



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

**EDUCATION**

## **Guidance Related to Coronavirus (COVID-19): Nonpublic Schools**

(March 25, 2020)

### **Background**

As a part of the District of Columbia's response to coronavirus (COVID-19), the Office of the State Superintendent of Education (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, and provide 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 payment. 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 March 25, 2020 and will remain in effect until further notice.

### **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 the coronavirus (COVID-19) response, you must notify OSSE's nonpublic monitoring team of school closures and/or changes to school policies by contacting [OSSE.COA@dc.gov](mailto: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 Department of Student Transportation services in the event of school closures related to the coronavirus (COVID-19), please see guidance issued by OSSE's Department of Transportation [here](#). For questions on OSSE student transportation, please contact [osse.dot@dc.gov](mailto: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 coronavirus (COVID-19) are outlined in guidance from OSSE available [here](#). OSSE's guidance aligns with guidance issued by the US 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](mailto:OSSE.DSEpolicy@dc.gov).

#### *Submission of Learning Plans*

If your nonpublic school will continue student 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](mailto:OSSE.COA@dc.gov).

#### *Tuition Payment*

If requested, OSSE will continue tuition payments during the COVID-19 public health emergency for up to 30 days, regardless of operating status and submission of distance learning plans. To request that tuition payment continues for this period, the LEAs must submit a formal request for each nonpublic special education school from the date of the school closure (pursuant to Chapter 28 of Title 5-A of the District of Columbia Municipal Regulations (5-A DCMR § 2821.15), using the attached template. During this 30-day period, OSSE will remit payment for tuition only. 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](#).

#### *Attendance & Closure Coding*

For nonpublic schools for which continuation payment requests are approved, OSSE will provide additional guidance relating to the appropriate attendance codes in SEATs. For all other nonpublic schools, please continue to code school days based on the appropriate operating status for your school.

#### **Forthcoming Guidance**

In addition to this immediate guidance, OSSE intends to issue additional guidance in the coming weeks regarding tuition payment beyond the initial 30-day extension and reimbursement for related services provided remotely.

In all decisions, OSSE will consider relevant federal and local requirements, and fairness to LEAs and schools, during this dynamic time.

#### **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](mailto:OSSE.COA@dc.gov).

For resources and more information on the District of Columbia Government's response to coronavirus (COVID-19), please visit [coronavirus.dc.gov](https://coronavirus.dc.gov).