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| http://can2-prod.s3.amazonaws.com/email_templates/logos/000/006/464/original/tea_small.jpgTEA Tidbits--August 28, 2020Dear TEA members, Legal Considerations For Remote LearningHere is some good general information on care of student information, use of personal devices, and more as you go back to school next week.**Q: Can I take educational records home with me?****A:** Yes, as long as you a) have a legitimate interest in the records (i.e., they're relevant to your work); b) do not further disclose personally identifiable information from the records unless othewise permitted under FERPA; c) use reasonable methods to protect the privacy of the education records (i.e., keep them in a locked cabinet, folder or envelope, don't leave them lying around, don't leave them open on your laptop when you share screens with your students, etc.). **Q: What equipment/software/platforms can I use for remote learning?****A:** **1.** **Please only use district-approved platforms to teach remotely.** The reason: the district is required to publish, under the Student Data Transparency and Security Act (SDTSA), all third parties that have access to student data, along with a copy of the contract the company has with the district, showing what data they are allowed to collect. If you use a platform not approved by the school district, you may inadvertently share student data with a company that does not have permission to access that data. **2. Please use district hardware and phones.** Any personal device that is used for communicating with parents and students is subject to subpoena or search if there is an issue. **3. DO NOT, under any circumstance, use personal email, personal phones, or social media to communicate with parents and students.** **Q: Can non-students observe a virtual lesson?****A:** Parents or other non-students can observe either live virtual lessons or pre-recorded virtual lessons as long as no personally identifiable information is shared during a virtual lesson. **Q: What does that mean?****A:** That means that you can't discuss specific students' grades, discipline, or other confidential information during a virtual lesson. It's also good practice to close out of any gradebooks, etc. before the lesson, so that you don't inadvertently share that information. **Q: Can educators conference virtually with parents?** **A:** Yes. Read on.Issues to keep in mind: •Ensure that only authorized parents/legal guardians participate in the virtual conference •Ask questions about who is participating, whether anyone else is present and/or can hear the conference, etc. •If someone other than authorized parents/legal guardians are participating, FERPA requires “signed and dated written consent” by the parent. This can be electronic if it: (1) specifies the education record that may be disclosed, (2) states the purpose of the disclosure; and (3) identifies the party to who the disclosure may be made. **Q: Can educators use materials created by others in the remote classroom?****A:** It depends on whether you have copyright permission, or whether it falls under "Fair Use" standards to use the information without a license. [Visit this page](https://u1584542.ct.sendgrid.net/ss/c/atcYNHk4Eh2YdGnwBh-YDFs8Pbz1nVn1IAgo2xlG46Gt9FYckUtk3Pc5NbGlNAUuk26obaPyWK7uajv89-8XcmHh4yf4WmqTVChGG3jbv3m_g4qnqXZpEXqraONb7pmbJ3TVmaqBY5CUHkjYvrYERpI4NxyAvlAoYJxjqMUXnZ_SrONWNB9jUv1ENCCgr-RtDvCdeAHpKKcq1wOihJftJZkAD_BYsDB2DwaGzrdDahTUqsrLEriTrMKL1HM-eNPb7FUDwv791nmh8Tk5Jm62yg/34p/aNPZSp31SfyAX5igxj-oWQ/h0/ePJ-l3h42TBpFyoxK1tkrohaaH4BCAHrn_w3wJIp7eE) for more useful information about fair use guidelines, and [this page](https://u1584542.ct.sendgrid.net/ss/c/atcYNHk4Eh2YdGnwBh-YDMM3lahykYVVp1u3o-IcXLsTc8RUsih17gxuhKiyHlTJh4TaM5CPPY33TkLqx4D0XjZabijBTXYaME6f14PpNmaxZBgVggdbhtY9sl5AjQZeWJH7Fk2-l67AZ5wGhv3WrEX-8KcSDwnTYUsfuCzuAoNG1qST2hh3Lk56E7GcKcXv8A95xeg9Y9us8rwOSaXbn-yNfuBVFi35mjfJvhuO3eJ2Z1Vkd61hGZaSktYgi6KgUQF5PaazoF7RjbCbpwXSa3ptiEf-_faCMfr0lWNwRtcMoKnT24zzMgxcHPd_1wxE/34p/aNPZSp31SfyAX5igxj-oWQ/h1/KxP87ZtarBp1J2FUElmjSINv-53TY34ArBznz4mP-Bc)for a more practical guide to copyright guidelines for educators. **Q: What else do I need to know?****A:** Follow any district policies that have been shared with you. First rule of rules is: know the rules. Contact your admin or your AR if you have questions about the interpretation of those rules. **Q: What about evaluations?****A:** The state has waived requirements that Measures of Student Learning be included in evaluations this year. Educators will still be evaluated on "professional practice" (the rubric). However, your evaluator **cannot evaluate you via an electronic device without your permission** (xref CRS 22-9-106(2): "no evaluation information shall be gathered by electronic devices without the consent of the licensed personnel."). An administrator may officially observe you teaching a remote lesson from an appropriate physical distance in your classroom, but not from inside your remote classroom meeting. They may attend your remote classroom meeting, but may not use anything they observe in your evaluation. Petition UpdateThank you to all of you who signed our Strong, Safe Schools petition! Nearly 450 of you signed the petition, asking the school board and our administration for six feet of physical distancing, a hybrid option for all, and a county-wide approach to school re-opening. With the county-wide (!) decision to remain remote until October 16, we have paused on delivery of this petition. We did deliver a letter to the school board outlining our position, so they are aware. We will wait to see what class sizes look like at elementary school on Sept. 1, and whether it will be feasible to achieve six feet of distancing with new class sizes, before determining next steps. Congratulations! Your activism is helping achieve safe, healthy learning environments for each student and staff member!Still need to sign? [Sign here!](https://u1584542.ct.sendgrid.net/ss/c/P8Elou2Rvc0qoMPEUZrMXcOpy_XqN4R2ZGjoK-5zZnlnHcY-kQh8oMQkVexrKn2Rju5Ei4NbmgtKPAV4YgquOj6TIBETrKSouU28il-XYPfM8pyexysyxh9jKSZwPR_CeX9fTCnBuW2xziu7mK_INLw6UpJxiU-f0eRRSB-8Lm3ICLzW8VwYm0SdInA9ZlNZtazuTjvTBIPo75M5tcYdrhIDmHgGteFaJCkiDU_kKhqx4LKcOPbmvqUIkF8krDoKe4pIzjHwXL-KjX5lumdi8A/34p/aNPZSp31SfyAX5igxj-oWQ/h2/S_NlgtOroK_nC71FFDgcwnOWYnqXo6FT73dwux1wGzQ) Make sure to change the signature name on the petition. **TEA's Demands = Strong, Safe Schools**Your Association Representatives met to review survey results and member input, and decided to focus on three specific asks of school administration to increase school safety and flexibility in the fall:1. **Six feet of physical distancing, with required mask use, must be observed in all school settings.** This is the standard for all other indoor public spaces and businesses in the state. Studies have shown that six feet of physical distancing, in conjunction with mask use, significantly lowers the risk of community spread. We ask the district to take all necessary steps to maintain six feet of physical distance among all students, staff, and visitors throughout the day including, where necessary, class size reductions, reconfiguring classrooms and readjusting school schedules and traffic patterns.
2. **Develop a hybrid model for instructional delivery, with 50 percent building capacity, as an additional option for instruction.** This brings us in line with other school districts in the area; allows for students to receive more 1:1 attention; makes it easier to achieve six feet of physical distancing; provides an option for 50 percent capacity as required of restaurants and other businesses that have limited indoor occupancy when the county risk score is "yellow"; and gives the district more flexibility in deciding how best to educate students.
3. **Tie the instructional delivery model to the** [**Larimer County COVID-19 risk score**](https://u1584542.ct.sendgrid.net/ss/c/atcYNHk4Eh2YdGnwBh-YDL8-USd_7bN9RIRYCSC1_pmKnHU2V6sN7sokjGWK1w892_coQ4Wt3oFn_g5mfdVj5FPJfEnv6OpgSsD447kpMjHBb6tGOIhU24l6q5iqS68M0HIXHlz-xMQs3EiVN8g55OINTOr_esu1L0SiijHR619iPIGNnRDn9mZC68ElVp1maoZpNgPXIaB2X4JCbDvJbNK7nvrqUJqmCpKKgYq9tZV7NsrzdbjRcYnGdl9lyA1LRybb3Or6oXm3LDyUCZgV8PM4p-QoM6_nju3zouITpZiHMQ8mCBjXMTH2mpTw0Ww3ZQdDaEEGK9FdDeQ2sV0qYmr6y0Bar_tsfvEGIdsjniQ/34p/aNPZSp31SfyAX5igxj-oWQ/h3/IuGoQFGgUmgy9xvH5XIRcfjEyqfNO4TmKQ-EoxvYJnk)**.** Nobody wants to go back to school more than educators; however, we want to do so in a way that is safe for students, educators, and their families. This proposal ensures that we are re-opening in a way that reflects the risk in the community. So, if the risk score is red, we shift to remote learning; if it is yellow, we shift to a hybrid/50 percent model, and so on. Individual schools and cohorts would shift to remote learning for 3-14 days if students/staff test positive. **This proposal has the support of all of the education associations in Larimer County, and we are advocating to make this a county-wide norm.**

**Solidarity!**Sincerely,https://salsa4.salsalabs.com/o/51019/c/147/images/Andy%20professional%20pic.jpgAndy Crisman tea@coloradoea.org [h](https://u1584542.ct.sendgrid.net/ss/c/zMhPeRdLSH9QavqI0KIPYbYYEpXzaTr0nk3JMyQs3ilVrsrBEQqvBO3l0oEHcMOHX0DUEg5Vw1JAstkgf4LVe-icYuvEBN5bagikOv5mxDsOK9MxYxsw0aI4eS7n3urClRRJle2OVp19hlfhfXGOMoJaw1unWW5tFY9K8V2y_vFWDVMvES6nkGw6wzrHjwC_lg3eJuwaTY4la12yt2sIPk_3d3QNetg43Rqa3M6FyCGj3t6jVSnf43wrK_t9H2Zr/34p/aNPZSp31SfyAX5igxj-oWQ/h4/-J_Sn_I08_RATUfG8S_pbZ3DI1ajApLLg3btHSB89yM)ttp://thompsoneducationassociation.org  |

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