



YOUNG, MINNEY & CORR, LLP



Questions & Answers for Nonclassroom-Based Charter Schools Regarding Legal Issues Surrounding COVID-19

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Disclaimers



- **This webinar cannot substitute for personalized legal advice.**
- **Presenters are learning how to provide “distance learning” at the same time as your teachers. Thank you for your patience.**
- **Our advice can change tomorrow. Or an hour from now.**
- **With so many participants and so little time “live” questions are impossible, but we’ve included most of the questions we received, combined questions to cover topics and generally did our best 😊**
- **Follow up webinars are likely.**
- **Sign up for our legal alerts.**
- **Our attempts at humor are not intended to minimize the gravity of the situation.**

Helpful Links



| Topic | Link |
|--|---|
| CA Governor Executive Orders | https://www.gov.ca.gov/category/executive-orders/ |
| CDE COVID-19 Page | https://www.cde.ca.gov/ls/he/hn/coronavirus.asp |
| SB 117 | http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB117 |
| USDOE – Q&A on Providing Services to Children With Disabilities During the Coronavirus Disease 2019 Outbreak | https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/qa-covid-19-03-12-2020.pdf |
| Presidential Guidance | https://www.whitehouse.gov/wp-content/uploads/2020/03/03.16.20_coronavirus-guidance_8.5x11_315PM.pdf |
| California Department of Public Health | https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/ncov2019.aspx |
| YMC Legal Alert | http://mycharterlaw.com/legal-alerts/ |
| USDOE – Fact Sheet | https://www2.ed.gov/about/offices/list/ocr/docs/ocr-coronavirus-fact-sheet.pdf |
| CDC – Corona Virus Page | https://www.cdc.gov/coronavirus/2019-ncov/index.html |



When you normally spend all your time at home anyway but now the government says you have to



Question



Would you recommend a Nonclassroom-based charter to close, but still offer services to families that desire it so we can claim 100% ADA?

Question



What if we don't want the 2/29/20 date to be the end of P2? Can we wait until after P2 to account for a recent influx of students?

Question



Will we still be able to complete P2 Attendance if we don't shut down?

Question



Do we need to be officially “closed” in order to receive full funding? What possible benefit is there to staying open? Is there a state definition of “closed”?

Question



Given the shelter in place order, are we, as a school, still able to operate? Is a payroll department “essential”? Is there a clear line?

Question



Should the Charter School Board approve a school closure?

Question



What impact do we predict this will have on renewals?



**NORMAL PARENTS: CORONAVIRUS!
SCHOOLS ARE CLOSED! MATH! LATIN VERBS! OMG**



HOMESCHOOLERS: HOLD MY BEER

imgflip.com

Question

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If we are shut down, do we need to worry about all of the Independent Study attendance requirements – i.e. proof of daily engagement, time value, work samples? What if we are NOT shut down?

Question



If we are still operating, can we use google hangouts and docuSign for meetings and signatures? Or are “wet signatures” required?

Question



If we are closed, do we even have to worry about taking attendance in any manner?

Question



What is the latest update regarding standardized testing? What is the likelihood that this would be waived for the year?

Question



Is the State or Federal government considering any extensions of special education timelines given the current state of this global crisis?

Question



How does staying open versus closing impact special education requirements? If we stay open, can we provide virtual services only? Does that require an IEP amendment? What is the best way to document the temporary changes to IEP/504 Plans?

Question



Virtual IEP meetings, what to make sure we implement?

Question



Can assessments be done virtually rather than face to face?

Question



Will students be able to progress to the next grade level/graduate if the school is closed?

Can we retain a child or make them repeat a course if they fail to do assigned work during the closure?



Question



Does H.R. 6201 (Families First
Coronavirus Response Act)
apply to us?

Question



If we are closed, can we/should we pay vendor instructors who are providing supplemental instruction?

Question



What are our obligations for paying employees during a closure?

Question



What if we can't find enough work for everyone getting paid during closure?

Do nonexempt employees still fill out a timesheet as usual regardless of the work or amount of work they actually are accomplishing?

Question



What demands/requirements can the school place on their staff to continue to work if they now have children at home?

Question



Will all of this advice you just gave us change by tomorrow?
Or has it already changed?

What should we be thinking toward in the future?



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**THANKS FOR
ATTENDING
TODAY!**

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