



DATE: April 23, 2020

TO: Montana School Districts and Interested Parties

RE: School District Closure Summary of Executive Actions for FY 2020

The Governor issued Executive Order and Executive Directives effecting school districts during the 2019-2020 school year. They are as follows:

[Executive Order No. 2-2020](#) – Declaration of State of Emergency.

[Executive Order No. 3-2020](#) – Amend First Declaration of State of Emergency to run concurrent with President’s Declaration of Emergency.

[Directive on Implementing Executive Orders, Measures to Combat Spread of COVID-19 3.15.20](#)

- ✓ Schools are ordered closed through March 27<sup>th</sup>, 2020, with full school funding so long as districts arrange for student meals and provide for other student services during the closure period.

[Directive Further Guidance on Schools 3.19.20](#)

- ✓ The Governor waived aggregate hours through March 27<sup>th</sup>, 2020, with full school funding so long as districts arrange for remote learning, student meals, services to students with disabilities, and provide for other student services during the closure period.
- ✓ If schools are closed beyond this period, schools will need to develop a plan to make up the instructional hours through remote learning through a plan submitted to the Governor and approved by the Governor.
- ✓ The education community is tasked with surveying the districts to find out the extend school districts are providing remote learning, meals, services to student with disabilities, and other services customarily provided to students in school.

[Directive on Extension of Closures, Mandates Social Distancing 3.24.20](#)

- ✓ The Governor ordered schools closed through April 10<sup>th</sup>, 2020, with the approved waiver of aggregate hours if districts continue to provide remote learning, meals, services to student with disabilities, and other services customarily provided to students in school.
- ✓ The districts are required to submit plans to the Board of Trustees then to the Governor for approval and to obtain the waiver of aggregate hours if the plans are approved.
- ✓ If the plans are not approved, the district will be required to make up the instructional time lost and could be eligible for additional state funds under the supplemental bill, HB 3 appropriations.
- ✓ (Note: All districts submitted plans and were approved by the Governor.)

[Directive on Elections 3.25.20](#)

- ✓ The deadline for mail ballot elections is extended to April 1<sup>st</sup>, 2020, to allow for additional districts to plan for mail ballot elections.
- ✓ School districts, through county superintendents, can cancel elections due to a state of emergency. See §20-20-108, MCA.

[Directive on Stay at Home 3.26.20](#)

- ✓ Reinforces directive from 3/24 stating schools, public and private, are closed through April 10<sup>th</sup>, 2020, with the continued plan of providing services outlined in the 3/24 directive.

[Directive on Extending Motor Vehicle Deadlines, Provide Services Online and by Mail 4.2.20](#)

- ✓ Commercial Drivers License renewals are administered consistent with the Federal Motor Carrier Safety Administration (FMCSA) waiver. ([FMCSA Waiver](#))
  - Drivers with valid CDL's on February 29<sup>th</sup>, 2020, will remain valid through June 30<sup>th</sup>, 2020.
  - Driver with a valid medical certificate on February 29<sup>th</sup>, 2020, will remain valid through June 30<sup>th</sup>, 2020.
- ✓ (Note: The OPI staff will work with districts on a case by case basis for renewals of bus drivers' training hours, First Aid, and CPR renewals consistent with the FMCSA guidelines.)

[COVID-19 FAQs 4.5.20](#) – For context only.

[Directive on Extension of Directives 4.7.20](#)

- ✓ Schools remain closed through April 24<sup>th</sup>, 2020, with the same stipulations that districts aggregate hours are waived if the district continue to provide remote learning, meals, services to student with disabilities, and other services customarily provided to students in school as submitted in the plans approved by the Governor.
- ✓ If the plans are not approved, the district will be required to make up the instructional time lost and could be eligible for additional state funds under the supplemental bill, HB 3 appropriations.
- ✓ Implementation of the online (student) privacy protections, in compliance with §20-7-1326, MCA, is suspended.

[Directive and Appx - Reopening Phase One 4.22.20](#)

- ✓ Schools remain closed through May 6<sup>th</sup>, 2020, with the same stipulations that districts aggregate hours are waived if the district continue to provide remote learning, meals, services to student with disabilities, and other services customarily provided to students in school as submitted in the plans approved by the Governor.
- ✓ Beginning May 7<sup>th</sup>, 2020, aggregate hours are no longer waived, and schools have options at the discretion of local school boards which can be a combination of any of the choices below:
  1. Return to in-classroom teaching while following the steps included in the Big Sky Phased plan.
  2. Continue the remote or alternative learning models.
  3. Declare a local emergency through steps provided in §20-9-806, MCA, with a resolution approved by the local board of trustees.

Current Summary of Executive Directives:

- ✓ The aggregate hour requirements listed in §20-1-301, MCA, are waived if the district submitted and followed a Governor approved remote educational plan from the period of March 16<sup>th</sup> thru May 6<sup>th</sup>.
- ✓ Any deviations from the plan must be submitted and approved by the Governor will required the district to make up the lost instructional hours. This includes any changes to the submitted and approved plan such as discontinuing remote education earlier than expected.
- ✓ To declare a student proficient, the district must have an existing board approved proficiency assessment and each student must meet the proficiency requirement.
- ✓ From May 7<sup>th</sup> forward the district must continue learning through the remainder of the school calendar schedule in a combination of the three allowances listed in the last directive.