



COVID-19 Guidance: Frequently Asked Questions

Introduction

To reflect additional questions received from the field, the Iowa Department of Education continues to update and add to its frequently asked questions (FAQs) guidance. These updates are indicated by a “New (4-14-20)” or “Updated (4-14-20)” label. FAQs are grouped by the following areas:

- [Advanced Placement](#),
- [After School Programming](#),
- [Assessment](#),
- [Board Meetings and Action](#),
- [Continuous Learning \(e.g., Online Learning\)](#),
- [Donations](#),
- [Finance](#),
- [Graduation](#),
- [Health and Safety](#),
- [Medicaid](#),
- [Preschool](#),
- [Professional Development](#),
- [School Improvement \(Title I, Section 1003\)](#),
- [School Lunches](#), and
- [Special Education](#).

Advanced Placement

New (4-14-20): There is a conflict in high school principals’ minds about continuing AP learning and not learning for other students.

Please try to provide learning opportunities for all students during this time with a focus on equity.

After School Programming

During a school closure, what is the requirement for after school programming?

Programs will not have to meet the 60 hour per month requirement. This is calculated based on the actual days a school is open.

Assessment

Updated (4-14-20): Will we have to administer federally mandated student assessments this year (ELPA21, ISASP/DLM)?

Due to the extraordinary circumstances created by COVID-19 and resulting school closures, the U.S. Department of Education notified states of an optional waiver for the 2019-2020 school year. The waiver allows Iowa to waive several requirements including: the assessment requirements in section 1111(b)(2) of the Elementary and Secondary Education Act (ESEA), as amended by the ESSA; the accountability and

school identification requirements in ESEA sections 1111(c)(4) and 1111(d)(2)(C)-(D); and certain reporting requirements related to assessments and accountability in ESEA section 1111(h).

Iowa submitted this waiver to the U.S. Department of Education on March 30 and received approval on April 1, 2020. The following assessments will be waived for 2019-2020: Iowa Statewide Assessment of Student Progress (ISASP), English Language Proficiency Assessment for the 21st Century (ELPA21), and Dynamic Learning Maps (DLM). For additional guidance on [federally mandated assessments](#) and Iowa's approved ESSA waiver, see the Department's [COVID-19 webpage](#).

Updated (4-14-20): Will schools be held accountable for literacy progress monitoring (FAST, Early Literacy Alternate Assessment, other approved assessments) for students in grades K-6 for the remainder of the school year?

Schools will not be held accountable for progress monitoring under ELI or differentiated accountability for the remainder of the school year. There may be circumstances where progress monitoring of specific students can continue, but that is a local decision.

New (4-14-20): Will schools be held accountable for literacy screening (FAST, Early Literacy Alternate Assessment, other approved assessments) for students in grades K-6 this spring?

Schools will not be held accountable for screening students under ELI or differentiated accountability this spring. It is recommended that schools, even those choosing to implement required continuous learning, do not attempt universal screening because results are unlikely to be valid or reliable.

New (4-14-20): We have a specific number of days to test new ELs with TELPA21 when they register. Should we register new students now that are coming to the district while we are closed? When does the days counting start if we are closed?

Once the school enrolls the child (to build connection and accountability), the child is tested as soon as practical. This is subject to any additional guidance from the USDE.

New (4-14-20): For students that completed ELPA, can scores be used for placement/proficiency?

For students who have completed the ELPA21 summative, you will receive a score report showing proficiency levels—just like always. Reclassification and programming decisions should be made using these data. You can expect these reports in AIRWays by mid-May for most students.

Board Meetings and Action

Is board action required in cases where a district chooses to not make up days missed due to COVID-19, or does the Governor's action granting permission to do so suffice?

Added (3-26-20)

SF 2408, signed by Governor Reynolds on March 17, waives the Code requirements relating to instructional time and minimum school day for districts or accredited schools closed on or before April 12 in order to prevent or contain the spread of COVID-19. If the district or school wishes to adjust its approved school calendar as a result of the Governor's action, this should be documented through action by its local board. IASB has posted a sample board resolution: [Pandemic Response and Emergency Suspension of Policy](#).

Given the requirements for social distancing, should districts continue to hold regular board meetings? *Added (3-26-20)*

Yes, while still being mindful of social distancing. Board meetings should continue to be held to ensure continuity of district operation and fulfillment of requirements under Iowa Code chapter 279. Based on

[Governor Reynolds's March 20 disaster proclamation](#), certain open meetings laws are temporarily suspended “to the extent that the statutes could be interpreted to prevent a governmental body from holding the meeting by electronic means, provided that the governmental body properly notices the meeting or hearing and includes a telephone conference number or website address that permits the public to participate in the meeting or hearing.” The same proclamation temporarily suspended open meetings laws “to the extent they could be interpreted to prevent a governmental body from limiting the number of people present at an in-person location of the meeting, provided that the governmental body provides a means for the public to participate by telephone or electronically.

Continuous Learning (e.g., Online Learning)

Can schools use online learning options for students?

Yes, public districts may choose to use online learning options. If used, any online learning options should be offered as equitably as possible, taking into consideration the needs of students living in poverty, students with disabilities, and students who do not speak English as their first language. Consideration should also be given to staff members and their health.

Updated (4-14-20): Can we require students to participate in online education while school is closed?

It depends on the continuous learning option that has been selected by the district or nonpublic school (i.e., voluntary educational enrichment opportunities, required educational services). If participating in required educational services, districts and nonpublic schools may require students to participate in online educational programming or any other services while school is closed. Further description and guidance for each of these approaches is provided in the [Provision of Continuous Learning guidance](#).

Can we offer online educational opportunities while school is closed?

Yes. Public districts can offer educational services and opportunities. Districts choosing to offer any such options must do so in the most equitable way possible to allow access for students with disabilities, students living in poverty, and students and families for whom English is not the first language.

May online schools continue to run as normal (CAM, Clayton Ridge, Des Moines)?

The online school should follow the lead of the district. Specifically encourage social distancing and limit contact to others. Where this may become an issue is if the family has limited access to the internet and uses public spaces such as the public library or community centers for reliable internet. The district will need to ensure all students have equitable and reliable access to the internet.

Can nonpublic schools continue to provide and even require online educational services, even though public schools cannot do this while closed?

Yes. Nonpublic schools do not have the same legal considerations as public schools. Even so, we encourage nonpublic schools to consider accessibility of educational resources and services for their students with disabilities, those living in poverty, and those who do not speak English as a first language.

The College Board is offering continued online learning and testing for disciplines this spring. The College Board is not charging a fee to cancel a test due to the COVID-19 outbreak. Should a district support their students to continue their learning if other students are not doing so in their enrolled courses? *Added (3-26-20)*

It is a district decision to support students who are already enrolled continue with Advanced Placement online learning and testing. If supporting students, special consideration should be made so all enrolled students have access to the learning and testing.

New (4-14-20): If we continue to provide only voluntary educational opportunities for the time during which school is closed, can we award full or partial credit for second semester courses? If we are not able to award full credit, what avenues can we use to allow students to make-up work to receive full credit so that they can stay on track to graduate in 4 years?

If a district is providing voluntary educational opportunities for the time of school closure it is still a local decision to award credit for the coursework completed prior to closure. Options include awarding partial credit, full credit, and using any of several ways to help students make up the parts of the courses they missed. That might include but is not limited to a summer session, online coursework when school is no longer closed, supplemental work when school is back in session, or credit recovery.

New (4-14-20): I could not find any guidance on if it is acceptable for teachers to connect with students that are failing or missing work to encourage them to use this time to make that work up?

If a student had incomplete work as of the date of a school closure, it would be acceptable for a school to remind that student that the school will be collecting and evaluating that work when school reopens. If district policies permit teachers to contact students and families, the teacher may remind the student during the school closure.

New (4-14-20): What is the district's obligation to provide services when the district is closed but is a member of a consortium and the host district is providing required continuous learning? What if the district is closed but a private contracting entity is willing to provide services?

A sending district that is closed, cannot require students to attend the consortium school, even if the host district is continuing to provide services. Students may attend voluntarily. The sending district is not required to provide supports for the student to attend (e.g., transportation) but should continue to pay for the services. This also applies to districts that contract to private entities to provide services.

Donations

We understand that rural hospitals may have a need for Personal Protective Equipment (PPE) supplies. School shop classes and art rooms have supplies of PPE. Is there any way districts/schools can donate? *Added (3-26-20)*

Districts and schools that want to donate PPE can reach out to their County Emergency Management Agency-EMA. You can find the contact for your County EMA at the [Homeland Security pdf link](#).

Finance

What funding streams can be used to pay staff salaries/wages and benefits during the shut down period? *Added (3-26-20)*

Districts and AEAs should continue to use the funding stream(s) that were being used prior to the shut down period. This is to fulfill the legal requirement to have an appropriately licensed and prepared workforce when school returns. Until we hear otherwise from the federal level, this includes use of federal program funds.

New (4-14-20): Some of us are going to set up accounts to code all expenses incurred due to the COVID-19. Could you give us guidance on account codes to use? Is there coding that all districts should use when recording district expenditures that are specific to COVID-19?

The Department will assign a project number in the [Iowa Chart of Account Coding](#) that all district and AEAs can use to track COVID-19 specific costs. The 0000 section of the Project Dimension will be modified as follows:

0000 No Project Number Assigned and Special Projects Assigned by the State

0000 No Project Number Assigned

0019 COVID-19 Expenditures funded with Unrestricted Resources

Additional project numbers may be added by the Department in this section as deemed necessary.

Graduation

What about graduating seniors missing classes - will they need to retake courses or attend summer school?

If districts and nonpublic schools have graduating seniors who are unable to complete their classes for the year due to school closure, illness, family illness, or related COVID-19 issues, the Department suggests the district use local discretion to determine whether the students have completed sufficient course content to consider the units complete. We recommend that districts provide as much latitude for students to graduate on time as possible.

Health and Safety

If a school bus driver is unable to get an updated medical certificate due to appointment cancellations, will the Department waive its rule for school bus drivers to maintain valid medical certificates in order to keep driving a school bus? *Added (3-26-20)*

Yes. The Department will waive its rule regarding the need to hold a current signed medical examiner's certificate for individuals whose certificate has expired during the COVID-19 emergency. Based on the FAQs posted on the FMCSA [website](#), the state will be expected to promptly bring its CDL medical certification practice back into conformance as soon as the national emergency ends.

New (4-14-20): Our school has roughly 800 students and we are wondering how to return student belongings and medications?

Please refer to the governor's proclamation (March 17, 2020) for social distancing and the IDPH Centers for Acute Epidemiology has provided that this can occur if:

- Times are staggered for students to arrive.
- Students do not gather - they come in, get their stuff, and go out.
- Create measures to enforce the six-foot rule of social distancing if the students are in a line.

New (4-14-20): Our school is closing where students are bussed one to two hours from their home district and they have controlled medications that need to be returned to the owner (parents). Can we mail medications to the parent's home address to ensure they do not get lost or to decrease the risk of diversion? Many of our parents will not drive the distance to pick up their student's medication. Is there any provision for a healthcare provider or community partner who is authorized to transport to assist schools?

Mailing the medication would be acceptable, but as a last resort. Review these possibilities:

1. Ask a parent or legal guardian to come to the school to pick up the medication from the nurse or school administrator.
2. If the parent can't come to the school to get the medication, reach out to the pharmacy which dispensed the medication to see if the pharmacy would be willing to come to the school to collect the medication on behalf of the patient. Then, the pharmacy could elect to either deliver the medication to the patient or have the medication at the pharmacy for the parent(s) to pick up.
3. If the pharmacy isn't willing to have any involvement, allow the nurse to mail to the patient (asking that they stuff cotton or tissues into the bottle(s) to limit the sound of pills) utilizing some sort of delivery confirmation or signature required.

New (4-14-20): Can we contract with homecare nursing agencies to return medications to student's homes or nearest pharmacy? We have parents who have transportation barriers.

Pharmacies are prohibited from receiving certain medications back for the re-dispensation to other patients. In this case, they would be receiving medications back, holding them, and distributing them back to the individual or caregiver to which they were prescribed. While the homecare nursing providers may be authorized to transport medications in certain scenarios, the nursing providers are not providing contracted care to the families in which the medications are being delivered/returned. This creates an additional opportunity for diversion and should be avoided.

New (4-14-20): Do you happen to know if IDPH is required to notify a school district if one of their employees tests positive for COVID-19?

IDPH and LPH will work with schools and school boards on standardized messaging to protect the confidentiality of the individual/student.

New (4-14-20): School administrator requesting parents call the district if they or a family member test positive?

Parents are not required to share their health information with schools. Any health information regarding a student that is received by a school district is protected under FERPA. Schools should work with their local public health on messaging regarding any matters associated with communicable disease or illness to prevent overtly identifying or redisclosing an individual's personal health information or a student's educational record, as well as attach [FERPA/HIPAA Guidance](#) that was shared by the United States Department of Education and the United States Department of Health and Human Services in December 2019.

Medicaid

New (4-14-20): Can area education agency (AEA) staff provide Medicaid-billable services by telehealth instead of face-to-face?

Yes, with certain qualifications. Guidance from Iowa Medicaid advises that AEA staff can provide Medicaid-billable services by telehealth if all other requirements for face-to-face services are met and "if provision of

the service via telehealth is clinically feasible and appropriate" and "within the scope of their (provider) practice." Health Information Portability and Accountability Act (HIPAA) compliance is expected. However, during the COVID-19 national emergency, there are some exceptions to these qualifications. The United States Department of Health and Human Services (HHS) recognizes that the COVID-19 national emergency is an unusual circumstance and has announced that it will not be enforcing HIPAA compliance during this period. Not all communication tools are acceptable, however. HHS has provided examples of acceptable and non-acceptable products at <https://www.hhs.gov/sites/default/files/telehealth-faqs-508.pdf>.

Additionally, Iowa Medicaid has recently advised that during "an interim period for the Coronavirus and COVID-19" telehealth services, with some qualifications, are billable. This exception only applies if both provider and member have communication tools that include audio and video capabilities ([Provider Informational Letter 2119](#)). Billing will use the same procedure codes as face-to-face services and charge the same rate as face-to-face services. For billing telehealth services whether or not during the interim period, claims should identify the Place of Service as "02" which is for telehealth. For billing telehealth services outside of the interim period, claims should include modifier "95," which is for Synchronous Telemedicine Service Rendered via Real-Time Interactive Audio and Video Telecommunications System.

After the national emergency period, Iowa Medicaid requirements will again be that the AEA would be required to have a HIPAA compliant platform for teleconferencing, that the AEA staff uses that platform for service delivery, and that the AEA has signed a Business Associate Agreement with that platform entity.

New (4-14-20): Can LEA (district) staff provide Medicaid-billable services by telehealth instead of face-to-face?

All LEA Medicaid claiming is for services delivered during a school day, typically at school or in specialized transportation. If school is closed, IEP-ordered services are not expected to be delivered. When schools are open, answers provided above to AEAs also apply to LEAs. When schools are open, a community provider such as a psychiatrist can provide services by telehealth to the student who is in the school building and the LEA can bill Medicaid for a facility fee. Iowa now recognizes LEAs and AEAs as origination sites meaning that is where the student/patient/member is located.

Preschool

Will the 360 required hours be forgiven for district preschools and their community partner locations should they have to shut down?

There is no requirement for an annual number of days/hours for preschool.

Do preschools need to make up hours from the closure?

There is no state requirement for preschool to make up days/hours missed during the shutdown.

Can we use teleconferencing to provide Shared Visions Programming?

Continued support for children and families is important. The use of teleconferencing is allowable with attention to ensuring privacy and protection of information and in alignment with all relevant legislation.

Many districts and their community partners are paying their SWVPP staff during the closure. Is SWVPP state funding going to change, or will it be maintained? Can SWVPP staff in district and community partner locations continue to be paid with SWVPP funds? Added (3-26-20)

The Department does not anticipate any changes in the state SWVPP funding provided to districts. Districts and their community partners should continue to use the SWVPP funds to pay SWVPP staff, as was the practice prior to the closure period.

Our school has elected to continue to pay our staff while we are closed. I plan to continue to charge the same staff to SWVPP as had worked there prior to the closure. I have a question from a community partner about their continued funding. They are not working either. May I assume that they may turn in their expenses for staff, benefits, and supplies the same as in the past and charge to SWVPP? *Added (3-26-20)*

School districts should continue to provide SWVPP funds to their community partner locations as required by Iowa Code 256C.4(1)(h). Community partners should continue to use existing processes to provide documentation of SWVPP expenditures to the district.

I have State 4YO Partner Sites questioning whether they are still going to be getting their monthly flow through payments and if they should continue to pay their staff? I have the March checks printed and ready to go in the mail, I just want to know if we have any advice/direction/instruction for them? *Added (3-26-20)*

Yes. School districts should continue to provide SWVPP funds to their community partner locations as required by Iowa Code 256C.4(1)(h).

May community partner locations continue to provide the SWVPP as normal, even though the public school district is closed? *Added (3-26-20)*

Local agreements regarding program operation should be addressed by the district and community partners.

Should districts continue to flow SWVPP funds to its community partners during the period of closure? *Added (3-26-20)*

Yes. School districts should continue to provide SWVPP funds to their community partner locations as required by Iowa Code 256C.4(1)(h).

New (4-14-20): Are the preschool accreditation desk audits still operating under the same timeline of resubmitting required items by April 15th?

The Department will close out 2019-20 Desk Audits as is and port forward the current answers into the 2020-21 Desk Audit to be revisited in the fall. If the 19-20 desk audit indicated "Action Required." The Department has updated the status to "Complete, Submission Final." No further action is required at this time. However, the district is expected to address any potential noncompliance items identified, as these items must be addressed in the 2020-21 Desk Audit beginning Sept 15th. If the desk audit was marked "State - Review Complete" submission final no further action is required.

Professional Development

May a district require staff to attend professional development or other activities (require staff to come to school) while the district is closed? *Added (3-26-20)*

Governor Reynolds has issued an emergency proclamation ordering the closure of many businesses and limiting certain gatherings to less than 10 people. Her proclamation does not restrict the professional development activities of districts. But to prevent the spread of COVID-19, districts and nonpublic schools are encouraged to practice social distancing in any interaction with staff members.

School Improvement (Title I, Section 1003)

Do we still need to submit our 1003 applications to receive funding this school year?

Added (3-26-20)

Yes, the school improvement (1003) application is open in CASA as of March 19th. We encourage submission of the application by April 1st but understand that might not be possible given the current circumstances. The Department will be in contact with those unable to submit by April 1st to discuss next steps.

Will schools with targeted or comprehensive designations need to continue to engage in site visits, regular check-ins, and regional trainings for ESSA? *Added (3-26-20)*

No. Site visits, check-ins, and regional trainings have been suspended for the remainder of this school year.

School Lunches

How do we provide food services to families during the time school is closed?

The Department has received approval from the USDA to serve Summer Food Service Program (SFSP) meals in a non-congregate setting. This allows schools to provide meals by drive through, grab-n-go, or other methods during closures related to the COVID-19 outbreak. Schools need to apply through the Department's Bureau of Nutrition and Health Services to participate in SFSP and must ensure the meals are distributed in a site that is area-eligible. To apply, please fill out the [Google form](#).

Special Education

Specific questions are answered below. Further guidance on [COVID 19 and IDEA services](#) can be found on the Department's webpage. A [recorded webinar](#) is also available.

What is the difference between educational services and educational opportunity?

What is the district required to provide?

Educational services, in relationship to IDEA services, are those services that are provided to an individual through the IEP. Educational opportunity is ensuring that the individual has equal access to what is provided to the general education population. If the district is closed, neither educational services or educational opportunities are required to be provided. If, however, the district chooses to provide educational services, the district must ensure that students with IEPs receive FAPE, including supplementary supports and services as they are written in the IEP. If the district decides to provide educational opportunities, they must be accessible to all students.

If we just post a list of resources for students and parents to use during the school closure, does that count as "educational services" and do we need to be concerned about accessibility?

Posting a list of resources that may be used would be considered an educational opportunity as no instruction is provided. If you post a list of resources, consider whether it is universally designed for accessibility by all families and students. For example, a reading list should include books for all levels of readers. Websites that students and parents can access should be supplemented with sites accessible by those with disabilities, and available in other languages. Districts are encouraged to add contact information for those families who may need additional supports.

What does it mean for the provision of a free appropriate education (FAPE) if the district decides to provide educational services to all students via online or virtual learning?

A district deciding to provide instructional services to all students through online or virtual learning must carefully consider a number of factors as moving to online education entails a number of major commitments. Chief among them is the provision of FAPE. Using online learning to provide educational services implies that all students in the district can learn using that instructional methodology. The IEP team must, therefore, identify the supports and services will be needed for each student to participate in the instruction and learning activities. For example, what will be provided to the student who has significant intellectual disabilities and physical disabilities to participate in the online learning? If it's not feasible for the individual to participate in that manner, the IEP team must determine what will be provided to the individual to ensure FAPE.

If we offer a variety of options for distance learning opportunities (optional - in either paper or electronic formats) for all of our students, attached with a message that says "if these activities aren't appropriate for your child, please contact your teacher for additional options," what else should we take into consideration?

It depends. If the options include a variety of ways to access, for example different languages, or websites accessible to individuals with disabilities, then a statement of who to contact for more supports is helpful. If, however, the district has not attempted to provide broadly accessible materials, then such a statement is not sufficient. The responsibility to ensure educational opportunities are for all students belongs to the district, not parents. If the district is providing any options for educational activities, it needs to ensure from the outset that the opportunities are universally accessible. If the district is using the materials as educational services, special education teachers need to adapt and modify the materials as appropriate to the individual.

Is it okay for teachers to send things home for students rather than the district sending them? Does this keep districts from needing to worry about accessibility for all students?

No. Teachers cannot provide any educational resources or services without representing the district. The district should be coordinating any effort to provide resources or services during a school closure.

If a student with a disability is participating in a 4+ program that is still open, can the student be required to participate while school is closed? Can they do so voluntarily?

The student cannot be required to participate. The IEP team will need to review each individual situation to determine whether the student can continue to participate if the district is closed. For example, the student may need district supports to participate which may not be available during district closure. The IEP team may find alternate methods to provide those supports or decide that the student does not participate until the district re-opens.

If a student with a disability is participating in a work study program that is still operating, can the student be required to participate while school is closed?

If the student with a disability is participating in a work study program available to all students and the work study program is no longer available for other students, then the student with a disability would no longer participate in the work study program. If the work study program is a part of the student's IEP, the IEP team may meet to determine whether the student should continue in the work study program. If the school is closed, the student cannot be required to continue in the work study program.

What, if any, supports can be provided to students with challenging behaviors while schools are closed?

If schools are closed for all students, then no IEP services are required to be provided to students eligible for special education services. Teachers cannot provide any educational resources or services without representing the district. The district should be coordinating any effort to provide resources or services during a school closure.

Are IEP teams required to meet in person while schools are closed?

The Department will adhere to the following new guidance from the Office for Civil Rights, the federal office with jurisdiction over Section 504:

Additionally, IEP Teams are not required to meet in person while schools are closed. If an evaluation of a student with a disability requires a face-to-face assessment or observation, the evaluation would need to be delayed until school reopens. Evaluations and re-evaluations that do not require face-to-face assessments or observations may take place while schools are closed, so long as a student's parent or legal guardian consents. These same principles apply to similar activities conducted by appropriate personnel for a student with a disability who has a plan developed under Section 504, or who is being evaluated under Section 504.

What does it mean to ensure equitable access for special education students and what needs to be considered? *Added (3-26-20)*

Equitable access to education occurs when individuals with disabilities can acquire the same information, engage in the same interactions, and enjoy the same programs and activities as their nondisabled peers, with substantially equivalent ease of use. This includes individuals who are blind, deaf, or hard of hearing, those who have motor or physical impairments that limit their ability to use standard peripheral devices and individuals with cognitive disabilities.

Many individuals with disabilities use assistive technology to navigate websites, access documents, and interact with online content. Some examples of assistive technology include screen readers that convert visual information into speech, closed captioning which displays text of the audio content, and speech recognition software which transcribes spoken language to text. These assistive devices are easily incorporated into the daily routines of schools and classrooms. It becomes more difficult, however, to ensure students can use their assistive devices to access educational services and opportunities when not in a routine educational environment.

What should happen when an Iowa student is placed out-of-state and both the Iowa and out-of-state school are closed? *Added (3-26-20)*

It depends on the type of placement. If the placement was made by DHS or juvenile court, the residential placement would continue unless the placing entity changes it. Educational services would continue as determined by the state in which the placement is made.

If the IEP team made the placement for educational reasons, the IEP should reconvene to see what, if any, alternate strategies are needed to provide FAPE. Please note that, if the resident district is closed, there is no obligation to provide FAPE during the period of closure.

If the parents made the placement, any decisions are the parents to make.

What is the role of AEA special education services if the district is closed but providing optional educational enrichment opportunities? *Added (3-26-20)*

If the district is closed to all students and no educational services are being provided, the AEA is not required to provide IEP services to individuals as specified in each individual's IEP.

If a district is closed to all students and is providing optional educational enrichment opportunities, the AEA may offer consultation services to district administrators, teachers, and other educational staff to ensure access to educational enrichment activities. The AEA is not required to provide IEP services to individuals as specified in each individual's IEP. An AEA may provide general consultation to community members at the discretion of the AEA.

New (4-14-20): There are students with IEP's served at ____ Christian School that we serve via consultation. SDI and progress monitoring are done on site at the Christian school, but ____ CSD staff shepherd the IEP and consult for goal development and accommodations. How does this work when we are not in session but the Christian school wants to continue learning opportunities that are graded?

Services to nonpublic school students with disabilities are public school services and are provided "in the same manner and to the same extent" as services to public school students with disabilities. If the public school closes and suspends services, this could include services to nonpublic school students with disabilities, too. When the public school reopens, it may need to determine whether additional services are required for the students it serves at this nonpublic school.

New (4-14-20): A school contracts with a mental health treatment program for a number of students and provides daily transportation for them. The district is now closed but the mental health center is willing to continue in-person services. The district is not providing transportation since it is closed, so the mental health center is willing to go to homes to provide the service. Can a district offer these services to only a few in the district?

The district has discretion on which contracted services to continue or discontinue. While students may voluntarily participate in contracted services when the district is closed, the district is not obligated to provide supports or services, in this case transportation. The IEP team may decide that services in the home are appropriate and the contracting entity may provide them if the student and family are willing.

New (4-14-20): Can a contracted entity alter the delivery method of special education services in order to continue to provide services (e.g., use distance learning to provide social skills instruction instead of in a special class)? Can the district continue to pay for these services if the district is closed?

If the contracted entity has altered the instructional delivery method for all students and the services in the IEP can be delivered virtually, then contracted entities may continue to provide the services and students may attend voluntarily. The district should continue to pay for the services even if the district is closed. If the services must change so that the student can access the changed instructional delivery method, the IEP team must reconvene.

New (4-14-20): When has a change in placement occurred for students with disabilities during this time of school closures?

The placement of a student receiving special education services does not necessarily mean the physical location where the special education and related services are being provided. School closures, therefore would not automatically be a change of placement for all students receiving special education and related services.

This means an amendment to the IEP is not always necessary. If students with IEPs are receiving the same services as students in the general education setting during school building closure, the IEP may not need to be amended with regard to placement or setting.

IEPs will need to be reviewed to determine how services will be provided and if a change of placement has occurred. Any changes to services (frequency, duration, or placement) will need to be documented as through an IEP amendment. A district may consider scheduling IEP reviews over a reasonable period of time, beginning with those students most likely to need a change in services (e.g., students participating in alternate assessment, students who will need assistance with technology).

Questions and Additional Guidance

If you have questions, please contact your [school improvement consultant](#). If they are unable to assist you, they will connect you with the appropriate person. For additional COVID-19 guidance and information, please visit the Department's [COVID-19 webpage](#).