



## Senate File 2310: Guidance for Schools

### Purpose

This guidance is intended to help districts and schools implement the requirements of [Senate File 2310](#) of the 88th General Assembly, signed into law on June 29, 2020, by Governor Reynolds.

### Summary

Senate File 2310 contains five divisions that address online learning, requirements for online coursework, funding flexibility, temporary instructional flexibilities, reporting requirements concerning the impact of COVID-19, and the effective date of the legislation. This guidance is split into the divisions of the bill and also includes a table of required, permitted, and prohibited actions and interpretation districts can use for quick reference.

As detailed further below, many provisions affect a district or school's authority to provide instruction through remote learning opportunities, such as online learning. Senate File 2310 requires that Return-to-Learn plans provide for in-person instruction and that in-person instruction is presumed. It requires the use of remote learning in certain circumstances and removes legal barriers to use in the 2020-21 school year. But it also prohibits schools from providing instruction primarily through remote learning opportunities without explicit authorization by the governor in a public health disaster emergency proclamation. Governor Reynolds today issued a proclamation authorizing the provision of instruction primarily through remote learning opportunities only if:

- A parent or guardian voluntarily selects the remote learning opportunity; or
- The Department, in consultation with the Department of Public Health, approves of the temporary move to primarily remote learning for an entire building or district because of public health conditions; or
- The school, in consultation with state and local public health, determines that individual students or classrooms must temporarily move to primarily remote learning; or
- A school chooses to temporarily move to online learning because of severe weather instead of taking a snow day.

Except as authorized in this proclamation, a district or school cannot move to entirely remote learning and it must provide at least half of its instruction to students in person.

### Division I: Online Learning Program and Coursework Requirements

#### COMPREHENSIVE SCHOOL IMPROVEMENT PLAN

The Comprehensive School Improvement Plan (CSIP) submitted annually by districts and nonpublic schools in the Consolidated Accountability and Support Application (CASA) must include a list and description of all online coursework offered. This includes online coursework used for concurrent enrollment.

#### ONLINE LEARNING - RULES

The State Board of Education (Board) must adopt rules regarding online learning. Specifically, the Board must adopt rules regarding waivers for online courses and quality of online content.

Rules must require online learning coursework offered by districts, nonpublic schools, and area education agencies (AEAs) to be:

- Rigorous;
- High quality;
- Aligned with the Iowa Core standards;
- Aligned with national standards of quality for online coursework;
- Taught by an Iowa teacher licensed under Iowa Code Chapter 272; and
- Taught by a teacher with specialized training in delivering online instruction.

#### APPROVED PROVIDERS OF ONLINE CONTENT

The director of the Department of Education (Department) is required to develop and maintain a list of approved online providers that provide course content through an online learning platform that are:

- Taught by an Iowa teacher licensed under Iowa Code Chapter 272;
- Taught by a teacher with specialized training in delivering online instruction; and
- Provide coursework that meets the standards of the rules adopted by the Board.

#### OFFER AND TEACH

The requirements of Iowa Code 256.11(5) – commonly known as offer and teach requirements for high school – do not apply for a district or nonpublic school if:

- (a) The district/school makes every reasonable and good faith effort to employ a licensed teacher to teach the course, but is unable to, or
- (b) Fewer than ten students typically register for the course.

This applies to the following subjects: science, social studies, English-language arts, mathematics, physical education, career and technical education, fine arts, and health.

In addition to the two exceptions above, the offer and teach requirements do not apply for world languages, personal finance literacy, or computer science if:

- (a) The district/school makes every reasonable and good faith effort to employ a licensed teacher to teach the course, but is unable to, or
- (b) Fewer than ten students typically register for the course.

In addition to all of the exceptions listed above, the Department may waive offer and teach requirements for up to two additional courses, for a maximum annual number of exceptions of seven per district or accredited nonpublic school. The additional annual waiver may be granted if a district or nonpublic school proves to the satisfaction of the Department that the school has made every reasonable effort but is unable to meet requirements.

If any of the above exceptions to offer and teach requirements are used, the subject must be provided either by an AEA or by a district or nonpublic school through an online alternative.

Any course not included in offer and teach requirements may also be provided by an AEA or by a district or nonpublic school through an online alternative.

If a district or nonpublic school provides a course through an online alternative, the course must be offered in one of the following ways:

- (1) The district, school, or a consortium of schools provides the course in an online learning platform in a manner that meets the requirements of the rules for online learning passed by the Board;
- (2) The district or school uses a private provider approved by the Department; or
- (3) The district or school uses an online platform offered by the Department in collaboration with the AEAs and/or districts or nonpublic schools.

## ONLINE LEARNING PLATFORM

An online learning platform offered by the Department in collaboration with AEAs, districts, or nonpublic schools – subject to the availability of federal funds – may deliver distance education to students, including students who are homeschooled. This includes students receiving independent private instruction (IPI), competent private instruction (CPI), or private instruction (PI) per Iowa Code 299A. To receive distance education using the online platform, students who are homeschooled must register with the district of residence. The content must be taught by a teacher licensed under Iowa Code Chapter 272 with specialized training in delivering online instruction.

The Department and AEAs offering online learning under their authority in Iowa Code 273.16 must coordinate to ensure the most effective use of resources and delivery of services.

## GOOD FAITH EFFORT

“Good faith effort” for the purposes of the offer and teach exceptions in 256.11(17) is defined the same as in Iowa Code 279.19A regarding extracurricular contracts, and includes advertising for the position in an appropriate publication, interviewing applicants, and giving serious consideration to those licensed or authorized, and otherwise qualified, applicants who apply.

## AEA ONLINE LEARNING PROGRAM

Subject to an appropriation by the General Assembly, AEAs may deliver an online learning program to secondary students, including homeschooled students using IPI, CPI or PI. Coursework must meet the requirements of the rules passed by the Board.

To participate in the online learning program, a student must be enrolled in a district or nonpublic school or participating in IPI, CPI, or PI. The district is responsible for recording grades for coursework, awarding credit, and awarding a diploma.

Participating districts must identify site coordinators for the online learning program to serve as student advocates and liaisons between online learning program staff and teachers.

Participating districts and nonpublic schools must pay AEAs for participation in the online learning program.

## RETURN-TO-LEARN AND INSTRUCTIONAL TIME

For the 2020-2021 school year, instruction provided pursuant to a Return-to-Learn plan and in response to a proclamation of a public health disaster emergency by the governor related to COVID-19 is deemed to meet the requirements in Iowa Code 279.10(1) regarding instructional hours and days. This is true regardless of the nature, location, or medium of instruction, as long as the Return-to-Learn plan submitted to the Department contains the minimum number of hours and days. To count towards instructional time, the Return-to-Learn plan must be compliant with all legal requirements, including those in this Act discussed below and any Department Return-to-Learn guidance.

Any Return-to-Learn plan must contain provisions for in-person instruction and provide that in-person instruction is the presumed method of instruction.

The section on Return-to-Learn plans and instructional time is repealed on July 1, 2021.

## IOWA LEARNING ONLINE - REPEALED

Iowa Code 256.42, formerly the Code section on Iowa Learning Online, is repealed.

## Division II: Temporary Flexibility for Use of Certain Monies by School Districts to Provide Additional Instructional Time

For the 2020-2021 school year districts may use any number of the 36 hours of required professional development outside the normal school day in Iowa Code Chapter 284 and the monies calculated and paid to the district for use in professional development from the professional development supplement cost per pupil [Iowa Code 257.10(10)] or the area education agency teacher salary supplement district cost [Iowa Code 257.37A subsection 2] for that purpose to supplement the number of instructional hours or days provided to students. This flexibility is for the 2020-2021 school year only. Any hours or monies used must increase the instructional hours/days beyond 1,080/180.

## Division III: Temporary Flexibility for Certain Educational Instructional and Policy Requirements

### OPEN ENROLLMENT

For the 2020-21 school year only, parents and guardians have until July 15 to notify the district of residence and the receiving district on forms prescribed by the Department of intent to open enroll in an online public school in another district if the child, another resident of the child's residence, or one of the child's regular caretakers has a significant health condition that increases their risk of COVID-19.

Notification must include:

- The name of the person with the significant health condition;
- The health condition;
- Written verification of the health condition from the person's physician or licensed health care provider; and
- Whether the person – if other than the child – is a resident of the child's home or regular caretaker.

The superintendent of the receiving district has 14 days to notify the parent/guardian of a decision to approve or deny the open enrollment. If the application is denied or held for further review, it must be accompanied by an explanation and timeline for further review (if applicable).

Open enrollment decisions are subject to appeal under Iowa Code 290.1. This flexibility is not for open enrollment into another physical school district.

### COMPETENT PRIVATE INSTRUCTION

For the 2020-2021 school year, districts must provide students receiving competent private instruction under Chapter 299A with available texts or supplementary materials if they are dual enrolled or enrolled in the district's home school assistance program (HSAP) on the same basis as they are provided to regularly enrolled students. This language is not to be construed as limiting preexisting rights of students receiving competent private instruction.

### SCHOOL CLOSURES

For the 2020-2021 school year, if the governor proclaims a public health disaster a local school board may authorize closure of a district or building due to an outbreak of COVID-19. Districts are encouraged to follow guidelines issued by the Centers for Disease Control (CDC), U.S. Department of Health and Human Services (HHS), and Iowa Department of Public Health (IDPH) when determining social distancing measures or authorizing school closure. Districts may also consult with the local board of health.

A public health disaster proclamation is currently in effect. So long as it (or a future proclamation) remains in effect, a board may authorize closure of a district or building. But in order for the district to provide instruction primarily through remote learning during the closure and for that remote instructional time to count toward the 1,080 hours or 180 days requirement of Iowa Code 279.10, the Department must approve the closure as discussed further below.

## INSTRUCTIONAL TIME

For the 2020-2021 school year, the instructional time requirements of Iowa Code 279.10 and minimum school day requirements of Iowa Code 256.7(19) shall not be waived for closures due to the COVID-19 pandemic unless the district or nonpublic school provides compulsory remote learning, including online learning, electronic learning, distance learning, or virtual learning. The Department does not anticipate the waiver of any instructional time or minimum day requirements this school year because all Return-to-Learn plans must provide for remote learning to occur if schools must close.

Unless explicitly authorized in a proclamation of a public health disaster emergency issued by the governor and related to COVID-19, a district or nonpublic school cannot take action to provide instruction primarily through remote learning opportunities. This means that a school cannot provide more than half of its instruction to any student through remote learning opportunities over any two-week period without explicit authorization by a governor's proclamation.

The governor has issued a proclamation authorizing the provision of instruction primarily through remote learning opportunities only if:

- A parent or guardian voluntarily selects the remote learning opportunity; or
- The Department, in consultation with the Department of Public Health, approves of the temporary move to primarily remote learning for an entire building or district because of public health conditions; or
- The school, in consultation with state and local public health, determines that individual students or classrooms must temporarily move to primarily remote learning.

Except as authorized in this proclamation, at least half of all instruction must be provided in-person.

If a district or nonpublic school determines at any time during the 2020-2021 school year that a remote learning period is necessary, the district/school must ensure that staff are available to support students, participate in professional development, and perform other job duties.

## TRUANCY

For 2020-2021, any student who is enrolled but does not participate in compulsory remote learning must be considered truant. This does not apply to homeschooled students participating in IPI or CPI.

## TEACHER ENDORSEMENT WAIVER

For 2020-2021, if a district or accredited nonpublic school has made every reasonable good-faith effort to employ a teacher licensed under Chapter 272 who holds an endorsement for a specified grade level or subject area and cannot do so, and the district or school also cannot provide the course through one of the permitted online means, the director of the Department may waive the teacher endorsement requirements in Iowa Code 256.9(48) and 272.15(4).

## OTHER PROVISIONS FOR THE 2020-2021 SCHOOL YEAR

In implementing social distancing, districts must provide in-person instruction in core academic subjects to the extent possible. Those subject areas are English, math, social studies (including graduation requirements), and science (Iowa Code 256.7(26)).

The requirements for the state summative assessments [Iowa Code 256.7(21)(b)], preschool assessments and kindergarten assessments [279.60], and early literacy assessments will not be waived. This includes the Iowa Statewide Assessment of Student Progress (ISASP), Dynamic Learning Maps (DLM) alternate assessment, Teaching Strategies GOLD, kindergarten screening, and early literacy screening and progress monitoring assessments.

If a school closes or a disaster is proclaimed and a student has met all state and local graduation requirements with the exception of a course in CPR, the student may still graduate.

If a parent or guardian notifies a district or nonpublic school in writing that a child, another resident of the child’s residence, or one of the child’s regular caretakers has a significant health condition that increases their risk of COVID-19, the district must make reasonable accommodations on a case-by-case basis to provide the child with the ability to attend school through remote learning.

Notification must include:

- The name of the person with the significant health condition;
- The health condition;
- Written verification of the health condition from the person’s physician or licensed health care provider; and
- Whether the person – if other than the child – is a resident of the child’s home or caretaker.

Provision of accommodations pursuant to an individualized education program (IEP) or 504 plan will be determined by the child’s 504 or IEP team. The district or school may collaborate with an AEA or another district or nonpublic school to deliver the remote instruction.

Districts and nonpublic schools may provide instruction primarily through continuous learning if done as part of a Return-to-Learn plan submitted to the Department without being approved as a provider of online instruction under 256.9(55). Any continuous remote learning opportunities in a Return-to-Learn plan must be compliant with all legal requirements, including those in this Act discussed above and any Department Return-to-Learn guidance.

This includes the statutory prohibition on taking action to provide instruction primarily through remote learning. A district or nonpublic school that is also an approved provider of online coursework may not unilaterally decide for all students in the district or nonpublic school to move to online-only instruction.

#### Division IV: School District Impact Report

Each district must submit a report to the Department detailing any reduction in expenditures experienced due to school closures from COVID-19. The report will be provided on a date and in a format prescribed by the Department and must include for the reporting period July 1, 2019 to June 30, 2020:

- Transportation expenses;
- Contract employees, including certified and classified employees laid off by the school, listed by staff position;
- Non-contract staff laid off by the school, listed by staff position; and
- Spring and/or summer programs canceled or impacted by COVID-19.

The Department must submit a report detailing the total net impact of COVID-19 on each district budget to the General Assembly by November 15, 2020.

#### Division V: Effective Dates and Applicability

Senate File 2310 is effective upon enactment. Governor Reynolds signed the bill on June 29, 2020.

## Required, Permitted, and Prohibited Actions and Interpretation Summary

Code Section	Action	Additional Information & Interpretation
256.7(21)(a)	All districts and accredited nonpublic schools must include a list and description of all online coursework offered in their CSIP annually.	The CSIP will be adjusted to collect this information for the 2020-21 school year.
256.7(32)	Online coursework offered by districts, nonpublic schools, and AEAs must be rigorous, high quality, aligned with the Iowa Core, aligned with national standards of quality for online coursework, and taught by an Iowa licensed teacher with specialized training in online delivery of instruction.	<p>The State Board of Education will make rules on these requirements, including an opportunity for public comment.</p> <p>Specialized training in online delivery of instruction may include AEA PD Online, a supervised online teaching experience, pre-service coursework, or comparable coursework.</p>
256.9(55)	The Department must maintain a list of approved online providers whose coursework meets the requirements of the rules passed by the Board (see above) and content is delivered by Iowa licensed teachers with specialized training in online delivery of instruction.	<p>The Department's current list of approved providers will be reviewed, and the application process will be adjusted as needed.</p> <p>Providers must apply annually or as determined by the Department.</p> <p>A district or nonpublic school that is also an approved provider of online coursework may not unilaterally decide to move to online-only instruction in the absence of a proclamation by the governor for the 2020-2021 school year.</p>
256.11(17)(a)(1)	Offer and teach requirements do not apply for up to two courses if a district or nonpublic school has either (a) made every reasonable and good faith effort to hire a teacher or (b) demonstrates that fewer than ten students typically enroll in the course. This applies to all offer and teach subjects other than world languages, personal finance literacy, and computer science.	Districts and nonpublic schools will continue to notify the Department when they use these two exceptions in the CASA system.
256.11(17)(a)(2)	Offer and teach requirements do not apply for world languages, personal finance literacy, or computer science if a district or nonpublic school has either (a) made every reasonable and good faith effort to hire a teacher or (b)	<p>This is in addition to the two exceptions allowed above.</p> <p>Districts and nonpublic schools will notify the Department when they use these exceptions in the CASA system.</p>

Code Section	Action	Additional Information & Interpretation
	demonstrates that fewer than ten students typically enroll in the course.	
256.11(17)(b)	The Department may waive offer and teach requirements for up to two additional courses.	<p>This is in addition to all of the above exceptions, for a maximum annual number of exceptions of seven per district or accredited nonpublic school.</p> <p>Districts and nonpublic schools will continue to apply for waivers of offer and teach requirements in the CASA system.</p>
256.11(17)(c)	If any of the offer and teach exceptions are used the course must be taught by an AEA or a district or nonpublic school through an online alternative.	This information will be collected in the CASA system.
256.11(17)(c)	Any course <u>not</u> part of offer and teach requirements can be provided by an AEA or a district or nonpublic school through an online alternative.	Courses not offered as part of offer and teach will be listed in the CSIP.
256.11(17)(c)	A course offered by a district or nonpublic school through an online alternative must be offered either: on an online platform developed by a school or consortium that meets all Board rules; by a private provider approved by the Department; or on an online platform offered by the Department with AEAs or districts.	This information will be collected in the CASA system for courses that are part of offer and teach requirements.
256.11(17)(c)(3)	The online learning platform offered by the Department may deliver services to students receiving independent private instruction, competent private instruction, or private instruction.	<p>Students must register with the district of residence to receive services.</p> <p>The Department will provide additional information for homeschool families and schools on access to the online learning platform when available.</p>
256.11(17)(c)(3)	The Department and AEAs offering online learning services must coordinate to ensure effective use of resources and delivery of services.	
256.11(17)(d)	“Good faith effort” for the purposes of the offer and teach exceptions in 256.11(17) is defined the same as in Iowa Code 279.19A regarding extracurricular contracts and includes advertising for the	Evidence of “good faith effort” typically submitted includes advertising efforts and summaries of the number of candidates who applied and who were interviewed.

Code Section	Action	Additional Information & Interpretation
	position in an appropriate publication, interviewing applicants, and giving serious consideration to those licensed or authorized, and otherwise qualified, applicants who apply.	
273.16(1)	AEAs may deliver an online learning program to secondary students, subject to an appropriation.	
273.16(2)	Coursework delivered as part of the AEA online learning program must meet the requirements of the rules for online learning passed by the Board.	
273.16(3)	To participate in the AEA online learning program, a student must be homeschooled through CPI, IPI, or PI or enrolled in a district or nonpublic school.	
273.16(3)	If a student participates in the AEA online program, the district or nonpublic school in which the student is enrolled is responsible for awarding grades, credit, and a diploma. Scores for students who are homeschooled must be sent to the instructor under Iowa Code 299A.	
273.16(3)	Districts and nonpublic schools participating in the AEA online program must identify site coordinators to serve as student advocates and liaisons.	
273.16(4)	Districts and nonpublic schools participating in the AEA online program must pay AEAs for the cost of participation.	
279.10(3)	For the 2020-2021 school year, instruction provided pursuant to a Return-to-Learn plan and in response to a proclamation of a public health disaster emergency by the governor related to COVID-19 is deemed to meet the requirements in Iowa Code 279.10(1) regarding instructional hours and days.	To count towards instructional time, the Return-to-Learn plan must be compliant with all legal requirements, including those in this Act discussed below and any Department Return-to-Learn guidance.
279.10(3)	All Return-to-Learn plans must provide for in-person instruction and provide that in-person instruction is the presumed method of instruction.	All districts must plan for in-person instruction with the intent that in-person instruction will be provided in all possible circumstances.

Code Section	Action	Additional Information & Interpretation
Session Law: temporary flexibility, not codified	For the 2020-2021 school year, districts may use any number of the 36 hours of required professional development outside the normal school day per Iowa Code Chapter 284 and any amount of the monies calculated and paid to the district for use in professional development from the professional development supplement cost per pupil [Iowa Code 257.10(10)] or the area education agency teacher salary supplement district cost [Iowa Code 257.37A subsection 2] for this purpose to supplement the number of instructional hours or days provided to students.	Any hours or monies used must increase the instructional hours/days beyond 1,080/180.
Session Law: temporary flexibility, not codified	For the 2020-21 school year only, parents and guardians have until July 15 to notify the district of residence and the receiving district on forms prescribed by the Department of intent to open enroll in an online public school in another district if the child, another resident of the child's residence, or one of the child's regular caretakers has a significant health condition that increases their risk of COVID-19.	The <a href="#">open enrollment form</a> for this purpose is available on the Department's website, as is the <a href="#">accompanying guidance</a> .
Session Law: temporary requirement, not codified	For the 2020-2021 school year, districts must provide students receiving competent private instruction under Chapter 299A with available texts or supplementary materials if they are dual enrolled or enrolled in the district's home school assistance program (HSAP) on the same basis as they are provided to regularly enrolled students.	
Session Law: temporary flexibility, not codified	For the 2020-2021 school year, if the governor proclaims a public health disaster, a local school board may authorize closure of a district or building due to an outbreak of COVID-19. Districts are encouraged to follow guidelines issued by the Centers for Disease Control (CDC), U.S. Department of Health and Human Services (HHS), and Iowa Department of Public Health (IDPH) when determining social distancing measures or authorizing	A public health disaster proclamation is currently in effect. So long as it (or a future proclamation) remains in effect, a board may authorize closure of a district or building.  But in order for the district to provide instruction primarily through remote learning during the closure and for that remote instructional time to count toward the 1,080 hours or 180 days requirement of Iowa Code 279.10, the Department

Code Section	Action	Additional Information & Interpretation
	school closure.	must approve the closure as discussed further below.
Session Law: temporary requirement, not codified	For the 2020-2021 school year, the instructional time requirements of Iowa Code 279.10 and minimum school day requirements of Iowa Code 256.7(19) shall not be waived unless the district or nonpublic school provides compulsory remote learning, including online learning, electronic learning, distance learning, or virtual learning.	The Department does not anticipate the waiver of any instructional time or minimum day requirements this school year because all Return-to-Learn plans must provide for remote learning to occur if schools must close.
Session Law: temporary requirement, not codified	Unless explicitly authorized in a proclamation of a public health disaster emergency issued by the governor, a district or nonpublic school cannot take action to provide instruction primarily through remote learning opportunities.	<p>A school cannot provide more than half of its instruction to any student through remote learning opportunities over any two-week period without explicit authorization by a governor's proclamation.</p> <p>The governor has issued a proclamation authorizing the provision of instruction primarily through remote learning opportunities only if:</p> <ul style="list-style-type: none"> <li>• A parent or guardian voluntarily selects the remote learning opportunity; OR</li> <li>• The Department, in consultation with the Department of Public Health, approves of the temporary move to primarily remote learning for an entire building or district because of public health conditions; OR</li> <li>• The school, in consultation with state and local public health, determines that individual students or classrooms must temporarily move to primarily remote learning.</li> </ul> <p>Except as authorized in this proclamation, at least half of all instruction must be provided in-person.</p>
Session Law: temporary requirement, not codified	For 2020-2021, any student who is enrolled but does not participate in compulsory remote learning must be considered truant. This does not apply to homeschooled students participating in IPI or CPI.	Local districts must still exercise authority over attendance policies and flexibility to refer truancy cases to the county attorney.

Code Section	Action	Additional Information & Interpretation
Session Law: temporary flexibility, not codified	For 2020-2021, if a district or accredited nonpublic school has made every reasonable good-faith effort to employ a teacher licensed under Chapter 272 who holds an endorsement for a specified grade level or subject area and cannot do so, and the district or school also cannot provide the course through one of the permitted online means, the director of the Department may waive the teacher endorsement requirements in Iowa Code 256.9(48) and 272.15(4).	<p>Applications for these waivers will be accepted in the CASA system for the 2020-2021 school year.</p> <p>The governor's proclamation of July 17 also provides districts additional flexibility to use long-term substitute teachers and expand the pool of persons who may substitute teach.</p>
Session Law: temporary requirement, not codified	In implementing social distancing, districts must provide in-person instruction in core academic subjects to the extent possible.	Core academic subjects are those included in Iowa Code 256.7(26)(a) to meet graduation requirements. This includes English-language arts, mathematics, science, and social studies.
Session Law: temporary requirement, not codified	The requirements for the state summative assessments [Iowa Code 256.7(21)(b)], preschool assessments and kindergarten assessments [279.60], and early literacy assessments will not be waived.	This includes the ISASP, DLM alternate assessment, GOLD, kindergarten screening, and early literacy screening and progress monitoring assessments.
Session Law: temporary flexibility, not codified	If a school closes or a disaster is proclaimed and a student has met all state and local graduation requirements with the exception of a course in CPR, the student may still graduate.	
Session Law: temporary requirement, not codified	If a parent or guardian notifies a district or nonpublic school in writing that a child, another resident of the child's residence, or one of the child's regular caretakers has a significant health condition that increases their risk of COVID-19, the district must make reasonable accommodations on a case-by-case basis to provide the child with the ability to attend school through remote learning.	<p>Provision of accommodations pursuant to an IEP or 504 plan will be determined by the child's 504 or IEP team.</p> <p>In addition to these students to whom districts must provide remote learning opportunities, districts may offer remote learning to other students whose parents or guardians voluntarily select the option, as discussed above. Such students are still considered district-enrolled students for the purposes of instruction and certified enrollment.</p>
Session Law: temporary flexibility, not	Districts and nonpublic schools may provide instruction primarily through continuous remote learning if done as	Any continuous remote learning opportunities in a Return-to-Learn plan must be compliant with all legal

Code Section	Action	Additional Information & Interpretation
codified	part of a Return-to-Learn plan submitted to the Department and in response to a proclamation of public health disaster explicitly addressing closures without being approved as a provider of online instruction under 256.9(55).	<p>requirements, including those in this Act discussed above and any Department Return-to-Learn guidance.</p> <p>This includes the statutory prohibition on taking action to provide instruction primarily through remote learning.</p> <p>A district or nonpublic school that is also an approved provider of online coursework may not unilaterally decide for all students in the district or nonpublic school to move to online-only instruction.</p>
Session Law: temporary requirement, not codified	Each district must submit a report to the Department detailing any reduction in expenditures experienced due to school closures from COVID-19. The report will be provided on a date and in a format prescribed by the Department and must include for the reporting period July 1, 2019 to June 30, 2020.	The Department will issue a format for this report and hold at least one webinar to go over the requirements. The webinar will be recorded and posted for viewing.
Session Law: temporary requirement, not codified	The Department must submit a report detailing the total net impact of COVID-19 on each district budget to the General Assembly by November 15, 2020.	

## Questions and Additional Guidance

If you have questions, please contact your [school improvement consultant](#). If they are unable to assist you, they will connect you with the appropriate person.