

VIRGIN ISLANDS BOARD OF EDUCATION



DISTANCE LEARNING POLICY

20th Elected V.I. Board of Education

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DISTANCE LEARNING POLICY

STATUTORY AUTHORITY

Virgin Islands Code Title 17, Section 21 authorizes the Virgin Islands Board of Education to prescribe general regulations and orders and in general to do anything necessary for the proper establishment, maintenance, and operation of the public schools of the Virgin Islands.

Additionally, Virgin Islands Code Title 17, Chapter 5, Section 41g and Act No. 8400, Section 2 authorize the establishment and promulgation of a policy governing the provision of distance learning and blended courses by the Virgin Islands Department of Education as qualifying courses for promotion and graduation.

PURPOSE

The Virgin Islands Board of Education recognizes that natural disasters and other circumstances often make it difficult for students to attend school in physical classrooms, but also that utilizing distance learning further provides Virgin Islands students with access to information and academic engagement comparable to their counterparts on the United States mainland and other leading nations.

GUIDING PRINCIPLES

Distance Learning can present new and diverse opportunities that do not exist in our traditional classroom setting. The Virgin Islands Board of Education recognizes distance learning as a formal educational process that, for a substantial portion of the instructional time, utilizes available technology or a combination of traditional methods with online instruction to bridge the distances between faculty and students, and between students who are separated by space and time.

SECTION 41-1 DEFINITIONS

“Distance learning”: Instruction occurring remotely because the student and the educator or information source are not physically present in the same location. Instruction occurs via modes that may be synchronous (in real time for both students and teacher) or asynchronous (without real time interaction between teacher and students, but with content available for students to access in their own time.) Information is typically relayed online but may be delivered in a non-web-based format if the technology is not available via Board approved means and mediums consistent with this and all Board policies.

“Social Media”: Generally, online platforms, websites or networks on which users share information, communication or other content and includes, but is not limited to, sites used for media sharing and social networking (Ex. YouTube, Facebook, Twitter, Snapchat, Instagram, etc.)

“Blended Learning” (Hybrid): Instruction provided through a combination of traditional, in-person learning (which can include online instruction) and distance learning or virtual learning.

“Online Learning Provider”: An entity or individual that provides **online** academic instruction, course content, and assessments.

“Virtual Learning”: Learning using computer software, the Internet (including social media,) or both to deliver instruction to students.

SECTION 41-2 APPLICABILITY

All Virgin Islands Department of Education personnel, students, parents, and legal guardians shall be governed by this policy.

SECTION 41-3 IMPACT ON EXISTING POLICIES

Any instruction provided in accordance with this policy is considered a continuation of the Department’s instructional program. Therefore, the roles and responsibilities of students, parents or legal guardian(s) and Department personnel are the same as if students were present at school during the instructional day. Unless specifically noted in this policy, all relevant policies shall remain in effect.

SECTION 41-4 DRESS CODE

When Department personnel and students are visible to other Department personnel or students, they shall dress in conformance with the school - appropriate dress code.

SECTION 41-5 ATTENDANCE

Students participating in distance learning shall, for funding and accountability purposes, be counted as present for the portion of the school day that would otherwise be occupied if the student were taking the course in a physical classroom.

Students must continue to meet all mandated compulsory attendance requirements. Attendance and participation shall be measured by means appropriate to the medium of instruction delivery, which may include, but is not limited to Department approved and monitored emails, chatrooms and message board posts, submission of assignments, or other Department approved means.

The Department shall establish clear policies and procedures for accumulating, monitoring, and reporting daily attendance data and for addressing chronic absenteeism.

SECTION 41-6 PRIVACY and INTERNET SAFETY

In all cases of distance, blended, or online learning, Department personnel shall comply with the provisions of The Family Educational Rights and Privacy Act (FERPA), as defined in 20 U.S.C. § 1232g and of 17 V.I.C. § 98. Students, legal guardians, and Department personnel shall have no expectation of privacy when communicating via Department approved mediums and means. Persons using their own personal devices take responsibility for appropriate use of their device at all times. The Department is not responsible in any way for personal devices or their use.

The Department shall provide an appropriate training on internet safety, regulations and protocols to personnel, students, and legal guardian(s), which can be delivered online. All personnel and students will be required to complete the designated course. This policy shall be effectuated

beginning in the 2021-2022 school year and all students enrolled in public school must complete the course within the first semester of the 2021-2022 school year.

The Department shall implement technology protection measures that block inappropriate sites or limit access to selected portions of the Internet based on identified criteria designed to limit or prevent access to inappropriate material. The Department shall provide an updated Technology Acceptable Use and Internet Safety Policy and User Agreement to take effect in the 2021-2022 school year. This policy will be submitted to the Board for review and approval by July 31, 2021. Department personnel, students/legal guardians and other authorized users shall be required to complete the Agreement and abide by the Policy. The completed policy shall be kept on file at the school.

At no time shall Department personnel or students engage in behavior that violates the Board's K-12 Bullying Intervention, Prevention and Remediation Policy and Student Discipline Policy.

SECTION 41-7 ACCESS

The Department shall support learning at all instructional levels by providing students enrolled in the Virgin Islands public school system with the technological resources needed to fully participate in distance learning whether offsite or in the physical classroom. The Department shall strive to bridge any equity gaps between those students with and without the technology and resources necessary to access instruction. The Department shall utilize all available funding sources and means to bridge those gaps and ensure learning access in compliance with local and federal law.

Distance learning shall be available and accessible for all students who are unable to participate in in-person learning due to reasons beyond their control, including but not limited to health and family related issues, extended emergencies, disasters, and school closures. Distance learning shall also be available and accessible when appropriate for credit recovery, academic remediation, reinforcement, and acceleration when approved by the Commissioner or designee.

The Department shall ensure that every student has access to reliable technology and the Internet through innovative programs that support educational initiatives. The Department may develop public and private partnerships to support cost-effective telecommunications access.

SECTION 41-8 DELIVERY OF INSTRUCTION

When the public schools engage in virtual, blended ("hybrid") or distance learning, instruction shall be delivered in mediums approved by the Virgin Islands Board of Education. These methods can include, but are not limited to, means and mediums already implemented or to be implemented in the future by the Department which may or may not include the use of technology. Although students may not be on school campuses, "school" and "instruction" shall continue and the Department shall continue to engage students with instruction and experiences that provide opportunities for continuous learning while allowing them to stay connected with their instructors and classmates. In all cases, instruction will comply with requirements and guidance from the Board.

SECTION 41-9 CONTENT

1. The Department is responsible for the integrity of distance learning content and delivery. Distance learning instruction must comply with existing Board policy and standards established by the United States Department of Education and a recognized accrediting entity.
2. Curriculum developed for distance learning must align with Virgin Islands educational content standards in the subject area.
3. The Department shall support distance learning by acquiring necessary subscriptions and access to journals, library databases, fiction and nonfiction books, and other resources to ensure the full student learning experience.
4. Criteria for student success in online instruction courses and programs shall be as rigorous and comprehensive as those used in classroom-based courses.

SECTION 41-10 DISTANCE LEARNING COURSES

- (a) The Department shall offer all students access to required and elective courses of study via distance learning. Distance learning/online courses shall be offered for the purposes of instructional delivery, credit recovery, academic engagement, promotion, elective credit, or graduation.
- (b) The Department shall develop procedures to evaluate providers of these online courses, which shall be accredited by a recognized accrediting entity. Distance learning courses shall not be offered if a qualified teacher is available, unless an academic waiver from the school is secured by the student, as per guidelines established by the Department. The Department shall submit these guidelines to the Board for review and approval by July 31, 2021.
- (c) The Department shall determine the number of distance learning/online courses that students can take per semester and establish minimum criteria to determine eligibility for participation.
- (d) At the end of each school year, the Department shall assess teacher vacancies and student course requests and needs to determine distance learning course offerings and publish/notify of the availability of online course offerings at the start of the following school year, to allow for registration and optimal participation. In the event that the Department is unable to staff courses, the Department shall request from the Board in writing approval to staff courses with qualified instructors from an identified online service provider.
- (e) The Department shall develop continuing education distance learning courses for credit or non-credit purposes to support career readiness.

- (f) Students enrolled in public school are not responsible for costs if the required course is not being offered at the school.

SECTION 41-11 ONLINE INSTRUCTION/FACULTY

The Board shall require that all providers of online instruction and instructors shall be qualified to teach the subject matter and be certified by a nationally recognized accrediting entity for online instruction.

SECTION 41-12 TRAINING and PROFESSIONAL DEVELOPMENT

The Department shall annually provide personnel with professional development instruction on best practices for virtual, blended and distance learning practices, which shall include grade level and content-area specific training for virtual and distance instruction, instructional design supports, and communication. The Department must verify that each teacher and administrator have successfully completed the professional development and are able to demonstrate their ability to implement the knowledge, strategies and techniques learned in the delivery and monitoring of instruction. This training shall take place before personnel commence online teaching.

The Department shall provide appropriate training on utilizing distance learning platforms and support services to personnel, students, legal guardians, and community organizations to include the Parent-Teachers Student Association (PTSA).

The Commissioner or designee shall provide support to students with disabilities or other special needs, along with their legal guardian(s) to help them navigate distance learning instruction.

The Department shall provide appropriate professional development for school and district administrators utilizing effective, research-based tools to monitor instruction that is directly tied to student performance. The Department shall also provide administrators with appropriate training on how to supervise and evaluate personnel who are providing distance learning instruction under this policy.

SECTION 41-13 TECHNICAL SUPPORT

The Department shall maintain a virtual help desk on a 24-hour basis and a telephone help desk to be available from 8:00 a.m. to 8:00 p.m.

SECTION 41-14 COMMUNICATION with STUDENTS AND PARENTS

At all times, Department personnel shall exercise their best professional judgment and act with integrity and concern for their students.

The Department shall update student handbooks regarding distance learning, and include, at a minimum, information and clear guidelines on internet safety, progress monitoring, academic supports, parent notifications, and student responsibilities.

SECTION 41-15 INTELLECTUAL PROPERTY

The Department shall establish procedures regarding intellectual property. Department personnel and students shall not use, upload, post, mail, display, store or otherwise transmit any such material that is protected by copyright or is in violation of any Federal Communications Commission rules applicable to public broadcasts, except when such use or disclosure is properly authorized and bears the appropriate notations. Instructors shall use public domain resources when permission to use protected materials cannot be obtained.

SECTION 41-16 ACADEMIC INTEGRITY

Academic dishonesty including cheating, having others complete assignments, and plagiarism will result in consequences, including but not limited to loss of credit for affected assignments.

The Department shall update their school handbooks to include, but not limited to academic dishonesty academic integrity and plagiarism.

SECTION 41-17 INSTRUCTOR EVALUATION

The Department shall create an evaluation process for instructors that provide online learning that includes feedback from students and parents.

SECTION 41-18 ONGOING POLICY EVALUATION

The Board, in consultation with the Department, shall evaluate this policy every two years, and the procedures herein and adapt the same based on guidance from the appropriate local officials.

Approved by the Policies, Rules and Regulations committee on March 27, 2021

Winona A. Hendricks, Chairperson
Kyza A. Callwood, MPA
Shawna K. Richards
Terrence T. Joseph

Approved by the 20th elected V.I. Board of Education on April 21, 2021

**THE U.S. VIRGIN ISLANDS BOARD OF EDUCATION
RESOLUTION ADOPTING THE VIRGIN ISLANDS DISTANCE LEARNING POLICY**

WHEREAS, The Virgin Islands Board of Education (“Board”) was established as an independent agency of the Government of the U.S. Virgin Islands by Act No. 2252; and

WHEREAS, Virgin Islands Code Title 17, Section 21 authorizes the Virgin Islands Board of Education to prescribe general regulations and orders and in general to do anything necessary for the proper establishment, maintenance and operation of the public schools of the Virgin Islands; and

WHEREAS, Virgin Islands Code Title 17, Chapter 5, Section 41g and Act No. 8400, Section 2 authorize the establishment and promulgation of a policy governing the provision of distance learning and blended courses by the Virgin Islands Department of Education as qualifying courses for promotion and graduation; and

WHEREAS, the Board recognizes that natural disasters and other circumstances often make it difficult for students to attend school in physical classrooms; and

WHEREAS, the Board further recognizes that utilizing distance learning further provides Virgin Islands students with access to information and academic engagement comparable to their counterparts on the United States mainland and other leading nations; and

WHEREAS, the Board’s Policy, Rules and Regulations Committee worked diligently to research best practices and draft a distance learning policy appropriate to Act 8400 and the Virgin Islands public school system educational environment; and

WHEREAS, on March 27, 2021, the Committee favorably voted for the Distance Learning Policy to be forwarded to the Board for approval; and

WHEREAS, the Board held a special meeting on April 21, 2021, at which time the Board voted to approve the distance learning policy which prescribes general regulations and orders to the Department of Education to provide access to information, resources, academic engagement and technology for all students, for public distribution.

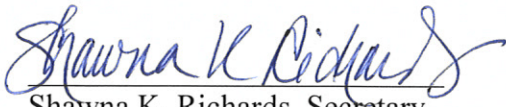
NOW, THEREFORE, be it resolved by the governing board of the Virgin Islands Board of Education that:

Section I The Virgin Islands Distance Learning policy is adopted.

Section II The Executive Director of the Virgin Islands Board of Education is authorized to effectuate the completion of the publication process.

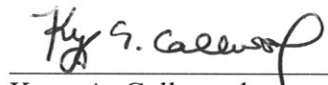
Section II This Resolution is effective immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and the Seal of the said Virgin Islands Board of Education this 10th day of June, 2021.


Shawna K. Richards, Secretary



I, Kyza A. Callwood, the duly appointed and qualified Chair of the governing board of the Virgin Islands Board of Education, do hereby certify that the Resolution hereinbefore mentioned is a true and correct copy of Resolution No. 03-2021 to adopt the Virgin Islands Board of Education Distance Learning Policy and authorize the Executive Director to effectuate the completion of the publication process.


Kyza A. Callwood
Chairperson, Board of Education