1. **Does TEA have any best practices for providing instructional continuity?**

TEA is committed to both sharing best practices developed by districts around the state and developing a suite of resources to support districts in providing instruction while students are off-site. To support districts in these efforts, the agency has developed an Instructional Continuity Framework that consists of the phases outlined below, each of which has a series of supporting planning categories. Planning guidance, TEA resources, and district examples will be continuously posted over the coming weeks in alignment with this framework to support districts.

The agency has organized instructional continuity supports into four phases of work that districts complete as they move to an at-home learning environment. Each phase of work is defined below:

**Phase 0: Project Management**
- Identify working groups, key decision makers, roles and project plan to launch at-home schools

**Phase 1: Conduct Landscape Analysis**
- Assess student and teacher at-home access related to technology, delivery methods and instructional materials

**Phase 2: Finalize At-Home Curriculum & Instruction**
- Make decisions on model based on landscape analysis

**Phase 3: Operationalize At-Home Model**
- Solidify and execute plans related to scheduling, staffing, communications, professional development and obtaining resources

**Phase 4: Provide monitoring and support**
- Oversee ongoing operations, monitor student learning progress and continuously improve at-home model

The TEA Instructional Continuity Framework guides district leaders sequentially from high-level phases into specific planning sub-categories within each phase. For each planning sub-category, TEA will be compiling the following information for districts within this document:

- Recommended planning category activities
- Planning guidance for district consideration
- Suggested district staff support
- TEA resources posted to website and resources coming soon
- Additional external resources
- District specific examples

TEA recognized many districts are at different phases of the instructional continuity planning process, so district leaders should use their own judgment when choosing which activities to complete and what resources to leverage.
All resources can be found on the Instructional Continuity Page of TEA’s COVID-19 page, including a more detailed overview.

2. **Is the purpose of distance learning to maintain what students already know or to learn new things?**
The purpose of instructional continuity planning is to help districts launch “at-home schools” that maximize the amount of instructional time for students this school year and **support student mastery of grade level standards.**

3. **How should LEAs monitor English Learners who are participating in distance learning?**
LEAs should monitor English learners in the same way they are monitoring other students. Additional guidance about reclassification can be found in this FAQ on TELPAS and LPAC.

4. **How should LEAs monitor progress for students participating in distance learning?**
Monitoring student progress remains integral to the success of any instructional program. In the current environment, great monitoring also helps diagnose whether newly implemented remote instructional methods and materials are successful. Assessing student mastery allows educators to adjust and adapt methods and materials as appropriate. Effective monitoring includes determining grades for students and determining whether students have demonstrated proficiency in knowledge and skills catalogued in the student expectations or other subject-specific standards.

More detailed information on monitoring student progress, including guiding questions and templates, can be found in on the Instructional Continuity Pages in the materials for 2.2 Set Grading and Progress Monitoring Policies and 4.1 Monitor Student Progress.

Districts should continue to think about monitoring student progress through the lens of three different types of assessments:

- **Formative Assessments** measure student performance on specific student expectations immediately following instruction to inform a teacher’s instructional choices, adjustments to unit plans, or changes to lessons.
- **Interim Assessments** or benchmarks measure a student’s understanding of a broader span of student expectations at the end of a quarter or semester, or midpoint of a curricular unit, to monitor progress, predict summative performance, and identify students for intervention.
- **Summative Assessments** measure mastery of a broad span of knowledge and skills at the end of an instructional unit or school year to prove learning occurred, evaluate long-term retention, and determine the effectiveness of a program.

Districts should also **create structures and schedules for student-teacher conferences** for student support and that they **execute and track those student-teacher conferences.**

5. **Is it possible to open TxVSN for all students?**
No, the TXVSN catalog and online schools do not have capacity for all Texas public school students. The TXVSN is only authorized to serve students in grades 3-12. Some TXVSN catalog course providers will, however, be able to open additional seats and sections in the supplemental high school-level
courses available in their spring and summer 2020 offerings. More information will be provided as
determinations are made regarding additional capacity. Some full-time TXVSN online schools also
have capacity to add additional students. Parents interested in enrolling an eligible student in grades
3-12 into a full-time TXVSN online school may reach out to any of the online schools directly through
the TXVNS online school’s own website.

FERPA and Virtual Learning

What is FERPA?

The Family Educational Rights and Privacy Act (FERPA) is the federal law that protects the privacy of
personally identifiable information (PII) in students’ education records. “Education records” are those
records that are: (1) directly related to a student; and (2) maintained by an educational agency or
institution or by a party acting for the agency or institution. FERPA provides parents and eligible
students (turned 18 or attending college at any age) the right to protect the PII in students’ education
records. An educational agency or institution may not disclose PII from students’ education records,
without consent, unless the disclosure meets an exception under FERPA. 20 U.S.C. 1232g; 34 C.F.R.
Part 99.

Does FERPA permit a school district to use video conferencing or other virtual learning software
applications to hold classes virtually?

Yes. Educational agencies and institutions may disclose, without consent, education records, or PII
contained in those records, to the providers of such a service or application under FERPA’s “school
official” exception. 34 C.F.R. § 99.31(a)(1)(i). Additionally, compliance with FERPA does not preclude
convening groups made up exclusively of students served by special education in virtual classroom
settings.

Does FERPA provide specific security standards?

FERPA is a privacy rule and does not include explicit information regarding security standards.
Therefore, school districts should work with their information security officers and attorneys to review
information security requirements and terms of service.

TEA’s recent webinar, “Cybersecurity Tips and Tools- Cybersecurity Challenges with a Remote
Workforce,” has been uploaded and is available at the link below. The Texas Gateway portal is where
all of the webinars and cybersecurity resources have been shared for the educational community:

https://www.texasgateway.org/resource/cybersecurity-tips-and-tools

Questions and Answer Session for Monday March 23rd -- Cybersecurity Challenges Working with a
Remote Workforce
Additional resources concerning cybersecurity:

K-12 Secure Remote Learning Checklist

Securing Zoom

TexasGateway also has a list of questions and considerations for cloud providers.

Can non-students observe a virtual lesson?

FERPA applies to the disclosure of tangible records and of information derived from tangible records. A teacher is prohibited from disclosing information from a child's education records to other students in the classroom unless appropriate written consent has been obtained. Therefore, assuming that during the virtual lesson PII from student education records is not disclosed, FERPA would not prohibit a non-student from observing the virtual lesson.

May a teacher record virtual classes and share the recording with students who are unable to attend?

Yes. FERPA does not prohibit a teacher from making a recording of the lesson available to students enrolled in the class, provided the video recording does not disclose PII from student education records during a virtual classroom lesson or appropriate written consent is obtained if PII from the education record is included.

Additional Resources

The U.S. Department of Education has issued the following resources addressing FERPA and Virtual Learning:

U.S. Department of Education COVID-19 Information and Resources for Schools and School Personnel

FAQs on student privacy (FERPA) and coronavirus from the U.S. Department of Education Student Privacy Policy Office

Q&A on providing services to children with disabilities during the coronavirus outbreak

FERPA and Virtual Learning Related Resources from the U.S. Department of Education Student Privacy Policy Office.

FERPA and Virtual Learning Webinar Recording:
FERPA and Virtual Learning Webinar Slide Deck: