



COVID-19, IDEA, & the Delivery of Services in Nonpublic Schools – Part II

Sept.21, 2020

Agenda

Part 1 (10:30 a.m. – 12 p.m.)

- Review of OSSE- published coronavirus (COVID-19)-related guidance
 - Topics: Free appropriate public education (FAPE), individualized education program (IEP) service delivery, implementing distance learning and hybrid educational programming, and other special education compliance topics.
- Showcase an example of the collaborative implementation of a nonpublic school's distance learning plan in conjunction with an LEA.

Part 2 (1 – 2:30 p.m.)

- Review of District of Columbia regulatory requirements pertaining to nonpublic school safety measures and delivery of services
- Review of other topics: Payment, attendance reporting, and transportation

OSSE- Published COVID-19 Guidance

- Guidance includes information on:
 - Health and safety resources
 - Educator licensing
 - Guiding principles for continuous education
 - Serving students with disabilities, homeless students, and English learners
 - Enrollment processes
 - Assessment, data and accountability
 - Educational resources for families
- [Updated OSSE Guidance Documents](#)



Nonpublic School Safety Measures & Reporting Requirements

Edgar Stewart, Supervisory Monitoring Specialist, OSSE

Nonpublic School Safety Measures

- Key Certificate of Approval (COA) Regulations
 - A nonpublic school shall not be granted or allowed to maintain a COA unless it obtains and maintains documentation verifying compliance with all applicable fire, **safety**, building code, **health**, and sanitation requirements. (5-A 28 DCMR § 2801.2)
 - In no case shall approval at any level be awarded unless the nonpublic school demonstrates to the satisfaction of OSSE that the health and safety of students is protected and that the school is able to implement the provisions in each student's IEP. (5-A 28 DCMR § 2803.2)
 - A nonpublic school shall make reports of suspected neglect or abuse as defined in D.C. Official Code §§16-2301(9) and (23), respectively (including compliance with the law on compulsory school attendance) as required by all relevant federal, state and local law. (5-A 28 DCMR § 2811.1)
 - All nonpublic schools must ensure compliance with the IDEA's discipline procedures and related procedural safeguards. Any behavioral intervention strategies shall be designed to enhance the delivery of the IEP to support minimal interruption of the academic program. (5-A 28 DCMR § 2814.2)
 - In the event of fire or any other form of emergency situation, the nonpublic school must provide the sending LEA and OSSE with written notification as soon as is feasible, and status reports thereafter as requested by OSSE. (5-A 28 DCMR § 2831.1)

Nonpublic School Safety Measures: OSSE Expectations

Nonpublic schools should:

- Ensure the students are safe and available to learn.
- Work with LEAs to ensure students have access to all technology equipment and internet access needed for virtual instruction.
- Review and apply applicable, federal, state, and local jurisdiction departments of health recommendations and guidelines in operating their schools in a safe manner.
- Partner with the LEAs and parents of DC students to ensure they are kept abreast of the school's mitigation strategies.
- Review and update their crisis plans to address pandemics such as COVID-19 and provide copies of updated crisis plans to OSSE.
- Communicate frequently with OSSE to provide updates and seek guidance on all COA-related matter, including non-COVID-19 issues.

Student-Level Reporting Requirements

- Nonpublic schools are required to report instances of **DC students** contracting COVID-19 in the OSSE Incident Report Module using the Incident Type-Emergency Reporting. Information reported should include:
 - Student PII
 - Affected students' parents notified
 - Affected students' LEAs and other placing agencies notified
 - Nonpublic school has facilitated contact between affected students and their parents/guardians
 - Nonpublic school uploaded a copy of the incident report was uploaded to IR Module
 - Description of safety measures put into place (e.g., student placed in quarantine to protect other students from exposure to the virus)
 - Students' treatment status (e.g., isolation or quarantine)
- COA reporting requirements: 5-A 28 DCMR §§ 2831 & 2836.1
- [OSSE Incident Report Form](#)

School-Level Reporting Requirements

- Nonpublic schools are required to report the following information to OSSE and respective DC LEAs:
 - Student roster
 - Total number of DC students currently placed at nonpublic school
 - Total number of individuals (students & staff) who have tested positive
 - Description of school/facility mitigation strategies put into place to reduce the spread of the disease
- All information should be reported in [Box](#)
- All nonpublic schools are required to complete a brief questionnaire for the 2020-21 school year on their learning plans and collaboration with LEAs. The questionnaire can be accessed and submitted [here](#).
- COA reporting requirements: 5-A 28 DCMR §§ 2831 & 2836.1

Nonpublic School Safety Measures Resources

OSSE Guidance

- [Health and Safety Guidance for Schools Slide Deck: COVID-19 Recovery Period](#) (Updated: Sept. 2, 2020)
- [Health and Safety Guidance for Schools: COVID-19 Recovery Period](#) (Updated: Aug. 21, 2020)
- [School Health and Safety Frequently Asked Questions: Coronavirus \(COVID-19\) Recovery Period](#) (Updated: Aug. 21, 2020)

DC Coronavirus Guidance

- [Coronavirus \(COVID-19\) Resources](#)

CDC Resources

- [COVID-19 Resource Page](#)
- [Schools & Child Care](#)



Licensure

Yvonne Smith, Manager, OSSE Nonpublic Payment Unit

Licensure

- **Q: *The Mayor's Executive Order is set to expire on Oct.9, 2020. Is this accurate and/or is it anticipated that it will be extended? Can out-of-state providers continue to serve DC students remotely?***
- **A:** Yes. Per the March 13, 2020 Executive Order from Mayor Bowser, licensing requirements were temporarily waived for healthcare providers who are using telehealth to provide IEP-based related services to students. As such, out of state providers can continue to serve DC students remotely as long as they have a valid license in their home jurisdiction. (See [Use of Telehealth - March 12, 2020](#), [Mayor's Order 2020-063](#), [The DC Department of Healthcare Finance \(DHCF\) remote-related services and licensing standards](#), and [Waiver of Licensure Requirements for Certain Practitioners \(Administrative Order\) - March 13, 2020](#))

Licensure

- **Q:** *The Executive Order also indicated that the waiver is applicable if “the healthcare provider has an existing relationship with a patient who has returned to the District of Columbia”. For students recently enrolled in the school from the District – is their enrollment and receiving of tele-education sufficient to establish and satisfy the necessary “existing relationship” so that school-based telehealth services can be provided under the waiver?*
- **A:** Yes, but the school must share the nonpublic school’s learning plan (distance and/or in-person) with the LEA and parent/student AND must obtain a signed parental consent form for distance learning/related services and file it in the student’s file in the Special Education Data System (SEDS).
- **Q:** *During this COVID period will DC allow a related service provider to provide services to a DC student in a state other than DC?*
- **A:** Per DC Department of Health Care Finance (DHCF), this is allowable under DC regulations but the provider(s) would need to confirm if it is allowable under the regulations in the provider’s home jurisdiction.



Attendance, SEDS, Payment & Invoice Submissions

Yvonne Smith, Manager, OSSE Nonpublic Payment Unit

Attendance

Throughout the 2020-21 school year nonpublic schools are expected to record attendance on an ongoing basis to document student's daily presence at school. OSSE has created special codes which are to be utilized to document daily attendance during this continued COVID-19 period. See [COVID-19 SEATS Nonpublic Attendance Codes](#).

SEDS: Missed Services

Service documentation in SEDS remains a requirement

The provider should select the “Service Type” as appropriate. Select one of the options on the list, Student Not Available, Student Absent.

The screenshot shows a form for logging a missed service. The form includes the following fields and annotations:

- Date of Service:** 04/13/2017
- Service Type:** A dropdown menu with options: Direct Service Consultation, Student Absent (highlighted), Student Unavailable, School Closure, and Provider Unavailable.
- This is a make-up Service:** An unchecked checkbox.
- Service Delivery:** A dropdown menu with options: Attempted (highlighted), Delivered, and Not Attempted. A red arrow points to "Attempted" with the text: "Attempted" is provider was available and student was absent or unavailable.
- Duration of Service:** Hours and Minutes fields. The Minutes field contains "30". A red arrow points to the "30" with the text: "Never put zero minutes for a missed service log."
- Group Size:** A dropdown menu with "0" selected. A red arrow points to the "0" with the text: "Always put zero when logging a missed service."
- Progress Report:** A dropdown menu with "Not applicable" selected.
- Comments:** A text area with the instruction: "Type notes here about why the session was missed for documentation purposes. These comments will show up on the service tracker and the Related Services Management Report (RSMR)."

SEDS: Make-Up Services

Service documentation in SEDS remains a requirement.

A make-up service denotes that a previously scheduled service session **did not** take place and is being provided on another scheduled date. The provider should select the “This is a make-up Service” option and complete all of the remaining fields. The notes should include the date of the previously missed service date and the session modality (virtual/in-person)

The screenshot shows the SEDS service documentation form with several fields and annotations:

- Date of Service:** 04/13/2017
- Service Type:** Student Absent (selected from a dropdown menu)
- This is a make-up Service:** (checked)
- Service Delivery:** Attempted (selected from a dropdown menu)
- Duration of Service:** Hours: [empty], Minutes: 30
- Group Size:** 0
- Progress Report:** Not applicable
- Comments:** Type notes here about why the session was missed for documentation purposes. These comments will show up on the service tracker and the Related Services Management Report (RSMR).

Annotations in red text with arrows pointing to specific fields:

- "Attempted" is provider was available and student was absent or unavailable. (points to Service Delivery)
- Never put zero minutes for a missed service log. (points to Minutes field)
- Always put zero when logging a missed service. (points to Group Size field)

NP Invoice Box File Transfer Protocol (FTP)

- All nonpublic schools **must** submit invoices through the online portal during this pandemic period and until further notice by OSSE
- Invoices must be uploaded as one single document with multiple pages. Do not submit multiple individual invoice pages as OSSE cannot guarantee invoice will be properly reassembled
- Save the invoice package as one document (invoice, attendance, etc.)
- Clearly identify your school name with each submission: Email = the address of the invoice contact person. Description= School name, Invoice month & year
- Revisions must be clearly noted in the description field: Description = REVISED, School name, Invoice month & year
- Submission confirmation: When an invoice is properly submitted you will receive the following message, “Thanks! Your file was sent.” If you do not receive this notice the invoice was not submitted. Just try again!

NP Invoice Funding and Payment Remittance

Unless otherwise advised by OSSE, **OSSE will continue to fund and remit payment to nonpublic schools for all IEP documented services throughout the 2020-21 school year.** To receive payment nonpublic schools must complete the following to comport with current guidance:

- Have an 2020-21 LEA request for payment form on file at OSSE
- Have a current 2020-21 learning plan on file with the LEA and OSSE
- Have submitted the 2020-21 [OSSE NP questionnaire](#)
- Have service logs on file in SEDS for all provided related service sessions*
- Service log notes must document service modality (virtual/in-person)
- Attendance Logs must be included with each invoice
- Completed an OSSE rate review and have received an OSSE Rate Confirmation

*Access to student files in SEDS and timely documentation of services will be enforced



OSSE Consent for Telehealth Services

Yvonne Smith, Manager, OSSE Nonpublic Payment Unit

NP Consent for Telehealth Services

All nonpublic schools/practitioners are required to obtain written consent from parents/students to receive services remotely. Consent must also be obtained, documented, and uploaded to the student's file in SEDS.

Written consent can be obtained in any of the following manners:

- ***SEDS Service Log/Tracker Note***. Consent can be documented in the service session log notes
- ***Email***. The practitioner must upload the email to the students file in SEDS.
- ***Text message***. The practitioner must upload the text to the students file in SEDS.
- ***OSSE/NP/LEA Medicaid Consent Form***. The practitioner must upload the signed consent form into the students file in SEDS.
- ***Verbal conversation***. Written memorialization of the conversation with names, date, and time should be captured. The practitioner must complete the form on behalf of the parent/student, note why written consent could not be obtained, then upload the form to the student's file in SEDS.

A parent/student can change consent at any time. Any changes that occur must be documented by completing and uploading to SEDS a new consent form.



Division of Student Transportation LEA Guidance for Timely Transportation Services 2020-21 School Year

Jason Campbell, Associate Director for Audit & Compliance, Division of
Student Transportation

LEA Considerations/Decisions for 2020-21

For the 2020-21 school year, LEAs and nonpublic schools should consider when preparing transportation services for eligible students that will be receiving any *in-person* education.

Student Level

- Student assignments: How will students be assigned to a particular schedule (i.e., which students will be in school on which days)?
- Prioritize service preparations and data submissions for students with disabilities (i.e., submit the required school calendars and transportation requests forms).
- School schedules to include the first day of *in-person* service (i.e., school year begin Aug. 31 [distance learning] and Sept. 8 [In-person service])

Notes

- If the considerations and decisions are delayed into the transportation preparation time, LEAs should consider and prepare to utilize the parent or LEA reimbursement options
- If your LEA is not offering in-person services for students with disabilities, no action is required

LEA Transportation Guidance for 2020-21

These are the key operational processes for LEAs to make note of, in order for DOT to appropriately complete start of school preparations and to deliver timely service at the start of the new school year.

Category	Milestone/Process Step	Owner	Deadline (Sample Dates)
Data Submissions	Submit school calendars in TOTE (Calendar upload assistance can be provided- Contact TOTE Support)	LEA	July 6, 2020 – July 24, 2020
	Submit student transportation request forms (TRFs) in TOTE	LEA	July 6, 2020 – July 24, 2020
Transportation Preparation	Activities include: data verification, system configuration, data transfers, routing development, QA process, route assignments, practice routes, parent/LEA/school communications, etc.	OSSE DOT	July 24, 2020 – August 21, 2020

- The dates in the table above are based on start dates between Aug. 24 - 31, 2020
- LEAs data submissions should be no less than 20-business days prior to their first day of school
- Schools that will conduct in person teaching
- DOT will conduct outreach to LEAs and parents based on schools in-person start dates

OSSE DOT: Bus Safety Kit Documentation

With our external stakeholders in mind, [OSSE's Bus Safety Kit](#) highlights the internal measures we have implemented to protect the safety and well-being of our students, staff, and the school communities we serve. This document is located on the OSSE DOT website. The document covers the following topics:

- **Student and Staff Safety** – Student and staff safety remain our top priority; we're focusing on the avoidance of infection while students and staff are in transit and at work and implementing specific bus cleaning and disinfecting processes.
- **Parent, School and Stakeholder Communication and Education** – DOT is utilizing internal and external resources ensuring all stakeholders are educated and informed on division, agency, local and federal information as we navigate through our new normal.
- **Division Rebranding** – DOT recently rebranded our buses to read "District of Columbia Student Transportation." This rebranding effort is a small reflection of the changes we've made to better communicate stakeholder representation and serve you.

TOTE Training Dates for 2020-21

OSSE DOT continues to offer Transportation Online Tool for Education (TOTE) certification training or refresher thought the school team. Training details are listed below:

- Training Location: Online TOTE Training via Microsoft Teams
 - Link is sent to registered attendee 24 hours prior to training
- Registration Information: *All attendees can register the training class, by clicking the link [TOTE Training Link](#)*
- Training Time: 10 a.m. – 12 p.m.
- Dates:
 - Sept. 30, 2020
 - Oct. 14, 2020
 - Oct. 28, 2020
 - Nov. 9, 2020
 - Nov. 23, 2020

TOTE Support can be reached Monday-Friday, 9 a.m. – 5 p.m. at (202) 576-5520 or dot.data@dc.gov

Contact Information and Resources

Contact Information:

- Dr. Edgar Stewart (Nonpublic Monitoring) Edgar.Stewart@dc.gov
- Yvonne Smith (Nonpublic Invoice & Payment) YvonneS.Smith@dc.gov
- Jason Campbell (Transportation) Jason.Campbell@dc.gov

Resources

- [Guidance and Resources for COVID-19-related Closures and Recovery](#)
- [Special Education Resource Hub: What Families & Students Need to Know this Year](#)