



MEMO

TO Chief Executive Officers/Directors
Licensed/Registered Private Schools

FROM Nicole Campbell, Acting Division Chief

DATE March 16, 2020

RE Private Licensed Schools Memorandum # 79

GUIDANCE FOR INTERRUPTIONS OF STUDY RELATED TO CORONAVIRUS (COVID-19)

The State Board of Private Licensed Schools, at an emergency meeting held on March 16, 2020, approved this guidance waiving specific regulatory requirements under the authority of 24 P.S. §6504 (a).

This memorandum is effective immediately through May 22, 2020. Schools that wish to apply these waivers must notify the Board, via their assigned Board Administrator, prior to implementation.

Please review the specific requirements of applying these waivers at the end of this document.

This memorandum addresses concerns expressed by schools regarding how they should comply with the Private Licensed Schools Act and the regulations of the State Board of Private Licensed Schools for schools whose activities are impacted by Coronavirus (COVID-19). This information provides flexibilities for schools that are working to help students complete the program in which they are enrolled.

The Board will continue to monitor the situation and make a later determination of what accommodations may be necessary should prolonged interruptions become likely. The Board will continue to provide updates to this information as appropriate. Schools may wish to consider postponing any new enrollment starts.

The Board offers the following information about options being made available to schools under our current statutory authority to provide as much flexibility as possible so that you can continue to serve students. In some instances, the Board has been asked to consider providing flexibilities that are beyond its statutory authority. As a result, the Board cannot provide those flexibilities. All schools must adhere to regulatory agency, accreditation, licensing Board, and Title IV requirements as these provisions do not override their requirements.

Schools must document, as contemporaneously as possible, any actions taken as a result of COVID-19, including those actions described in this document.

The Board's goal is to work with schools and find ways to enable them to accommodate students and help them continue their education despite interruptions caused by COVID-19. For many schools, alternate delivery methods will provide a viable option for continuing to teach students through COVID-19-related interruptions. In some instances, students enrolled in ground-based programs at campuses that must temporarily close could participate in alternate delivery methods for a period and then resume ground-based attendance when the campus reopens.

Approval to Offer Alternate Delivery Methods

The Board is providing approval to schools which temporarily stop offering ground-based classes in order to prevent the spread of COVID-19, as well as to schools who have a student or students become quarantined and miss class due to COVID-19, to use alternate delivery methods to accommodate students on a temporary basis through May 22, 2020, without going through the regular approval process. If a school which has not previously received Board approval for alternate delivery methods provided during this period desires to continue to use alternate delivery methods after May 22, 2020, it must seek Board approval under the normal process.

The Board is currently permitting the use of alternate delivery methods for the purpose of serving students whose attendance is interrupted by COVID-19. Please note that this flexibility is not available for clock-hour courses that lead to licensure or certification if the approving body will not accept alternate delivery methods for courses or hours or give credit for them toward the number of hours a student must complete.

The Board wants to make clear to schools that alternate delivery methods do not require the use of learning management systems or online platforms, though schools must continue to adhere to regulatory agency, accreditation, licensing Board, and Title IV requirements as these provisions do not override their requirements.

To meet the Board's requirements for providing alternate delivery methods, the school must communicate to students through one of several types of technology, and instructors must initiate substantive communication with students, either individually or collectively, on a regular basis. In other words, an instructor could use email to provide instructional materials to students enrolled in his or her class, use chat features to communicate with students, set up conference calls to facilitate group conversations, engage in email exchanges or require students to submit work electronically that the instructor will evaluate. *In accordance with 34 CFR §600.2.*

Approval to Implement a COVID-19 Leave of Absence Policy

The Board will permit schools to implement leave of absence policies for COVID-19-related concerns or limitations. Schools are not required to implement a COVID-19 Leave of Absence Policy and may use an existing leave of absence policy if it meets the needs of students absent for COVID-19-related concerns or limitations. If a student takes an approved leave of absence, the school must ensure that the student is able to complete the coursework he or she began prior to the leave of absence. It is to be clear to schools that the implemented COVID-19 leave of absence policy must continue to adhere to regulatory agency, accreditation, licensing Board, and Title IV requirements as these provisions do not override their requirements.

Approval to Temporarily Suspend Classes

The Board will permit schools to temporarily suspend classes to protect students and mitigate the spread of this virus. Schools that suspend classes temporarily will not be in violation of the Board's regulations. It is to be clear to schools that the implemented COVID-19 leave of absence policy must continue to adhere to regulatory agency, accreditation, licensing Board, and Title IV requirements as these provisions do not override their requirements.

Additional Considerations

In developing and implementing alternate delivery methods, schools should consider the following:

- Student access to available technology resources if they will not have access to the school facility.
- The duration of any breaks in the delivery of instruction such that the students may not retain enough knowledge and skills to continue and complete the program proficiently. If too much time lapses, schools may wish to retrain students.
- That students must complete coursework according to regulatory agency, accreditation, and licensing Board requirements.
- Testing, exam, and certification windows of third-party providers.
- Pending new enrollments. Schools may wish to consider postponing new enrollment starts.

Process to apply the Alternate Delivery Methods waiver through May 22, 2020.

1. Email your Board Administrator prior to the implementation of any alternate delivery methods.
2. Provide the following information in your email:
 - a. Person responsible for the oversight of provided alternate delivery methods and their email contact information during the period application.
 - b. A copy of the notification and instructions being provided to students regarding alternate delivery methods.
 - c. The program name and specific courses to be taught via alternate delivery methods.
 - d. The number of students in each course being taught via alternate delivery methods.
 - e. A narrative describing how the alternate delivery methods will be provided:
 - i. Including delivery modes
 - ii. Means of the student being able to contact the instructor and technical assistance
 - iii. Means of taking attendance and accounting for participation grades
3. Schools must document, as contemporaneously as possible, any actions taken as a result of COVID-19, including those actions described in this document.
4. On or before May 22, 2020, schools applying this waiver must communicate to their Board Administrator that they have ceased all alternate delivery methods implemented under this waiver.

Process to apply the COVID-19 Leave of Absence Policy waiver through May 22, 2020.

1. Email your Board Administrator prior to the implementation of a COVID-19 Leave of Absence Policy.
2. Provide the following information in your email:
 - a. Person responsible for the oversight of the COVID-19 Leave of Absence Policy and their email contact information during the period of application.
 - b. A copy of the policy being implemented.
 - c. A narrative describing how the school will assist students when transitioned back into the program following return from leave.
3. Schools must document, as contemporaneously as possible, any actions taken as a result of COVID-19, including those actions described in this document.
4. On or before May 22, 2020, schools applying this waiver must communicate to their Board Administrator that all leaves of absence under this waiver have been discontinued. If a student must continue their leave of absence beyond May 22, 2020 for COVID-19-related concerns or limitations, provide the student's name and their scheduled date of return.

Process to apply to Suspend Classes through May 22, 2020.

1. Email your Board Administrator prior to the implementation of suspended classes.
2. Provide the following information in your email:
 - a. Person responsible for the oversight of suspended classes and their email contact information during the period application.
 - b. A copy of the notification and instructions being provided to students regarding suspended classes.
 - c. The intended period of class suspension.
 - d. The names of programs being suspended.
 - e. The number of students in each program being suspended.
 - f. A narrative describing how the suspension will impact program graduation and how the school will work with students to ensure timely graduation.
3. Schools must document, as contemporaneously as possible, any actions taken as a result of COVID-19, including those actions described in this document.
4. On or before May 22, 2020, schools applying this waiver must communicate to their Board Administrator that they have resumed all on-ground programs under this waiver.

The Board will continue to monitor the situation and make a later determination of what accommodations may be necessary should prolonged interruptions become likely. The Board will continue to provide updates to this information as appropriate.

Board Administrator Email Contact

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If you have questions about the information provided in this memo, or you are encountering a scenario that the Board has not addressed, please email the Division at niccampbell@pa.gov.