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BASA UPDATES

Superintendent of the Year Nominations/Applications

For further national application information, please visit <http://www.aasa.org/content.aspx?id=3404> and <https://soy.aasa.org/>

STATE APPLICATION

Each applicant must contact the AASA Affiliated/State Associations to inquire about the State Superintendent of the Year selection process and application deadlines. Timelines vary from state to state. To be eligible for National Superintendent of the Year®, an applicant must first be selected as a State Superintendent of the Year by the state association of school administrators or AASA Affiliate program. AASA, The School Superintendents Association, has affiliate relationships with 49 state administrator associations and the Canadian Association of School System Administrators (Canada). Access state association/affiliate websites by clicking on the following link: My.AASA.org

The deadline for completed applications for the Ohio State Superintendents of the Year will be September 11.

Save the Date: BASA Virtual Fall Conference

Due to the circumstances surrounding COVID-19, the BASA Fall Conference, “Leading in Times of Uncertainty”, is going virtual this year on **October 5-6, 2020!**

We will be using a platform called All In The Loop to bring the conference to you! Presenters can choose to pre-record their sessions or present live with the opportunity to connect with participants through live Q&A. Attendees will also be able to conduct virtual meetings, receive information from exhibitors and sponsors, and network!

We will be sending out registration soon, so stay tuned!

BASA Membership Renewal

It’s time again for BASA Membership renewals! In order to renew, you must visit your BASA account at <https://basa.finalforms-amp.com/members/login> and use your credentials to login! From there, you can fill out your membership information, and either pay online with a credit card or choose pay by check if you are using a PO. You can print the form from the website to use as an invoice, or email Denise Hall at hall@basa-ohio.org.

Also note that while BASA membership “expires” on July 31, you have until September 1 to get your membership renewal to us. Feel free to contact the office with any further questions at (614) 846-4080.

AASA UPDATE

HEALS Act Analysis

On July 30th, Senate Republicans released their marker bill for the fifth COVID response. Here is a quick summary of what we know to be in the bill. **We've also attached a side-by-side analysis of the House Democrat, Senate Democrat and Senate Republican bill with our key priorities.**

Top Takeaway: This is a message bill and it includes a lot of non-starters from our perspective (as well as for Senate Democrats, not to mention getting a bill like this to a place that could pass the House). There are a lot of pressures at play outside of content. The August recess starts soon and Congress will want to get home to campaign; at the same time, they do not want to go home for August recess without having at least made significant inroads on another round of federal support and unemployment insurance is a key driver in negotiating something quickly.

As always, we will work with the Senate to make this a strong, bipartisan bill. The GOP proposal is not a bill we would endorse at this point and we expect that is true of education stakeholders ranging from Governors down to classroom teachers. We will be keeping a keen eye on protecting the liability provisions (this will cause a divide in the education community, with state/district leaders calling for the protection and teachers/unions opposing the provisions), as well as increasing overall funding level, opposing any privatization and/or incentive/mandate to physically open, pushing for IDEA flexibility, supporting dedicated funding for E-Rate, and extending school nutrition flexibilities, among other priorities.

Overview

- **Funding:** The overall bill does not include any additional budget aid for state and local governments, which will likely be a top consideration in how much officials at that level cut their education budgets in response to the economic slow down (see related Maintenance of Effort item in policy section). Topline level for education is \$105 billion.
 - \$1 b for Bureau of Indian Education and outlying areas; \$5 billion for GEERF (Governor's Fund); \$70 b to ESSERF (K12); \$29 b for higher ed
 - USED Secretary would have to disseminate money to states within 15 days of the bill becoming law.
 - For K12 Funding
 - Allocation: Would move to states based on overall population (60%) and on Title I share (40%)
 - Private schools would be eligible for all the same funding that public schools are eligible for as long as they meet the same re-opening criteria.
 - Allowable uses

- For the 1/3 of funds automatically available, allowable uses appear to be broad and flexible, pretty similar to the CARES act, covering things like sanitation, purchasing ed tech, responding to the pandemic, etc....
 - For the conditional 2/3, includes additional flexibilities, like purchasing PPE, using flexible schedules to keep kids in isolated groups, buying boxed lunches, buying physical barriers, providing transportation, repurposing existing school rooms/space (including improving ventilation systems)
 - Of the funding allocated to LEAs/private schools:
 - 1/3 would be available to all schools immediately; the remaining 2/3 would be available for reopening costs, with funding awarded based on certain minimum opening requirements (and other criteria established by the states)
 - For the conditional 2/3: If an LEA provides in-person instruction for at least ½ the students for at least ½ the days, their funding would be automatically approved. For LEAs with no in-person instruction, there would be no money. For LEAs that provide SOME in-person, \$\$ would be reduced/awarded on a pro-rata basis
 - An LEA's plan must include a detailed timeline of when in-person instruction will occur, description of how many in-person instruction days/week are being offered, and an assurance the LEA will offer students as much in-person
 - Funding for private schools: SEAs must reserve a portion of the funds equal to the percentage of students enrolled in non public K12 schools in the state prior to COVID (a la equitable services). In order to receive these funds, a private school must meet in-person requirements, though theirs differ from those of public schools
 - Any private school offering in-person instruction for at least half of their students for half of the days would be eligible to receive the full share. Private schools offering no in-person instruction would only be eligible for 1/3 of the amount of assistance per student; LEAs that provide some in-person would receive their share on a pro-rata basis.
- Policy
 - Maintenance of Effort: States have to spend the same percentage of overall FY20/21 budgets on education as they did in FY19. Put another way, cuts to education are OK, so long as schools are cut at the same rate as other state programs. LEAs can pursue an MOE waiver. This is an improvement over CARES.

- Liability: Provides a federal cause of action for COVID exposure claims against employers, including schools. The cause of action is the exclusive remedy for all claims against a defendant for personal injury caused by actual, alleged, feared or potential exposure to COVID. The bill covers coronavirus-related exposure injuries that occur between Dec. 1, 2019 and Oct. 1, 2024, and impacted parties would have to show LEAs were grossly negligent or demonstrated willful misconduct, and that they violated relevant state and local public health guidelines.
- Private Schools: In addition to the private school carve out in ESSERF, the bill authorizes (but does not fund) a brand new voucher program, the Education Freedom Scholarships. This is NOT a federal tax credit, it is a one-time appropriation and can be used on any educational expense (private school, homeschool, etc) and States would be required to set up tax credit entities to receive this funding.
- Equitable Services: Language in how the new funds would be allocated is tighter than that of CARES. Does NOT include retroactive fix of CARES problem for CARES funding.
- Homework Gap: No funding for homework gap is included in the bill. Yes, it is an allowable use of the broader ESSERF fund, but that is nowhere near as flexible as CARES was and is already grossly oversubscribed.
- IDEA Flexibility: Provides ZERO flexibility for IDEA.

PARTNER RESOURCES

Effective Literacy Instruction for Students with Disabilities

IDEA (2004) mandates that students with disabilities receive appropriate public education that enables them to benefit from instruction and make progress. Students with disabilities are capable of learning to read and becoming proficient readers. The Council for Exceptional Children and CEEDER (2017) identified high leverage practices that are proven effective for students with disabilities. High leverage reading instruction is:

- systematically designed,
- explicit,
- intensive with massed and distributed practice,
- scaffolded to support learners,
- corrective with immediate, instructive feedback, and
- engaging for learners.

Learn how these research-based practices are integrated in digital reading instruction for students with disabilities.

[Download the White Paper](#)

Please contact us if you have questions, need additional information or want to schedule a demo:

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EF Supports Transforming Professional Practice in a Time of Crisis Through Scholarships

EF Education First has partnered with Southern New Hampshire University over the past years to provide professional development opportunities for educators. This year, EF is proud to provide 500 scholarships for teachers across the United States in an exploratory course on distance learning. EF and SNHU recognize the past several months have been the truest form of professional development. In this course, students reflect upon their efforts to support students and their school during the COVID-19 crisis. Emphasis is placed on the ways in which teachers transformed their curriculum, pedagogy, instruction, and collaboration with one another to ensure the continued delivery of K12 education.

Within this self-paced course, educators take the time to reflect deeply on their entire experience. They also connect with educators throughout the country as they present ideas and new learning in focused discussion spaces. Participants are able to access and share these findings with their colleagues. Course domains include:

- Curriculum Ingenuity & Innovation
- Community Engagement
- Learning Progress
- Leveraging Education Technology
- Pedagogy & Instruction
- Social/Emotional Health
- Wellness Professional Learning Communities

Ohio is well-represented in this program as 28 teachers from across Ohio have been provided a scholarship for this course through EF this summer. The following districts have one or more teachers that have received this scholarship:

- Perry Local Schools
- Franklin City Schools
- Lake Local Schools
- Portage Community Schools
- Canton City Schools
- Cuyahoga Falls City Schools

We will be offering BASA member districts scholarships for the fall session of this course. For more information, please visit: <https://snhuvt.org/extraordinarytimes>. **Enrollments must be received no later than August 14th.** The course begins on September 1st. If you are interested in having teachers from your district participate, please contact Michele Ahouse at michele.ahouse@ef.com or 617-619-2028.

Accommodating employees who are at high-risk of contracting serious illness from COVID-19 from Bricker & Eckler, LLP

As the new school year approaches, school districts are seeing requests to work remotely during the upcoming school year from employees who report being at high-risk of serious illness if they contract COVID-19.

How should such requests be handled? The answer is carefully and on a case-by-case basis. School districts are obligated under the Americans with Disabilities Act (ADA) to engage in an interactive process with employees in order to identify whether the requested accommodation, or another accommodation, must be provided.

Some basic steps to help move through the ADA's interactive process are as follows:

1. Request medical verification that the employee has a personal health condition recognized by the CDC as being at high-risk for serious illness from COVID-19 (such as chronic lung disease, asthma, heart conditions, immune deficiencies, cancer, HIV or AIDS, severe obesity, diabetes, kidney disease or liver disease). If the employee does not have a high-risk condition, there may not be an obligation under the ADA to consider the request (without additional information about the health condition) as The Equal Employment Opportunity Commission has stated that the accommodation process is not triggered solely by an employee's "generalized fear" of contracting COVID-19. Note that the ADA does not afford accommodations for situations where a member of the employee's household, rather than the employee, is a high-risk individual.
2. Review the employee's job duties and assess whether the essential functions may be performed remotely. If the position is one that can be performed remotely on a full-time or part-time basis, the employee's request may be reasonable, and the accommodation may be granted.
3. If, however, the position requires the employee to be on-site, the school district should document, and be able to explain, the reasons that remote work is unreasonable or how it will pose an undue hardship on the school district. The school district should consider alternative accommodations designed to reduce the risk of exposure to COVID-19 and that comply with medical documentation. Such accommodations may include offering to supply an N95 mask, providing unpaid leave, temporary job restructuring of marginal job duties, modifying or staggering a work schedule or shift assignment, or temporary transfer to a position that is possible to be performed remotely.

Ultimately, balancing the ADA accommodation requirements for high-risk individuals is fact specific and requires flexibility and careful consideration. The failure to provide an accommodation where one is available or denying an accommodation that is reasonable can be a costly error resulting in exposure under the ADA. It is highly recommended that school districts work with legal counsel as they navigate the accommodation process.

PROFESSIONAL DEVELOPMENT



Remote Learning Alliance

Remote Leading for Remote Learning
Coming together for Ohio's Students during the COVID-19 Crisis

In partnership with Actionable Leaders and [BASA](#), these educator-led Zoom conferences are now being supported by the [Remote Learning Alliance](#), a partnership of the [ESC of Central Ohio](#), [Montgomery County ESC](#), and other education-focused organizations committed to helping make the transition to remote learning as easy and robust as possible for Ohio school leaders, teachers, and support personnel. To learn more, please see here: [Remote Learning Alliance Overview](#).

The password to ALL Meetings: COVID19

Updated 7/31/2020

MONDAY, AUGUST 3		
EL Leadership	10:00 AM	NO MEETING
Secondary Math Teachers	11:00 AM	NO MEETING
Special Education Leaders/Teachers	2:00 PM	NO MEETING
TUESDAY, AUGUST 4		
School Counselors - High School	9:00 AM	NO MEETING
School Counselors - Middle School	9:45 AM	NO MEETING
School Counselors - Elementary	10:30 AM	NO MEETING
PE/Health	11:00 AM	https://us02web.zoom.us/j/83828650011
Secondary English Teachers	2:00 PM	https://us02web.zoom.us/j/84042988189
WEDNESDAY, AUGUST 5		
Tech Directors/Instructional Coaches	9:00 AM	NO MEETING
Superintendents	11:00 AM	https://us02web.zoom.us/j/85466935682 CHECK EMAIL FOR PASSWORD
Tech Prep/Career Education	2:00 PM	NO MEETING
THURSDAY, AUGUST 6		
Communications	9:00 AM	https://us02web.zoom.us/j/83236239728

Social Workers	10.00 AM	NO MEETING
Gifted Education	10:00 AM	https://us02web.zoom.us/j/86032794438
Arts and Fine Arts	11:00 AM	https://us02web.zoom.us/j/84882459321
Central Office Leaders	11:00 AM	https://us02web.zoom.us/j/87056463285
Music	12:00 PM	https://us02web.zoom.us/j/82585049513
Social Studies	1:00 PM	https://us02web.zoom.us/j/88171127402
Kindergarten	1:00 PM	https://us02web.zoom.us/j/85469802182
FRIDAY, AUGUST 7		
Science	11:00 AM	NO MEETING
Foreign Language	12:00 PM	https://us02web.zoom.us/j/86466705038
Elementary Principals	1:00 PM	https://us02web.zoom.us/j/82324204623
Secondary Principals	2:00 PM	https://us02web.zoom.us/j/84044787702



Staying Ahead: What You Need to Know About the New Title IX Regulations

Join Walter | Haverfield and BASA on August 14th at from 9:00 a.m. – 12:30 p.m. for a legal presentation on the latest Title IX changes and updates. [Register here!](#)

Tax Abatements – What School Districts Need to Know

Wednesday, August 12, 2020, 12:00–1:00 p.m. (EST)

As a school official, have you ever wondered, “what do I do with this CRA tax abatement notice from the city?” There are certain quantitative and legal analysis points that school districts should consider when being approached to participate in proposed CRA, TIF and EZ projects.

Bricker attorneys Jeff Harris and Rob McCarthy will discuss an overview and suggest next steps for school district officials when dealing with tax abatement notice letters from local governments or when school districts are invited to incentives negotiation sessions with businesses.

[Register here!](#)