

Frequently Asked Questions – Updated March 23, 2020

The Virginia Department of Education (VDOE) continues to evaluate options to provide flexibility in meeting the requirements and mandates associated with testing and accountability, instructional days/hours, attendance and graduation. While current specific information can be found below, the VDOE will continue to update the field as additional flexibility is clarified and additional details are received from the U. S. Department of Education.

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School Closures

Due to COVID19, Governor Northam has ordered all K-12 schools remain closed through the end of the school year. Refer to the March 23, 2020, News Release: [Governor Northam Orders Statewide Closure of Certain Non-Essential Businesses, K-12 Schools](#) [↗](#) for more informatoin.

- 1. Does the Governor’s order to close schools apply to public and private schools?**
Yes. The Governor has ordered all K-12 schools, public and private, to close for the remainder of the school year.
- 2. Should buildings remain open if schools are closed?**
This is a local decision. See guidance below related to large gatherings.
- 3. What if the local government is requesting utilization of a school facility to expand access to child care?**
The decision to activate school buildings is a local decision. However, the provision of child care services would have to be done in collaboration with or under the approval of the Department of Social Services. Facilities would still need to meet any relevant requirements on health, safety, staffing, etc. Localities will also need to consider some of the unique health needs and concerns, such as avoiding congregation, maintaining small groups, etc. Localities are encouraged to give special consideration to collaborative opportunities that enhance and prioritize child care options for health care/public health workers, first responders, and essential personnel in the public and private sector (e.g., sanitation, food, utilities, transportation, government services).

4. **What should school divisions consider for large scale events?**

On March 23, Virginia Governor Ralph Northam banned all gatherings of 10 people or more. The Centers for Disease Control (CDC) has recommended cancelling or postponing gatherings of more than 10 people for the next eight weeks. This guidance has not been extended to educational environments. The [CDC interim guidance](#) is intended for organizers and staff responsible for planning mass gatherings or large community events in the United States. A mass gathering is a planned or spontaneous event with a large number of people in attendance that could strain the planning and response resources of the community hosting the event, such as concerts, festivals, conferences, worship services, and sporting events. As the COVID-19 outbreak evolves, CDC strongly encourages event organizers and staff to prepare for the possibility of outbreak in their communities. Creating an emergency plan for mass gatherings and large community events can help to protect the health of your event participants and community. Updated information can also be found on the [Virginia Department of Health \(VDH\) website](#).

5. **Does the Governor's order to close schools apply to preschools?**

Yes, if the program is located in a school. It is expected that all Virginia Preschool Initiative (VPI), Head Start, early childhood special education classrooms or other early childhood classrooms located in schools should follow this order. For classrooms funded all or in part by VPI that are located in non-school, private child care settings or that are run by private child care providers are not required to be closed. This decision should be made locally and in consultation with VPI Coordinators and private child care setting directors.

6. **Does the Governor's order to close schools apply to daycares?**

No. Child care centers are not impacted by the Governor's order to close schools. Sites should make closure decisions in coordination with local health departments. Governor Northam has asked day cares to prioritize essential personnel and adhere to social distancing, new cleaning protocols, and limit group sizes to 10. The Virginia Department of Social Services has issued [guidance](#) (PDF) and [FAQs](#) (PDF) for child care providers.

7. **How does the Governor's closure order impact Private Schools?**

The Governor has closed all K-12 schools, public and private, for the remainder of the school year. This also includes private special education day schools. Private schools licensed by the VDOE are required to identify contingency plans that contain specifics on emergency preparedness and communication with students, families and staff. The Governor's order does not extend to residential facilities or residential group homes licensed by the Department of Behavioral Health and Developmental Services (DBHDS). For specific inquiries regarding private schools contact the [Virginia Council for Private Education \(VCPE\)](#).

8. **Are exemptions being made for any schools?**

The State Superintendent may provide variances on a case by case basis in very limited circumstances. Any request should include at a minimum the following information: (1) Name of program or facility making the request; (2) Size of the student population it serves; (3) Types of services being provided; (4) Reason for request; and (5) Size of staff needed to remain open if you are a school seeking a variance, please submit your request in writing to the Office of the Superintendent of Public Instruction at Superintendent@doe.virginia.gov.

9. **What happens to student learning now that schools are closed for the rest of the year?**

With schools now closed for the remainder of the academic year, division leaders will be making decisions about how learning will continue and when/how students will make up the rest of the content from this year. The Virginia Department of Education (VDOE) will issue guidance to help divisions execute plans to continue instruction, while ensuring students are served equitably, regardless of income level, access to technology, English learner status or special needs. This includes options for virtual

learning, additional instruction through summer programming and integrating instruction into coursework next year.

The VDOE will seek a waiver from the federal government to waive state mandated tests. See the Assessment and Accountability section of this document for more details on assessments.

Centers for Disease Control (CDC) and Virginia Department of Health (VDH) Guidance

10. What additional guidance, considering the Governor's closure order is available for local school divisions on closing school buildings?

The CDC has provided [interim guidance](#) for both schools that do and do not have identified cases of COVID-19 in their communities. The CDC advises that any student or staff that has traveled to/from a country with a Level 3 travel advisory be asked to stay home for 14 calendar days. The same restrictions are advised for newly registered students arriving from a country identified as Level 3. A link to this advisory information can be found [here](#). Please note that CDC guidance is only a recommendation for travelers, does not apply to family members, and is not mandatory. Local school divisions should continue to refer to CDC resources for the most up-to-date guidance on best practices for preventing the spread of COVID-19. The VDOE also advises local school divisions to work with its local health officials and school board counsel on appropriate health and safety practices as well as rights regarding quarantines for students and staff.

11. What guidance is there related to the cleaning of school buildings?

The Environmental Protection Agency (EPA) has issued information about [cleaning products](#) (PDF) that are registered for use against COVID-19. The CDC has a link for information related to [cleaning products and processes](#).

12. What should schools do about students or faculty returning/traveling to/from countries where COVID-19 is widespread or where local transmission has been reported?

For travelers returning from mainland China, the Virginia Department of Health (VDH) will already have been alerted to the names and contact information of these individuals and they will work with these individuals to establish monitoring and provide the recommendation that they self-quarantine at home for 14 days. For individuals arriving from countries with a Level 3 travel advisory, the Centers for Disease Control (CDC) recommends these individuals self-monitor their health while self-quarantining at home for 14 days. VDH does not receive information about these individuals as they do from travelers coming from mainland China. If these individuals become known to the VDH, they will reach out to them to make sure they understand the recommendations ([VDH Interim Guidance for Returning Travelers-Level 3](#) (PDF)). For individuals arriving from countries with a Level 2 travel advisory, the CDC requests these individuals practice social distancing and self-monitor their health for 14 days ([VDH Guidance for Returning Travelers- Level 2](#) (PDF)). Schools should consider postponing or canceling student foreign exchange programs. For those students who are already abroad, consider facilitating travel home if the students express a desire to return to the United States. Similarly, consider facilitating travel for foreign exchange students expressing an interest in returning to their home countries. Even for countries without travel advisories, this recommendation is not due to transmission risk but practicality, including increased difficulty with international travel in general. Schools choosing to maintain programs should evaluate the risks and take proactive measures and monitor the [CDC Coronavirus Disease 2019 Information for Travel](#) for the latest information.

13. What should schools do if an individual is experiencing flu-like or COVID-19 symptoms?

For questions related to children who may experience flu-like or COVID-19 symptoms while at school refer to the CDC [Interim Guidance for Administrators of US Childcare Programs and K-12 Schools to](#)

[Plan, Prepare and Respond to COVID-19](#). Parents should contact their local health department or health care provider for additional information and ongoing support. There is a 14-day social distancing or period of social isolation that is required before a student can return to school. Students who are in the VDH COVID-19 active monitoring program will receive a letter indicating they can return to school. Individuals who are not being monitored by the VDH monitoring program will need to follow local policies for any required documentation related to excusing absences or documenting a return to school.

14. What should schools do if a student or staff member is identified for testing?

In the event that a student or a staff member qualifies for COVID-19 testing, they should be excused from school or work. A nonspecific letter from the local health department will be provided for this purpose. A school may become aware of an individual undergoing testing for COVID-19 if they seek care with a school-based health provider (e.g. school nurse), but the VDH will not release the individual's information to the school if they are identified outside of this setting. The VDH will work with the school, as they do for other reportable conditions, to conduct contact tracings and to assist with public health community messaging.

15. What should schools do if a student or faculty becomes a case?

If there is a case of COVID-19 identified in a school, the VDH will be working closely with the school to make environmental cleaning recommendations, conduct contact tracing, and investigate any potential exposures to that individual. The VDH may also assist with communications to the student body, parents, faculty and staff.

Additional questions for the Virginia Department of Health related to COVID-19 can be emailed to respiratory@vdh.virginia.gov

School Budget and Finance

16. Will VDOE continue to make Basic Aid payments during closure?

Yes, contingency plans are in place to allow the semi-monthly recurring payments for Standards of Quality (SOQ) and other Direct Aid accounts to continue to divisions. In the event of a length of school term waiver request, if the waiver is approved, state SOQ Basic Aid funding will remain with the divisions. If there is a partial approval of a waiver, state SOQ Basic Aid funding may be prorated based on the partial approval of a waiver of the 990 hour/180 day Code requirement.

17. Will there be any discussions and potential provisions to extend the budget processes for local governments, especially given that the veto session hangs in that balance and the General Assembly (GA) final budget was just released late this past week?

Sec. 15.2-2503 of the Code of Virginia requires local school boards to approve their budgets by April 1 for submission to the local governing body, and Sec. 22.1-93 requires the local governing body to adopt the school division budget by May 15th. Local school divisions are operating under extraordinary circumstances, documentation of the public health reasons budget meetings are being postponed is suggested. School divisions may also consult their school board attorney for guidance. Virtual meetings of local boards may be an option. Also, under Sec. 22.1-93, if VDOE has to issue any new state funding estimates as a result of the Veto Session on April 22, it might be interpreted that the deadline for governing body budget adoption would be 30 days out from when VDOE provided the information, but we don't know whether any new funding information will have to be issued at this point.

18. Is there any flexibility in the annual budget adoption timelines?

The Code of Virginia (in Sections 22.1-92 & 15.2-2503) requires school divisions to adopt a budget by April 1. Additionally, Section 22.1-93 of the Code requires cities and counties to adopt the final school division budget by May 15 or within 30 days of the receipt by the county or city of the estimates of state funds, whichever shall later occur. There does not appear to be authority to extend or waive these

deadlines in the Code, and we advise divisions and localities to meet the deadlines as best as possible during these extraordinary circumstances. While there are no exceptions to the deadlines indicated in the Code, there are not any specific state consequences listed either. (See below a response on the authority of local school boards to hold electronic meetings.) Also, under 22.1-93, if VDOE has to issue any new funding estimates as a result of the Veto Session on April 22, it could be interpreted that the deadline for governing body budget adoption would be 30 days following the Veto Session date, permitting additional time; however, it's not known at this time if any additional funding actions will occur at the Veto Session that would necessitate VDOE issuing additional funding estimates. It is also recommended you consult with your school board attorney for additional guidance.

19. If we use federal funds to pay an employee and they are not working, but continue to be paid, can we claim this as a reimbursement?

Divisions should apply their employee compensation policies and procedures consistently for federally funded and non-federally funded employees. To the extent practicable, employees paid with federal funds should continue to work remotely on allowable grant activities or should be paid under the division's established paid leave policy. If staff are not working during an emergency closure and non-federal funds are used to pay non-federally funded staff, federal funds may be used to pay federally-funded staff in the same manner.

20. What are the suggestions for hourly employees/payroll?

In the event of a division closure, divisions may permit such employees to continue working remotely if in compliance with all laws and regulations. Otherwise, authorizing additional paid leave types for non-exempt employees during the state of emergency should be considered. VDOE recommends that local education agencies (LEAs) make employment and compensation related decisions in close consultation with their attorneys.

21. What about part-time federally funded employees?

In the event of a division closure, permit such employees to continue working remotely if in compliance with all laws and regulations. Otherwise, authorize additional paid leave types for non-exempt employees during the state of emergency (also see Question #19).

22. Are there any impacts to sales tax revenues?

Given the potential change in economic conditions, it is important that school divisions continue to closely monitor their semi-monthly sales tax payments. Sales tax revenues are delayed by a 2-month period of time to school divisions, from the month of sale to month of payment. With that being said, potential revenue impact to school divisions will likely be felt beginning in April or May 2020 and continue into the next fiscal year. Closely monitoring sales tax payments and making necessary adjustments to your revenue projections is important moving forward.

23. What may be done in cases where schools are closed for so many days that the 990 hour clock requirement cannot be met? How will school closures affect ADM funding?

If a school or school division closes schools in response to the COVID-19 outbreak, they should make every effort to make up missed time, including using scheduled vacation days and planned school closure days as well as extending the length of the school day or calendar. Should any school in a school division miss more than five days as the result of an emergency situation, the school may make up teaching days or hours according to the schedule provided in [§ 22.1-98.C\(2\)](#) of the *Code of Virginia*. Funding based on average daily membership (ADM) would not be affected if divisions meet the 990 hour clock requirement or the emergency requirement as outlined in [§ 22.1-98](#). If school divisions are still unable to meet these requirements, they can consider seeking a waiver from the Board of Education (BOE). The BOE has expressed they will be more flexible depending on the magnitude of the situation but waivers will only be granted to those schools or school divisions that have exhausted all means to make up for lost teaching time. Schools are reminded that any decision to close schools should be made

in consultation with your local health department and in the interest of public health first. The VDOE does not provide recommendations regarding school closures.

24. **School divisions have been attempting to purchase cleaning supplies such as disinfecting wipes. There is a great deal of price gouging. Is there any talk of helping curtail this predatory behavior?**
The VDH has been getting similar reports from multiple sectors. The VDH is working on procuring supplies and identifying strong supply chains. Once they have this information, it will be communicated to other government agencies. In addition, Governor Northam's State of Emergency declaration triggered [a law](#) meant to prevent price gouging in the 30 days following that announcement like this. This legislation prohibits suppliers from charging "unconscionable prices" for "necessary goods and services," including water, ice, food, cleaning products, hand sanitizer, medicines and personal protective gear.
25. **We are aware that we need to watch Sales tax revenues, however, if the General Assembly or the Governor restate the 19/20 Sales Tax estimates used to calculate Basic Aid, will divisions be held harmless since adjustment to Sales Tax at the state level, result in a reduction in Basic Aid for the state - and the locality?**
Any type of hold harmless funding or adjustment related to use of Sales Tax estimates in the Basic Aid formula would require action and approval by the General Assembly and Governor.
26. **Divisions are expending funds to pay contracted employees during the closure based upon existing basic projections, if those basic aid projections are adjusted, will there be some type of advanced notice to divisions or some level of hold harmless funding?**
In the event of a length of school term waiver request, if the waiver is approved, the full amount of state SOQ Basic Aid funding will remain with the divisions. If there is a partial approval of a waiver, state SOQ Basic Aid funding may be prorated based on the partial approval of a waiver of the 990 hour/180 day Code requirement. Based on the current Code and Appropriation Act provisions, there is no hold harmless provision currently available. This could change but would require authorization and approval by the General Assembly and Governor.
27. **What about annual physical requirements for bus drivers seeking continued employment contracts?**
As this is a statutory requirement, the Superintendent is unable to waive the annual physical for school bus drivers but is currently exploring options for flexibility.

Assessment and Accountability

28. **Will VDOE cancel Standards of Learning (SOL) testing?**
The VDOE is working diligently to seek any waivers necessary to waive state and federal testing requirements. More information will be available in the near future. VDOE staff are evaluating options to provide flexibility in meeting testing and accountability requirements for the Standards of Learning tests, the Virginia Alternate Assessment Program, and the ACCESS for ELs test administered to English Learners. While the situation may change if waivers are approved, we have the following information at this point. The SOL Writing Test Administration will be extended through Friday, May 15, 2020, for Grade 8 and End-of-Course Writing tests (including term graduate 2nd attempt tests) to be completed once schools re-open for students. It is anticipated that the test administration dates for the reading, mathematics, science, and history SOL tests will be extended for school divisions beyond June 26, 2020; however, timeframes will be determined once more information is available. Please remember that school divisions can adjust their testing window for these tests within the statewide testing window.

The ACCESS for ELLs testing window for English Learners will close as scheduled at 11:59 pm on Friday, March 20, 2020. An additional limited testing window will be available once schools re-open for students. Testing during the additional test window must be completed using the paper form of the ACCESS test. If tests completed prior to schools being closed beginning on March 16, 2020 have not yet been shipped to DRC and responsible parties are scheduled to be present in school buildings during the closures, materials should be returned at the earliest convenience. Otherwise, materials received after March 27, 2020, will be processed during the additional testing window.

The score entry window for all Virginia Alternate Assessment Program (VAAP) collections of evidence will be extended through Friday, June 26, 2020. School divisions will not be asked to submit VAAP collections of evidence for audit purposes. Additional details and specific directions related to all of these changes will be provided separately to Division Directors of Testing via email.

29. What are resources for Advanced Placement (AP) courses and testing?

AP Central has been updated with information about flexible testing options for schools experiencing substantial disruption or closure and guidance for schools that plan to maintain AP instruction while students are at home. An update can be found here: apcentral.collegeboard.org/about-ap/news-changes/coronavirus-update. AP Central has also prepared a [one-page overview](#) (PDF) of how AP teachers can use the free, daily online practice in AP Classroom to check student understanding of each topic and skill in the AP course and ensure that students are well prepared for exam day.

30. What is the impact on AP testing? The CollegeBoard provided information on March 20 that begins to outline an alternative plan for AP testing review and administration.

- The CollegeBoard is providing [free remote learning resources](#) to students by AP teachers beginning on Wednesday, March 25, 2020.
- Traditional face-to-face exam administrations will not take place. Students will take a 45-minute online free-response exam at home that will only include topics and skills that most AP teachers and students covered by early March.
- Students will be able to take these streamlined exams on any device they have access to—computer, tablet, or smartphone. Taking a photo of handwritten work will also be an option.
- Colleges support this solution and are committed to ensuring that AP students receive the credit they have worked this year to earn. For decades, colleges have accepted a shortened AP Exam for college credit when groups of students have experienced emergencies.
- We'll continue to support students with free resources through exam day. And while we encourage students to wait until closer to the test date to decide, **any student already registered for an exam can choose to cancel at no charge.**
- The College Board recognizes that the digital divide could prevent some low-income and rural students from participating. Working with partners, they will invest so that these students have the tools and connectivity they need to review AP content online and take the exam. If your students need mobile tools or connectivity, you can [reach out to them directly to let them know.](#)
- The full exam schedule, specific free-response question types that will be on each AP Exam, and additional testing details will be available by April 3.

For more information, please visit the [AP Updates for Schools Impacted by Coronavirus](#) website.

31. How does the Virginia Department of Education plan to address any impact the chronic absenteeism indicator may have on school accreditation ratings?

If a school closes, then the chronic absenteeism indicator is not impacted because students are not considered absent when the school is closed. The Standards of Accreditation (SOA) at 8VAC20-131-

380.F.6 provide the opportunity for local school boards to appeal a performance level indicator for a school. The intent of the appeal provision in the SOA is to provide potential relief to schools that have experienced a significant event impacting performance on an indicator. Schools where student absences resulting from COVID-19 have an aggregate, negative impact the chronic absenteeism indicator will have the opportunity to submit an appeal. If this is the case, the Virginia Department of Education (VDOE) will be available to provide guidance on the chronic absenteeism indicator. It will be the responsibility of each individual division to provide student data to support the appeal.

32. If SOL assessments are not administered, what are the options for home instruction parents for demonstrating evidence of progress?

Section 22.1-254.1 (C) of the *Code of Virginia* requires that a parent who provides home instruction demonstrate evidence of progress for their student to the division superintendent by August 1 of each applicable year using one of the following options: (i) evidence that the child has attained a composite score in or above the fourth stanine on any nationally normed standardized achievement test, or an equivalent score on the ACT, SAT, or PSAT test or (ii) an evaluation or assessment which the division superintendent determines to indicate that the child is achieving an adequate level of educational growth and progress, including but not limited to (a) an evaluation letter from a person licensed to teach in any state, or a person with a master's degree or higher in an academic discipline, having knowledge of the child's academic progress, stating that the child is achieving an adequate level of educational growth and progress or (b) a report card or transcript from an institution of higher education, college distance learning program, or home-education correspondence school.

Some parents may have an arrangement with their local school divisions to allow their home instruction student to use SOL or other local assessments to demonstrate evidence of progress. Should local school divisions not be required to administer SOLs or other assessments for the 2019-2020 school year, parents of home instruction students will need to use the flexibility provided in 22.1-254.1 of the Code of Virginia to provide evidence of progress to the relevant division superintendent prior to the August 1 deadline. Please communicate with your division's administrative offices or home instruction coordinator if there are any concerns with meeting this requirement.

33. What is the impact on SAT administration?

The College Board is canceling the May 2, 2020, SAT administration. Makeup exams for the March 14 administration (scheduled March 28) are also canceled. Registered students will receive refunds. The College Board will provide future additional SAT testing opportunities for students as soon as feasible in place of canceled administrations.

34. What is the impact on dual enrollment courses through community colleges?

Some community colleges have resumed dual enrollment classes online. If a student of dual enrollment online courses does not have Internet access, please contact the community college providing the course for possible resources. For situations where students are not able to access courses, options may include a correspondence course to finish, re-enrollment to finish, or re-enrollment to retake the course. VDOE is working closely with the Virginia Community College System and Richard Bland College to determine potential solutions for the multitude of scenarios for dual enrollment classes throughout Virginia based on who is teaching the course (school division teacher or community college faculty), the length of the course, the amount of course content and seat time completed, among other factors. More information will be provided in the near future.

Instruction

35. Please share guidance related to online or distance learning during an extended school closure.

The impact to students during an extended school closure can be significant. The learning time and support students receive at school are not easily supplemented or replaced. Understanding the desire and

responsibility of parents and educators alike to provide continuity for every student in their thinking and learning, many school divisions are assessing the feasibility of providing online learning in the event of extended school closures. In looking at this option, it is important to consider the practical steps necessary to appropriately serve every student equitably and the extent to which a traditional school environment can be quickly replicated online. It is not a simple task, nor is it one that should be attempted without serious consideration of equity and access. Schools should thoughtfully evaluate their approach, understand their legal obligations, and maintain the standards for delivery of instruction and student supports. Services, programs and activities online must be accessible to persons, including individuals with disabilities unless equally effective alternative access is provided in another manner (U. S. Department of Education, Office for Civil Rights, 2020). Divisions may have the capacity to explore expanding or offering online learning. Divisions should apply an equity lens and consider the impacts on underserved groups, including students of color, students with disabilities, emerging bilingual students, students experiencing poverty and homelessness, and students who belong to other protected classes. Consider whether the model will improve or worsen disparities between populations. Consider barriers to equitable implementation and unintended consequences. Shifting from a “brick and mortar” school environment to online learning that meets the regulations of holding “school” is a complex task that requires thoughtful planning, serious consideration of practicality, and assessment of risk. This assessment of risk should consider the impact of compensatory education and exposure for local school divisions to dispute resolution. Additional guidance is also available from the [U. S. Department of Education \(USED\)](#) including a short [webinar](#) on online education and website accessibility and a [fact sheet](#) (PDF) on addressing the risk of COVID-19 in schools while protecting the civil rights of students.

36. Can the VDOE provide any guidance with grading and grade point averages?

The authority to award grades and determine grade point averages rests with local school divisions. School divisions should consider the guidance related to distance and online learning and the considerations regarding equity and a thoughtful approach to instruction, and the impact of alternative measures of achievement and mastery. Whereas the VDOE recognizes that decisions on grades are a local decision, the VDOE does not recommend grading work completed during the closures since schools are closed. Additionally, VDOE recognizes that grade calculations and GPA are a local policy issue. VDOE does recommend that school divisions establish a methodology to fairly calculate grades based on work previously completed and a methodology for including said grades in GPA calculations and on student transcripts. VDOE encourages school divisions to work closely with VDOE should they feel they need additional flexibility within the transcript regulations.

37. What will happen to students enrolled in Virtual Virginia (VVA) courses during an extended closure?

Students enrolled in VVA courses will continue working on courses and remain in contact with VVA teachers via phone, email, LMS, or web conferencing. VVA teachers will be flexible and work with individual students who are not able to access online course content or tools. VVA will continue to be flexible with students and will work with schools as needed to adapt instruction to the needs of our shared students. VVA faculty will continue to teach, conduct live online instruction sessions with students, and remain available to parents, counselors, mentors, and students for the duration of any extended school closure.

Student needs will be different, and VVA teachers and administration will work with each student to ensure he or she has the same opportunity to succeed in the coming days and weeks. Below are some strategies VVA teachers may implement to assist students:

1. Modify assignments
2. Assign work that can easily be completed at home without an internet connection
3. Provide flexible deadlines
4. Use both email and phone to contact students and parents/guardians

5. Provide additional possibilities for alternate submission methods (for example, phone calls, scans or photos of handwritten work, etc.)

Encourage students to print out what they will need while home, if possible. Students are encouraged to contact teachers as they need assistance. Additional questions regarding Virtual Virginia should be directed to Dr. Brian Mott, Executive Director (brian.mott@virtualva.org).

38. Will there be extensions on grant funds - i.e. Carl Perkins, Security grant expenditure deadlines?

We are not aware of any extensions at this time for use of federal grant funds, but will follow-up with federal program staff in DOE to confirm that and check on the possibility of any extensions. For the state funded School Security Equipment Grant, DOE will allow an extension until June 30, 2020 to spend the awarded 2019-2020 grants.

39. Will students moving to Virginia during the period of closure be able to advance with their respective grades even if schools do not reopen?

Grade placement and advancement is a local decision. Local school divisions will need to determine which grade level is most appropriate for an incoming student, based on the student's academic record and current instruction as compared to a Virginia public school student of the same age and grade range.

Early Childhood

40. What should local education agencies plan for in regards to early childhood education programs that are still open and servicing eligible students with disabilities?

If students are being served in Child Development Centers are receiving services through their Individualized Education Program (IEP) or Individualized Family Service Plan (IFSP) and are attending school the provision of services should still be provided to ensure the requirements of a free and appropriate public education (FAPE) are met. If services are not able to be provided per the IEP or IFSP, the IEP/IFSP Team would need to be reconvened to make an individualized determination as to whether compensatory services are needed under applicable standards and requirements for the time/services not provided. The Governor has not required the closure of licensed child care centers and/or private preschools. As such, there is variability in what programs will remain open/closed and many of these locations will continue to operate in what are highly extraordinary circumstances.

For additional information on a variety of early learning topics impacted by COVID-19 please see the [VDOE Division of School Readiness, Office of Early Childhood *Frequently Asked Questions*](#) (Word) document.

Special Education

41. Has there been any discussion about how school divisions will provide for FAPE for students with disabilities in the event of school closures?

If a school closure causes educational services for all students to pause within a school or division, then the school/division is not required to provide services to the affected students eligible for special education services during that same period of time. If a division has extended school closures, VDOE has advised that school divisions should consider options and ideas to engage students in reading, thinking and learning. Creating such opportunities should be done with careful consideration of providing equitable access and support for a variety of students. Due to the waivers that are likely to be granted for school closures related to COVID-19, schools should not consider these strategies for continuity of learning as make-up days or hours. Positive proactive strategies to continue engagement in learning are not a form of instruction/instructional day and thus would not require school divisions to

offer FAPE. If a school division does begin to offer instructional services by alternative means the division will remain responsible for the free appropriate public education (FAPE) of its students eligible for special education services with an individualized education program (IEP). Accessible technology may afford students, including students with disabilities, an opportunity to have access to high-quality educational instruction during an extended school closure, especially when continuing education must be provided through distance learning. Once school resumes, the school must return to providing special education and related services to students with disabilities in accordance with the student's IEP, or for students entitled to FAPE under Section 504, consistent with any plan developed to meet the requirements of Section 504. Additionally, after an extended closure, divisions are responsible for reviewing how the closure impacted the delivery of special education and related services to students eligible for special education services. Additional specific guidance will be provided to division level special education directors.

42. Timelines for special education and will the state or federal calendar be adjusted?

At this time, there is no guidance from the U. S. Department of Education's Office of Special Education Programs (OSEP) regarding the waiver of federal timelines related to special education compliance. OSEP has been clear in the past that there is no waiver for natural disasters. However, OCR has provided guidance that "IEP teams are not required to meet in person while schools are closed." In addition, OCR has stated that "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." With this in mind, local school divisions should develop a plan to support maintaining timelines and to document clearly if a delay occurs, the nature and extent of the delay and the plan to move as quickly as possible to prevent any further delay. Local Directors of Special Education should be consulted for local and school based guidance. Recall that existing regulations already provide for certain types of flexibility with regard to holding meetings and for extending timelines. For instance, if the parent and school division agree in writing to extend the 65 business day timeline to obtain additional data that cannot be obtained within the 65 business days, the evaluation/eligibility timeline may be extended. In addition, amendments to IEPs may be made without a meeting, and meetings may always be conducted virtually or by phone see 8 VAC 20-81-110.E.3). As always, school divisions should be flexible in allowing Parents to attend IEP meetings by alternative means and clearly communicate these options to parents. Additionally, school divisions should carefully document all attempts to arrange meetings with parents, including providing meeting notice that complies with special education regulations.

43. What is the role of local school divisions in making decisions regarding Children's Services Act (CSA) funded students being served in private schools?

The impact of the state of emergency on contractual arrangements with service providers through the CSA remains a matter of local jurisdiction. Local school divisions are encouraged to work through their local Coordination, Planning and Management Teams (CPMT), local CSA office and partnering private schools to discuss this matter.

44. Should local school divisions plan on any adjustments to the submission of Annual Plans for special education funding supported through the Individuals with Disabilities Education Act (IDEA)?

Currently there are not any plans to change the due date of the annual plans. School divisions have all of the available information needed in order to submit their Annual Plans on time. Additional information in the FAQ regarding public meetings may be useful to divisions seeking board approval of their plans.

School Nutrition

45. USDA flexibility for school meals during extended closure?

Superintendent's Memo 070-20 on meal flexibilities and a waiver process using the Summer Food Service Program or Seamless Summer Option during school closures was posted on Friday March 13, 2020: [COVID-19: School Nutrition Program and Meal Options](#) (Word).

46. Can we open our cafeterias to serve meals?

As schools are currently closed under the Governor's executive order, they therefore should not be open for typical group school meals service. Instead, in support of social distancing, divisions are distributing "non-congregate" meals via grab-and-go kiosks at school sites or providing community delivery. All children 18 and under may receive meals during the closure under the Summer Seamless Option (SSO) or the Summer Food Service Program (SFSP), with an approved waiver from VDOE. Children 18 and under receiving meals must be present when picking up meals. See Superintendent's Memo 070-20: [COVID-19: School Nutrition Program and Meal Options](#) (Word). In addition, many localities are setting up or engaging companion food pantries and food bank distributions to serve school-age children and their families.

47. Does the limit of 10 people apply to meal programs?

Non-congregate feeding implemented includes social-distancing.

48. What about 65 year olds serving or delivering meals?

This is a local decision and would defer to public health and CDC guidelines.

49. Can divisions serve multiple days of food at once?

School Food Authorities (SFAs) can provide multiple days worth of meals with an approved waiver and application in place with the VDOE. This is a good option for decreasing contact and increasing ease of access for families. Home delivery can also occur. This requires written parental consent. Please contact your SNP Regional Specialist or Sandy Curwood at sandy.curwood@doe.virginia.gov for assistance.

50. Can divisions serve food without their child present?

Federal Child Nutrition Program guidelines require the child to be present to receive a meal. The VDOE does not have the authority to waive or grant flexibility to federal law. The VDOE has requested additional guidance from USDA to address this concern. The VDOE advises local school divisions to maintain program integrity, in order to ensure programs can continue to be provided and that divisions continue to be good stewards of taxpayer dollars. The VDOE also recognizes that divisions want to serve their families needs and that frontline staff may be ill-equipped to deal with stressed parents. The VDOE urges local school divisions to equip staff with the information and preparation necessary to ensure adherence to program guidelines as well as making decisions in the best interest of children.

51. How should schools provide free meals to students who are experiencing homelessness and students placed in foster care who are enrolled in their school of origin but Living in another school division?

Students experiencing homelessness and those placed in foster care are categorically eligible for free school meals. During the current school closures, students may receive their meals in the community in which they currently live. Foster care liaisons and homeless education liaisons should communicate with their families and inform them of the resources and options in the community where the family currently resides. School division liaisons have been sharing their processes and connecting with their families. In addition, some school divisions have transported meals to out-of-district families with children enrolled in their schools. A listing of foster care liaisons can be found at:

<https://education.wm.edu/centers/hope/fostercare/index.php>; the homeless education listing can be found at: <https://education.wm.edu/centers/hope/liaison-listing/>. Additional questions related to the education of students in foster care and

students experiencing homelessness can be directed to Project HOPE-Virginia at homlss@wm.edu.

Data Collection

52. **How do we handle March 30 ADM?** For the April 17 deadline of the Spring SRC data submission that will be used for the March 31 average daily membership (ADM) calculation, the SRC data submitted as of March 31 and the March 31 ADM calculation for this year will remain the same with the exception that student membership (in ADM numerator) and days in session (in ADM denominator) will be excluded from the ADM formula for the days schools are closed up to March 31. Please see the previous VDOE COVID-19 FAQs sent on March 11, 2020, for additional information on student accounting and daily attendance when schools remain open for students.
53. **Will the state waive the 15-day drop period for students?**
The VDH recommends that students that are absent due to COVID-19 illness, related quarantine or social distancing not be dropped from school enrollment in order to allow for continuity in education. Virginia regulations ([8VAC20-110-130](#)) state that students “*shall be dropped from the roll and marked “withdrawn”...3. When a pupil has been absent for 15 consecutive days or more*”. Based on the guidance from the VDH, school divisions may continue enrollment for students known to be absent due to illness, related quarantine or social distancing for COVID-19. Please be aware that this guidance is specific to the COVID-19 outbreak occurring during the 2019-2020 school year.
54. **How should divisions track students who are absent because of COVID-19 in the Student Information Systems?**
The VDOE encourages divisions to maintain attendance records of any student known to be absent due to COVID-19. This information would be required if a school wanted to appeal the chronic absenteeism indicator rating in accreditation. Additionally, while VDOE is not aware of any future data requests or collections from state or federal agencies for student information, it is easier for divisions to track the data as it happens compared to later should a new data collection be mandated. Please note: VDOE can only collect such information if it was mandated by state code, federal law, or regulation.
55. **How should schools handle absences in cases where parents choose to keep their students at home due to fear of exposure (i.e. no illness or recommendation for self-quarantine)?**
Many schools, parents, and guardians have expressed concern about student absences related to COVID-19 safety concerns. Virginia attendance regulations ([8VAC20-730-10](#)) allow school leaders to excuse absences for a reason acceptable to the school administration, which may include illness or mental health conditions. School divisions have the authority to define their “acceptable reason” for excused absences. The VDOE knows that community fears may be high as identified cases increase, particularly for families with loved ones living in the home who have a compromised immune system. The VDH recommends that school divisions exercise great caution when deciding not to excuse absences related to COVID-19.
56. **How should school divisions manage new enrollment during the closures?**
This is ultimately a local decision. Local school divisions that have kept administrative offices open during the closure can continue enrolling students. This may also help school divisions prevent any administrative lag for students as they will be able to begin classes as soon as schools reopen. Those local school divisions that continue with enrollment should consider using virtual options.
57. **Will the deadline for Spring Student Record Collection be extended?**
Yes, but only by one week. The new deadline is April 24, 2020. The extra week was added to give school divisions more time to coordinate data verification by multiple people in schools and central office after a successful submission. The deadline for Spring Student Record Collection is based on when March 31 ADM data is needed for funding formulas to determine final Standards of Quality payments (such as basic aid) to school divisions as enacted in the Appropriations Act. One week is all the extra time that can be given to still meet required state funding requirements.

Teacher Education and Licensure

58. What is the impact of school closings on candidates completing student teaching this semester in educator preparation programs at Virginia colleges and universities?

The VDOE has communicated with deans and directors of educator preparation programs to address concerns that candidates currently enrolled in student teaching may not be able to complete the following Board of Education 10-week student teaching requirement due to school closings. Any modification request from deans or directors of educator preparation programs will be reviewed on a case-by-case basis.

59. What if individuals holding provisional licenses expiring June 30, 2020, cannot meet the requirements for a renewable license this year due to circumstances related to COVID-19?

The *Code of Virginia* allows the Board to extend for at least one additional year, but for no more than two additional years, the three-year provisional license of a teacher upon receiving from the division superintendent (i) a recommendation for such extension and (ii) satisfactory performance evaluations for such teacher for each year of the original three-year provisional license. VDOE is currently investigating options on how to address provisional licenses that expire June 30, 2020, when license holders do not meet the extension criteria noted above.

60. What if a license holder cannot complete the professional development points necessary for license renewal?

If license holders complete the requirement for renewal, the Virginia educational agency should submit the renewal requests as soon as practicable to avoid any administrative delays. If license holders are unable to meet renewal requirements because of closures related to COVID-19, the Superintendent of Public Instruction may make modifications to the licensure regulations to grant a one-year extension of the license (July 1, 2020 to June 30, 2021) to complete all renewal requirements.

61. What if individuals cannot get the hands-on cardiopulmonary resuscitation CPR training required for an initial teaching license or license renewal?

Training in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators can be completed through online programs. However, state law also requires that CPR training include hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. The Superintendent of Public Instruction is unable to waive the hands-on CPR requirement since it is required by the *Code of Virginia*, but VDOE is currently investigating to determine whether flexibility may be an option to meet this requirement.

Public Meetings

62. Can a local school board meet electronically without a quorum physically assembled?

Section 2.2-3708.2 of the Code of Virginia provides that a school board may meet by electronic communication means without a quorum assembled in one location when the Governor has declared a state of emergency, in accordance with § 44-146.17, provided that (1) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location, AND (2) the purpose of the meeting is to address the emergency. If a meeting is held pursuant to this section, the school board must give public notice using the best available method given the nature of the emergency contemporaneously with the notice provided members of the school board AND make arrangements for public access to the meeting. The nature of the emergency, the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held are stated in the minutes of the meeting. Continue to work with your local school board attorney to ensure any school board meeting held during the declared state of emergency meets all of the requirements of Freedom of Information Act.

Attorney General Herring has issued an [advisory opinion](#) on March 20, 2020 outlining the authority of public bodies, including local governments, to conduct meetings and critical public business while meeting social distancing needs and important transparency and accountability obligations. The [opinion](#) says that Virginia law allows public bodies to conduct meetings electronically if “the purpose of the meeting is to address the emergency,” which includes meeting “to make decisions that must be made immediately and where failure to do so could result in irrevocable public harm.”

The opinion also outlines important limitations, saying that “the General Assembly did not intend to permit public bodies to handle *all* business through electronic communication means, even during a declared emergency,” and that “public bodies should carefully consider whether taking a given action during a meeting held by electronic communication means is truly essential and should defer any and all decisions that can be deferred until it is once again possible to meet in person.” Finally, the opinion reinforces that important public accountability and transparency measures must be followed even during an electronic meeting or an emergency, including the need for public access, proper public notice, publicly available agendas, roll-call votes, and recorded minutes. For more information review the opinion in its entirety at the following [link](#).

State Education Agency

63. Will OMEGA reimbursement continue to be approved?

Yes

64. Will VDOE be open, especially Licensure?

Yes, at this time the VDOE and other state agencies (with the exception of the Department of Motor Vehicles (DMV)) will remain open.