



# COVID-19 Guidance: Frequently Asked Questions

## Introduction

To reflect additional questions received from the field, the Iowa Department of Education has updated and added to the frequently asked questions (FAQs) guidance released on March 18. These updates are indicated by a “New (3-26-20)” or “Updated (3-26-20)” label. FAQs are grouped by the following areas:

- [After School Programming](#),
- [Assessment](#),
- [Board Meetings and Action](#),
- [Donations](#),
- [Finance](#),
- [Graduation](#),
- [Instructional Time](#),
- [Online Learning](#),
- [Preschool](#),
- [Professional Development](#),
- [School Improvement \(Title I, Section 1003\)](#),
- [School Lunches](#),
- [Site Visits and Regional Trainings](#),
- [Special Education](#), and
- [Waivers](#).

## 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

Will we have to administer federally mandated student assessments this year (ELPA21, ISASP/DLM)?

As you may know, Iowa Testing Programs has announced Iowa Statewide Assessment of Student Progress testing is suspended until further notice. Beyond this, we anticipate updated guidance from the federal government very soon. Iowa will make decisions based upon most up-to-date federal guidance and communicate to the field as soon as possible. Previous guidance is included below:

The U.S. Department of Education notified states in new [guidance](#) that it will consider targeted, one-year waivers of the assessment requirements for those schools impacted by extraordinary circumstances due to COVID-19. The Department will pursue any waivers necessary to assist Iowa schools.

**New (3-26-20):** What happens if we can't progress monitor kids because of school closures? Will we be held accountable? When will be required to progress monitor students?

Progress monitoring will be suspended through April 20, 2020. Districts and schools will not be held accountable for the missed progress monitoring due to school closures. Progress monitoring requirements will resume the week of April 20, 2020.

## Board Meetings and Action

**New (3-26-20):** 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?

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 at [https://www.ia-sb.org/Main/coronavirus\\_resources.aspx](https://www.ia-sb.org/Main/coronavirus_resources.aspx).

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

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."

## Donations

**New (3-26-20):** 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 place way districts/schools can donate?

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: [https://www.homelandsecurity.iowa.gov/documents/county/COORD\\_Public\\_List.pdf](https://www.homelandsecurity.iowa.gov/documents/county/COORD_Public_List.pdf).

## Finance

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

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.

*Iowa Department of Education guidance should be viewed as advisory unless it's specifically authorized by state statute, according to Iowa Code section 256.9A as enacted by Senate File 475. This does not apply to administrative rules, declaratory orders, or materials required by federal law or courts.*

## 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.

## Instructional Time

### **New (3-26-20):** May a district or accredited nonpublic school decide not to finish the year?

At this time, the Legislature has waived the requirement for instructional hours and days through April 12 by passing SF2408. This legislation also gives Governor Reynolds the authority to waive requirements for instructional time past April 12 if necessary. If the emergency proclamation expires, the rules suspension in SF2408 will also expire.

## Online Learning

### Can schools use online learning options for students?

Public districts may choose to use online learning options but may not require student participation. 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.

### Can we require students to participate in online education while school is closed?

No. Public districts may not require any students to participate in online educational programming or any other services while school is closed.

### Can we offer online educational opportunities while school is closed?

Yes. Public districts can offer educational services and opportunities but cannot require participation. 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.

**New (3-26-20):** 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?

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.

## 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.

**New (3-26-20):** 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?

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.

**New (3-26-20):** 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?

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.

**New (3-26-20):** 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?

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

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

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

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

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

## Professional Development

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

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)

**Updated (3-26-20):** Do we still need to submit our 1003 applications to receive funding this school year?

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.

## 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](#).

## Site Visits and Regional Trainings

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

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

## 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.*

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

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.

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

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.

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

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.

## **Waivers**

### **New (3-26-20): 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?**

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—<https://www.fmcsa.dot.gov/emergency/notice-state-drivers-licensing-agencies-federal-motor-carrier-safety-administrations>—the state will be expected to promptly bring its CDL medical certification practice back into conformance as soon as the national emergency ends.

## **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](#).