that's established though in - in speaking
6 through our experience here, once families
7 were evacuated from the fire areas, I think
8 that - that the education of the children is
9 close to the top, if not at the top of - of
10 their - of their interests or their concerns.

11 And so the education of our
12 children is - is absolutely critical to
13 families and - and those of us - and any - any
14 school administrator who has this brought to
15 their attention, I - I think would - should
16 see that. The, you know, maintaining a sense
17 of continuity in education is a - is a huge
18 part of a family's continuity and a families
19 normalcy.

20 And so I think that those are some of the
21 things that I would say to a superior, if he
22 or she were having a hard time coming around

1 on this.

2 MR. MAGNER: Yes, I think that one
3 of the things we have to recognize is that at
4 least for a generation in some cases, we
5 haven't experienced extended - really extended
6 school closures. And I think that when you
7 look at that, what the level of - of - it's
8 not just school closure, but the level of
9 individual isolation that's possible in a
10 context where you have a pandemic environment.
11 This isn't like not - we're going to close
12 schools then everybody's going to go out to
13 the mall and go to the movies and go, you
14 know, play - play football and stuff.

15 This is really about the need for
16 social distancing and the need for a fair
17 amount of family level isolation. And I think
18 that as a consequence, the schools play a
19 critical role as - as I was saying as bedrock
20 of our communities. And so we do have an
21 opportunity as well as an obligation to not
22 only connect with them from an educational

1 standpoint, but to help, potentially leverage
2 technology, to connect them of - from a
3 community standpoint as well.

4 So the ability for students to be
5 able to collaborate over the internet or to
6 hear each others voice through a
7 teleconference or to be able to have some
8 sense of normalcy. I used to do work in
9 hospitals where they provided opportunities
10 for students to - who were in many -- in some
11 cases terminally ill. And what - so from that
12 similar situation, they said, "Well why - why
13 would you have them go to school? Why would
14 you have them participate in - in a rigorous
15 class when, you know, they're - they're
16 terminally ill.

17 And the response from the
18 caregivers was that this kid doesn't have
19 hope, this kid doesn't have a sense of
20 normalcy. It gives them a sense of being like
21 everybody else. And that - I don't think
22 especially with young children we can discount

1 how - how developmentally necessary it is for
2 them, especially if they're isolated from -
3 from their -- their peers, their friends and
4 the normal rhythm of life.

5 So I think there's both an
6 educational context for this, but there's
7 also, I think, a very important social and
8 emotional context to this. And it may shift
9 what we think of as the role of schools, but
10 I think in a lot of context, school play is
11 not just an education role but a critically
12 important socialization and - and emotionally
13 development role that they can continue to
14 provide through this continuity of - of
15 educational operations.

16 And so I think we need to look at
17 it in a broader context of the role that
18 schools play in - in supporting our
19 communities through what will be most
20 certainly a very difficult period.

21 DANA CARR: Tim, thank you. Sara,
22 do you have anything to add from your

1 perspective?

2 MS. STRIZZI: I think that was a
3 pretty good overview.

4 MS. CARR: Agreed. Okay. Moving
5 on, this question is also from Yvonne in
6 Irvine and is for Donna and Laura. "We have
7 a large special education population. Does
8 the panel specialist have any specific
9 recommendations on addressing individual
10 IEP's?"

11 MS. DUOS: And this is Laura,
12 Dana. If - if a school's closed for a
13 significant period of time, you know, two or
14 three months, you know, we would say that, you
15 know, the IEP team could meet at - by
16 teleconference to discuss, you know, what
17 types of services you may be able to provide
18 during the closing. You know, maybe there
19 could be some tutoring over the phone or maybe
20 occupational therapy.

21 You could talk with the parent
22 about certain things that they could do. That

1 might be an individualized determination for
2 each child depending on the level of services
3 in the IEP. So it's really going to be child-
4 specific and there's - there's really no way
5 around that since individuality is such an
6 important part of IDEA.

7 MS. CARR: Okay, great. Thank
8 you.

9 MS. WIESNER: And I think an
10 emphasis on the parent, because the parents
11 are the motivator on - they - they will walk
12 on - on an opportunity if there's homework, if
13 there's things that they can do, if there's
14 certain stimulations that a child needs.
15 That's the invaluable resource, especially
16 when you're talking about a family who have
17 some sort of isolation due to whatever it -
18 situation they're doing.

19 So, I actually sold school books
20 and textbooks that were extra work, door to
21 door for four summers in college and paid my
22 way through college. It's - it's amazing how

1 interested parents are in education in spite
2 of whatever rough things they're going
3 through. And I think that we can rely on the
4 strength of the parents for some of this
5 sometimes.

6 MS. CARR: Okay, thank you. The
7 next question is from Nancy and is for Jess
8 and Jim. What type of parent questions and
9 technical assistance requests did you get
10 during the California closures? And also, do
11 you have copies of your press release as a
12 guide?

13 MR. ESTERBROOKS: Yes, I'd be
14 happy to - to send press releases. And I
15 think I see her - her email here on my screen.
16 Jess, do you want to jump in on that, as far
17 as the - the requests we got from parents for
18 technical information?

19 MR. MARTINEZ: Well, the, you
20 know, the - I - I was just thinking that I
21 haven't seen them, but in fact, I - I think I
22 heard our county superintendent or might even

1 been you, Jim -- I don't know, that mentioned
2 that we even - we got some letters from
3 parents expressing their gratitude for having
4 the - the website up, the ITV up, the mass
5 notification. There - there was - I didn't
6 see that specifically, but I - I really can't
7 address that, because I didn't participate in
8 that personally.

9 But I do remember hearing that
10 comment after - in one of our debriefings,
11 which we're still holding. We're - we're
12 having - we've had two debriefings and we're
13 going to have another one, because we're
14 following up on our lessons learned to make
15 sure that we have actually completed some -
16 some assignments that we put on ourselves to -
17 to be better prepared.

18 And in the course of one of those
19 debriefings of our county office's incident
20 command system, we - we were told, you know,
21 we were getting some information from parents,
22 thanking us that we had a ITV specifically, I

1 think, up and running and that it gave kids
2 that sense of normalcy that was mentioned just
3 a few minutes ago. And it gave kids something
4 to focus on other than just watching the news.

5 MS. CARR: Okay, great. The next
6 questions are all sort of related and are
7 primarily for Tim and Jess and Jim. The first
8 is, "What specific software would you
9 recommend to continue education K-12?" And
10 related to that, someone asks if, "Do you know
11 any websites using Microsoft Office SharePoint
12 Server for continuation of instruction?" That
13 one's, I think, for Tim.

14 And related to that, "Could San
15 Diego provide us with the online resources
16 that help during their crisis." So maybe Tim
17 first and then Jess and Jim?

18 MR. ESTERBROOKS: Sure.

19 MR. MAGNER: I'm - I'm going to be
20 a pretty big disappointment here, because
21 unfortunately we're not allowed to advocate of
22 behalf - on behalf of specific or particular

1 software applications. But suffice it to say
2 I think that there are a growing class of
3 applications, and maybe the guys in San Diego
4 can talk about their configuration, but - that
5 provide different levels of service.

6 Certainly learning management
7 systems, there are -- again, I think we need
8 to make a distinction here between
9 administrative systems and instructional
10 systems. I think there are a range of
11 administrative systems, we've already heard
12 about in terms of parental notification,
13 school website and - and those types of
14 things. There are some more targeted classes
15 of - of software like learning management
16 systems.

17 There are different instructional
18 delivery platforms, things that can be made
19 into instructional delivery platforms like a
20 portal platform such as SharePoint or - or
21 little or a lot of other platforms that are
22 out there. I think the - the challenge here

1 is to - is to step back and look at the - the
2 range of services you currently deliver. What
3 percentage of those or what types of those
4 services do you want to or are you - you
5 believe you're expected to deliver.

6 And then what types of
7 technologies enable you to best deliver those
8 types of services? Again, I think that if you
9 look at this not as a - a silver - or a single
10 silver bullet type solution, you may find that
11 for example, being able to post a website with
12 some information and then have a conference
13 call with your students may in fact achieve a
14 level of dynamic integration that isn't
15 possible yet with the technology you have or
16 which would require a significant investment
17 beyond what you're already putting in place.

18 On the other hand, if you have or
19 are planning to expand a distance learning
20 program, for example, the type of software you
21 - you select to that - to - to support that
22 system may in fact - the factors that go into

1 selecting that may in fact be impacted by the
2 opportunity to use it as - as a way to think
3 about providing continuity of - of educational
4 services in a - in a long-term scenario.

5 So I think that there are in fact
6 a variety of ways to - to approach and a
7 variety of specific types of software, of
8 which there are a number of vendors around who
9 - who do those - who provide those services.
10 I think, again, this may be one of the things
11 that you might want to build into an RFP
12 process or build into a - a tender process, is
13 to look at these not only for short-term in -
14 in school or - or during school types of
15 services, but what potential do these have to
16 create the foundation for a continuity of
17 operations platform going forward.

18 MR. MARTINEZ: Now, what part of
19 the question was referenced to San Diego?

20 MR. MAGNER: I - I guess I didn't
21 - was wondering whether you all had - this is
22 Tim, I had thought you might be able to talk

1 about the particular situation that you have
2 or the particular software scenario you've
3 got and how that played into your
4 instructional delivery or the connections that
5 you had the community.

6 MR. ESTERBROOKS: Well, to be
7 perfectly honest, we've got a very, very
8 strong technology staff here, and - and I rely
9 on them very heavily with - with technical
10 questions. So I - I can't answer the
11 question, but I'd be happy to get the person's
12 contact information and put them in touch with
13 our tech folks.

14 MS. CARR: Okay, great. And you
15 can also look on the Office of, I think it's
16 the Board of Education's website, Jim or Jess.

17 MR. ESTERBROOKS: Oh, yes. We can
18 certainly - our - our webpage URL is - is
19 www.sdcoe.net. And we still have some - the -
20 the page fire resources. It's still visible,
21 if you - it's still right there on the front.
22 If you go under news and headlines, you'll see

1 2007, fire information. And during the fires
2 that was the only thing - that was the only
3 piece of news we had on their. But if you
4 click there you'll tap into a lot of
5 resources.

6 MS. CARR: Great, thanks. I was
7 frantically looking in my box to see if I
8 could find it. So -

9 MR. ESTERBROOKS: Sorry about that.

10 MS. CARR: I've got it at the
11 ready. While we have you, just a - another
12 question about technology for - for Jim and
13 Jess. This is from Carol in Santa Rosa in
14 Florida. She says, "I have visions of 500
15 million text messages from every cell phone.
16 Did San Diego experience any downtime in their
17 call network or cell network like we did
18 during the hurricanes?

19 MR. ESTERBROOKS: I didn't.

20 MR. MARTINEZ: I didn't.

21 MR. ESTERBROOKS: Yes, my phone
22 was - my cell was - was ringing off the table.

1 But no, no problems like that.

2 MR. MARTINEZ: No, we didn't
3 experience, thank goodness, any - any
4 disruption of cell phone usage or land lines.
5 We're very fortunate. There were some
6 concerns there -- that the fire might overrun
7 some of our - some of our power grids that
8 were out there, some of our towers that were
9 out in the more remote areas. But they were
10 one -- those areas were some of the first --
11 most heavily defended for lack of a better
12 term against being burned. And so that - that
13 kept our - maintained our continuity of - of
14 telephone service.

15 MS. CARR: Great. Sara and Tara, I
16 was just wondering if you have any reflections
17 about your experiences during Katrina, or no?

18 MS. STRIZZI: Um. Hmm.

19 MS. CARR: The importance of this.
20 No, that's okay. Sorry to put you on the
21 spot.

22 MS. STRIZZI: No, I mean I think

1 that communication is always a challenge in
2 any type of emergency situation and, you know,
3 we often in our training talk to schools about
4 planning for other types of communication
5 beyond cell phones, so making sure that key
6 folks in the district have an ability to
7 communicate without using cell phones or land
8 lines if they've got Nextels or some other
9 type of radios that they can use.

10 There is also a - a first
11 responder kind of frequency I think on - and
12 I'm probably not speaking to this properly,
13 but there is a first responder frequency or
14 priority on cell phones that some districts
15 have been able to tap into as well so that
16 when cell phones go down the districts - key
17 district staff are still able to communicate.

18 MR. MARTINEZ: One thing I want to
19 mention regarding communications is that if a
20 district is considering acquiring that
21 particular service, a mass notification
22 service, check with your vendor and make sure

1 that your vendor has redundancy built outside
2 your immediate area so that if - if the system
3 goes down in your area, there's a redundancy
4 in other parts of the country that are able to
5 pick that up and - and support it.

6 There may be, even with that, even
7 having said that, there may be a time when the
8 phone service deliberately shuts down to just
9 make - make sure that the system isn't
10 overloaded and breaks down. They - they may
11 deliberately shut down during an emergency.
12 I've learned that they can do that and if
13 things get to a certain point.

14 But make sure that you have
15 something outside your - just your - your
16 local region to support your system so that
17 when your - that's a - that's a good question
18 to ask of any vendor out there is, you know,
19 so if you shut down in this area, do you have
20 a backup, and where is that located? Is it
21 out-of-state? Is it - is it - how are you
22 able to - to keep the services going in case,

1 you know, the - the local area goes down?

2 MS. CARR: Okay, great. I think
3 we've got time for maybe just one or two quick
4 questions. And I'm going to throw this out
5 there, and James Hodge is no longer on the
6 line, but I will forward this question to him
7 so that he can address it. But it - I - I do
8 want to reemphasize the point. The question
9 is from Yvonne in Irvine, and it's for James
10 Hodge.

11 "Basically, what recommendations
12 does he have for us? Should we find out what
13 our particular legal authority is? How do we
14 do that? Should we ask our local school
15 agency council to address this?" And - and
16 from what I've heard him say and Sara, you can
17 also jump in, or anyone else please jump in,
18 this is the time to figure out where those
19 authorities lie and what you - what your legal
20 code says.

21 Some states have very strong
22 language about closure, as you heard James

1 talk about during non-emergencies, or it's
2 stronger during for and emergency. But this
3 is the time when there isn't an emergency
4 happening to figure out where these
5 authorities lie. And to - for states, and for
6 districts to begin to examine whether or not
7 new language is needed to further clarify
8 authorities and the ability and flexibility
9 for districts and states to make those closure
10 decisions.

11 Again, I - I will ask for further
12 clarification from him, but just wanted to
13 reemphasize those points. Sara or Tara, do
14 you have anything to add?

15 MS. STRIZZI: No. I think that's
16 great, Dana.

17 MS. CARR: Okay. With five
18 minutes remaining, I think what I will do is
19 just do a little bit of a summary. First I
20 want to thank all the participants for calling
21 in. I think this has been a really productive
22 90 minutes. And really to thank our panelist.

1 This has been very informative and very
2 interesting.

3 We heard about how complex it is
4 to even get our heads around closing schools
5 to begin with, let alone closing schools for
6 an extended period of time, whether that be a
7 week or up to 12 weeks, for example. As I was
8 just saying legal authorities are varied.
9 They are varied at the local level, they're
10 varied at the state level. And it's important
11 to start to understand what that looks like so
12 that there's delay in making decisions at a
13 critical point.

14 One of the things that James
15 talked about was delays that may lead to
16 morbidity and mortality. And that's certainly
17 true, and we want to avoid that as much as
18 possible. We heard about the considerations
19 for special education. And that - to remind
20 us, that when they're thinking about these
21 issues of continuity of instruction that they
22 have to remember - by law, they have to

1 consider their special education students.

2 And this is - this is very
3 complex, because many of these issues are on
4 a student by student basis, which makes it
5 even more complex. There are some
6 technological approaches for thinking about
7 how to provide continuing education during
8 school closures. But the most important point
9 I think that Tim made was that districts need
10 to really get a sense of what's going on in
11 the district currently and what the
12 expectations are at the district level, and
13 the community for what kind of services would
14 be provided during a long-term school closure.

15 And to try to align what's
16 currently available, what those expectations
17 are and what's needed so that there can be a -
18 a seamless process. The technology is great
19 to have but without all of those other pieces
20 in place that can't really function optimally.
21 We heard about the adventures in San Diego -
22 the incredible experience that they had out

1 there.

2 And one of the important things I
3 heard Jim and Jess say repeatedly and actually
4 in sort of a number of different ways is that
5 communication - it just boils down to
6 communication and a lot of times, and
7 communicating with parents, communicating with
8 teachers is really critical and -- in a
9 response. And that's important to - to keep
10 going back over and back over and learning and
11 relearning.

12 We are continuing to look at
13 school closures and learning as much as we can
14 from naturally occurring school closures
15 during this school year and into the future,
16 where the Department of Education's Office of
17 Safe and Drug-Free Schools is working closely
18 with the Centers for Disease Control and
19 Prevention, you heard Daphne speak.

20 And looking at - we've identified
21 some critical information gaps that we'd like
22 to learn during these school closures and

1 apply that to our thinking and planning
2 guidance in the future. Again, if you have
3 any school closures in the future that you
4 would want to learn from or would be willing
5 to share with us, please let us know.

6 Again, a transcript or a note from
7 this call will be posted to the Technical
8 Assistance Center's website. And following
9 this call, you'll need to give us a little
10 time for that, of course. And again, if you
11 have questions, we will do our work best to
12 follow-up as best we can with you. We
13 apologize that we weren't able to get through
14 all of the questions. Sara, are you trying to
15 jump in?

16 MS. STRIZZI: No.

17 MS. CARR: Oh, okay. Okay. And
18 again, thank you very much for your time. We
19 really appreciate it and we hope to speak with
20 you all again soon.

21 (Whereupon, the deposition was adjourned
22 at 4:29 p.m.)

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