



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

Guidance Related to Coronavirus (COVID-19): Nonpublic Schools (April 6, 2020 UPDATE)

Background

As a part of the District's response to the coronavirus (COVID-19) outbreak in the United States, OSSE is offering this guidance document to accompany previously issued guidance from OSSE to support District of Columbia local education agencies (LEAs) and nonpublic special education schools serving students funded by the District of Columbia. Nonpublic schools are privately owned and operated, providing special education services to students with disabilities.

Scope

This document contains guidance for LEAs and nonpublic schools in the following areas: notification on school closure; transportation services; the provision of free appropriate public education (FAPE); submission of learning plans; and nonpublic tuition and related services payments. This document generally constitutes informal guidance and does not impose any additional requirements beyond those included in applicable federal and local law and regulations.

Date Issued

This guidance was issued on April 6, 2020 and will remain in effect until further notice. This guidance supersedes the previous guidance issued on this subject. **This update contains new information specifically related to payment for any related services provided and attendance coding.**

Policy Guidance

Notifications to OSSE and LEAs

If your school experiences any changes in operating status or issues updated policies or procedures as a result of COVID-19, you must notify OSSE's non-public monitoring team of school closures and/or changes to school policies by contacting OSSE.COA@dc.gov. You must also notify the LEAs for all students placed at your nonpublic school of this closure. Other topics will be forthcoming in the coming weeks.

Transportation Services

For information on the provision of OSSE's Division of Student Transportation services in the event of school closures related to the coronavirus (COVID-19), please see guidance issued by OSSE's Division of Student Transportation [here](#). For questions on OSSE transportation, please contact osse.dot@dc.gov.

Provision of Free Appropriate Public Education (FAPE)

Obligations related to the provision of FAPE under Part B of the Individuals with Disabilities Education Act (IDEA) in the event of school closures related to COVID-19 are outlined in guidance from OSSE available [here](#). OSSE's guidance aligns with guidance issued by the U.S. Department of Education, Office of Special Education Programs (OSEP) on ensuring FAPE during the COVID-19 outbreak, which can be accessed [here](#), and a supplemental fact sheet available [here](#).

The guidance provided herein applies to all students enrolled in District of Columbia LEAs, including students attending nonpublic schools. OSSE expects that LEAs will collaborate with nonpublic schools to ensure equal access to educational opportunities, as appropriate.

For questions on the provision of FAPE, please contact OSSE.DSEpolicy@dc.gov.

Submission of Learning Plans

If your nonpublic school will continue students' learning through instructional telephone calls, homework packets, Internet-based lessons, and other distance-based learning approaches, you must submit a learning plan to OSSE. This plan includes how you will communicate with students' LEAs to determine if they are providing learning plans to which your plans should align. Please submit your plan to OSSE.COA@dc.gov.

Payment for Tuition & Related Services

If requested by the student's LEA of enrollment, OSSE will continue payment for tuition and any related services provided during the COVID-19 public health emergency for up to 30 *calendar* days.¹ This 30-day period for payments during student absence is defined within the regulations governing non-public school tuition payments. Please see below for forthcoming guidance related to time after this period. Additionally, to support payment for related services that are provided, nonpublic schools are still expected to create service delivery evidence by inputting service tracker logs into the OSSE Special Education Database System (SEDS). To request that payments continue for this period, the LEA must submit a formal request for each nonpublic special education school from the date of the LEA school closure (pursuant to Chapter 28 of Title 5-A of the District of Columbia Municipal Regulations (5-A DCMR § 2821.15) beginning March 16, 2020, using the attached template. LEAs should upload completed templates to the Nonpublic Monitoring subfolder within your LEAs' main folder on the OSSE Box file transfer protocol (FTP) data website found [here](#).

Telehealth Guidance

Nonpublic schools are encouraged to review the guidance on telehealth issued by the Department of Healthcare Finance, available [here](#).

Attendance & Closure Coding

OSSE has created new codes for attendance reporting in SEATS, which will be available beginning on Wednesday, April 8th. At that time, nonpublic schools may begin to use these new codes and may update prior attendance records as appropriate. Please see the appendix for these details.

Forthcoming Guidance

In addition to this immediate guidance, OSSE intends to issue additional guidance in the coming weeks with information for how schools provide services and receive payments during the period beyond the initial 30-day extension.

¹Note that an earlier version of this guidance did not specify "calendar" versus "instructional" days.

Questions?

If you have questions relating to this guidance contact the Division of Systems and Supports, K-12 nonpublic monitoring team at OSSE.COA@dc.gov.

For resources and additional information on the District of Columbia Government's response to coronavirus (COVID-19), please visit coronavirus.dc.gov.

Appendix I. Guidance for Nonpublic School Closures and Individual Absences related to COVID-19

Use the following value to record in SEATs the dates the nonpublic school is fully closed and distance learning was not available due to the related public health emergency.

Code	Description	State Code Equivalent
PE	Public Emergency School Fully Closed	PE

Use the following value to record student attendance in SEATs on dates when: the nonpublic school is closed due to the public health emergency, distance learning is available, and the student received services.

Code	Description	State Code Equivalent
HE	Health Emergency Distance Learning	HE

Use the following value to record student absences in SEATs on any dates when: the nonpublic school is closed, distance learning is available, but the student did not attend due to any reason during the related public health emergency.

Code	Description	State Code Equivalent
EA	Emergency Absence during to public health emergency	EA