Coronavirus Resource Guide Updates
September 16, 2020

For more information on the Coronavirus and related issues for schools, visit: www.doe.in.gov; www.cdc.gov; www.in.gov/isdh; www.ed.gov/coronavirus.

This update supplements the Coronavirus Resource Guide dated August 19, 2020 and was written to direct you to appropriate updated resources and services. It should not be used to replace local, state, or federal guidelines. All references have been provided in-line and in a resource section at the end of the update to help you continue your research. All information has been adapted from state and federal agencies and other quality resources to support and specify the role of the school board during this pandemic.

Updates from the State of Indiana

Executive Orders

There have been no executive orders issued by the Governor since August 26, 2020.

The Public Health Emergency remains in effect until October 2, 2020. That Executive Order may be found at https://www.in.gov/gov/files/Executive%20Order%2020-41%20(Sixth%20Renewal%20of%20Emergency%20Declaration).pdf.

The State of Indiana continues to be in Stage 4.5, which limits gatherings to no more than 250 persons, requires the approval of the local health department for special or seasonal events (such as sporting competitions, community holiday celebrations, and other entertainment events), and requires the wearing of face coverings in schools and on school property in defined situations. These requirements continue through September 25. The Executive Order may be found at https://www.in.gov/gov/files/Executive%20Order%2020-42%20(30%20day%20extension%20of%204_5%20and%20Mask%20Mandate).pdf.

Indiana State Department of Health

The ISDH posted its recommendations for school operations (in the areas of academic instruction, extracurricular activities, and community engagement) based on the level of COVID-19 in their counties. Their recommendations may be found at https://www.coronavirus.in.gov/files/COVID-19-Schools_color%20level%20recommendations.pdf.

The Department has also updated its guidance on when a student or staff member can return to school. This guidance may be found at https://www.coronavirus.in.gov/files/20_Return%20to%20School_9-4-20.pdf.

Other resource documents updated by the ISDH may be found under the Back-to-School Resources tab at https://www.coronavirus.in.gov/2400.htm.

The ISDH announced at the governor's press conference on Wednesday, September 16, it is working on the dashboard that will identify COVID-19 cases in schools across the State. The dashboard will go live on Friday, September 18, 2020, with preliminary data being available on September 30, 2020.

Indiana State Board of Education

As previously reported, the State Board of Education modified its rule on reporting average daily membership for state support to allow school corporations to receive 100% tuition support for students enrolled in virtual instruction due to COVID-19 in the Fall of 2020. The Board's modified rule may be found at https://www.in.gov/sboe/files/Modification%20to%20511%20IAC%201-3%20-%20Signed%20by%20ED%20090220.pdf.

As a reminder, the fall count date is Friday, September 18, 2020.

Indiana Department of Education

No updates related to COVID-19.

Indiana Education Employment Relations Board

IEERB issued a nonruled policy document on additional status quo memoranda of understanding. The guidance may be found at https://www.in.gov/ieerb/files/IEERB%20NPD%202020-1.pdf.

As a reminder, the formal bargaining period is September 15, 2020, through November 14, 2020.

Updates from the Federal Government

United States Department of Agriculture

The United States Department of Agriculture has extended its flexibility for the school summer meal program to December 31, 2020. This extension allows free meals to be provided to children through the fall months. The announcement may be found at https://www.usda.gov/media/press-releases/2020/08/31/usda-extends-free-meals-kids-through-december-31-

[2020](). Additional information on flexibilities for meal programs may be found at https://www.fns.usda.gov/coronavirus.

United States Department of Labor

The United States Department of Labor (USDOL) issued new regulations for the Emergency Paid Sick Leave Act (EPSLA) and the Emergency Family Medical Leave Expansion Act (EFMLEA) leaves of absences. The new regulations are effective **September 16, 2020** and in part clarify when an intermittent leave may be taken under both Acts. With respect to leaves due to an employee's child's school closing due to COVID-19, the new regulations state each time the school closes and reopens is a separate event for the leave. If a school is on a hybrid schedule, each day the school is closed for virtual learning is a leave day. If the child's school is closed every Tuesday and Thursday for virtual learning, these are separate leave days and intermittent leave does not apply. The new regulations clarify when intermittent leave is needed, the employer must approve it.

A new regulation has been added to address when notice of the need for a leave is required to be provided by the employee or when the employer can require a notice. A notice must be provided by the employee after the first day of the leave and as soon as practicable after the first day of the leave. if the employee knows the days needed for the leave prior to the leave, the employee must provide notice to the employee. The employer may require a notice of the leave by the employee before the leave if the employee knows of the need for the leave and on or after the first day of the leave when the need for the leave is not known in advance. The notice must include the employee's name, the dates of the leave, the qualifying reason(s) for the leave, and an oral or written statement the employee is unable to work or telework because of the reason(s) for the leave.

The new regulations may be found at [https://www.govinfo.gov/content/pkg/FR-2020-09-16/pdf/2020-20351.pdf beginning on page 57690](https://www.govinfo.gov/content/pkg/FR-2020-09-16/pdf/2020-20351.pdf). An FAQ on the leaves and new regulations may be found at https://www.dol.gov/agencies/whd/pandemic/ffcra-questions. The Paid Leave COVID-19 document on the ISBA Coronavirus webpage has been updated to reflect the provisions of the new regulations.

United States Department of Homeland Security

The Federal Emergency Management Agency announced that it generally will not reimburse states for the costs of cloth face coverings or personal

protective equipment in nonemergency settings, including schools. The policy went into effect on September 15, 2020. The new public assistance policy may be found at https://www.fema.gov/sites/default/files/2020-09/fema_policy_104-009-19_PA-eligibility-policy-covid.pdf.

United States Department of Health and Human Services

The U.S. Department of Health and Human Services will be providing up to 125 million cloth masks to states for distribution to schools. The Administration intends for these masks to support students, teachers, and staff in public and private schools reopening, with an emphasis on students who are low-income or otherwise with high needs and schools providing in-person instruction. More information may be found at https://www.phe.gov/facecovering/Pages/cloth-face-masks-in-school.aspx.

Website Resources for School Boards

Indiana Resources
- ISDH "Novel Coronavirus (COVID-19) Guidance for Schools": https://www.in.gov/isdh/files/ISDH%20school%20guidance.pdf
- Social Distancing and Self-Monitoring Guidelines ISDH: https://www.in.gov/isdh/files/Coronavirus%20Self-Monitor%20Infographic_ISDH.pdf
- State Board of Accounts memo on the use of public funds during the public health emergency: https://www.in.gov/sboa/files/Assistance%20During%20COVID-19%203.31.2020.pdf
- State Examiner Directive on Claims: https://www.in.gov/sboa/files/Directive%202020-1%20Claim.Deposits%203.19.2020%20(003).pdf

- IDOE eLearning and Remote Learning for students with disabilities: https://www.doe.in.gov/sites/default/files/elearning/elearning-day-program-guidance-students-disabilities-rev-052219.pdf.

National Resources
- "Interim Guidance for Administrators of US Childcare Programs and K-12 Schools: Plan, Prepare and Respond to Coronavirus Disease" 2019 CDC: https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/guidance-for-schools.html

- "K-12 Schools and Childcare Programs: FAQs for Administrators" CDC: https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/schools-faq.html
- "Preparing K-12 School Administrators for a Safe Return to School in Fall 2020": https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/prepare-safe-return.html
- "Considerations for Schools: Operating Schools During COVID-19": https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/schools.html
- NSBA: COVID-19 PREPARING FOR WIDESPREAD ILLNESS IN YOUR SCHOOL COMMUNITY A Legal Guide for School Leaders: https://www.nsba.org/-/media/NSBA/File/legal-school-safety-addendum-coronavirus-march-3-2020.pdf?la=en&hash=1D72FA91F23169E07855464FC5D1434148FE3F78
- EPA/CDC Recommendations for School Cleaning: https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html
- US Dept. of Ed., COVID-19 Information and Resources for Schools and School Personnel: https://www.ed.gov/coronavirus?src=feature
- US Dept. of Ed., Q&A on educating students with special needs during the pandemic: https://sites.ed.gov/idea/files/qa-covid-19-03-12-2020.pdf.
- The Office for Civil Rights webinar on eLearning and Remote Learning: https://www.youtube.com/watch?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=&v=DCMLk4cES6A.