

COVID-19 Coronavirus Impact - Financial & Related Guidance UPDATE 2

MARCH 20, 2020

Background

- The impact of COVID-19, aka the coronavirus, has been sudden and unprecedented. Nearly every aspect of California life has been and will be impacted by this, including likely closure of most or all site-based charter schools.
- To help you navigate the fiscal impact of this, we have prepared the attached DMS Guidance, including helpful resources for obtaining more fiscal advice.
- Our DMS Guidance is limited to fiscal impact only. For overall guidance on closures, public health, and safety of your students, please consult with CDE, your COE, authorizing district, and local health officials.
- DMS offices are open and are available to assist with any guidance our schools require. In the event our physical offices are closed, our staff will remain available via electronic means throughout this period.

Attendance Options – Site-Based

- Any charter school should close immediately due to COVID-19. There will be **no** loss of ADA-based revenue as a result of COVID-19 closure. Emergency legislation (SB 117) was passed on 3/16/20 to shorten the P-2 attendance and the Annual (P-3) attendance period to the last full school month ending on or before February 29 for any schools closing sites due to COVID-19. Instructional minute requirements are also waived. There is no J-13A waiver process required for this, simply a statement by the school's director that the school closed for COVID-19. Please consult with your DMS Finance Team representative if you need any assistance with P-2 ADA reporting (which remains due in mid-April).
- Since each school will continue to receive funding, SB 117 recommends continuing to pay all staff as normal, including non-exempt/timesheet staff, although each school will need to make its own decisions in this area. SB 117 has other non-fiscal impacts as well (see link).
- Site-based schools closing COVID-19 are recommended to continue offering distance learning during closure. Note that offering distance learning does NOT mean that the school is continuing to operate an independent study program – the school is closed but is making best efforts to ensure student education and nutrition continues through the closure. Master agreements, learning records, grading, and monitoring non-classroom-based attendance policies are NOT in effect. There is no current guidance regarding whether students will receive credit for this closure period, especially graduating seniors, but it is likely that students will be “held harmless” as a result of closure and will not need to make up credits. We will update as we learn more.
- Closed schools are also recommended to continue offering meals to students during closure – please consult with your local County Office of Education and/or authorizing district for more information on coordinating continuing meal service during closure.

Attendance Options – Non-Classroom-Based

- In order to trigger SB 117 waivers on testing and special education assessments, DMS recommends that non-classroom-based schools close completely.
- Taking this action should trigger the same COVID-19 closure protocols set forth in SB117 and the Executive Orders that apply to site-based schools, providing additional flexibility for assessments and any physical meetings that would typically take place.
- Following closure, non-classroom-based schools should continue to make every effort to provide ongoing distance learning during closure, but this does not require taking attendance, meeting every 20 days, grading, assessments, etc.
- Based on the Executive Order and SB 117, as each school will continue to receive full funding, we recommend continuing to pay all staff as normal, although each school will need to make its own decisions in this area.
- We do not recommend remaining open simply in order to maximize P-2 ADA, as even for 100% NCB or virtual schools, this places responsibility on teachers, parents and students to continue “business as usual” during a period where ensuring public health is the priority. This may also lead to later scrutiny and negative perspective by authorizers and COEs given that nearly every school in California is now closed. Teachers, parents and students can of course continue to participate in limited distance learning activities that are aligned with overall health directives.

Other Guidance

- Pursuant to Executive Order N-25-20, board meetings may be held via fully telephonic means (including videoconferencing) and do not require physical attendance of either members, clerk, or public as a condition of participation and/or quorum. Please consult your legal counsel for more details.
- While distance learning or independent study options are desirable during closure, no financial resources exist at present to provide additional funding for this such as Chromebooks, etc. However, SB 117 does provide for \$100 million to be distributed for health-related equipment/services such as protective equipment, cleaning, etc. This should end up being \$16 per classroom-based ADA.
- Since staff will be fully paid during closure, we recommend working with your teaching staff on the best method of utilizing this time to continue providing education, potentially taking advantages of free online resources.

Helpful Links

- SB 117 Emergency Legislation:
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB117
- Governor's Executive Order N-25-20: <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.12.20-EO-N-25-20-COVID-19.pdf>
- Governor's Executive Order N-26-20: <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.13.20-EO-N-26-20-Schools.pdf>
- CDE Coronavirus Main Page:
<https://www.cde.ca.gov/ls/he/hn/coronavirus.asp>
- Young, Minney & Corr Alert: <http://mycharterlaw.com/wp-content/uploads/2020/03/20-03-13-Coronavirus-Legal-Alert-v4.pdf>
- CDE Guidance On Attendance Options:
<https://www.dropbox.com/s/157ix5l7eg8jcpq/COVID-19%20Scenarios%20and%20J13A%20and%20IS%20Table%20%28003%29.pdf?dl=0>