Dear Charter Leaders, Business Managers and Board Chairs,

Thank you all for your leadership during this state of emergency.

This update includes important information related to Open Meeting Law, charter school length of school year, school finance (tuition), today's conference call with Commissioner Riley and COVID-19 related links.

Please share with your staff as necessary and let us know if you have any questions. The best way to reach us quickly is via email.

Be well.

-Lee

***Note:*** *There are 4 attachments in this update (*[*3.20.20 Commissioner's Charter Leader Conference Call Q&A*](http://www.doe.mass.edu/charter/news/2020-0320commissioner-cs-leader-call.docx)*,* [*Commissioner's On the Desktop 3.20.20*](http://www.doe.mass.edu/covid19/2020-0320payments-hourly-employees.docx)*,* [*20-Q3 DOR Payment Table*](http://www.doe.mass.edu/charter/news/2020-0320q3-dor-payment-table.xlsx) *and* [*20-wQ3 rate\_sum detail*](http://www.doe.mass.edu/charter/news/2020-0320q3-rate-sum.xlsx)*)*

# School Finance Updates

**Monthly Tuition Payments Will Not Change Due to School Closure**

Charter schools will continue to receive monthly tuition payments based on current enrollment. Future tuition payments will not be impacted by school closures related to the coronavirus and we will finalize fiscal year 2020 tuition amounts in June based on the February claim forms.

**Upcoming Tuition Payments**

Due to concerns over disruptions related to the coronavirus, the Department of Revenue (DOR) processed the March tuition payments early using February estimates. Due to DOR’s decision, the March payments do not reflect the third quarter tuition updates based on revised district expenditure data, those changes will be included in the April payments.

In order to inform you how the third quarter updates will impact your April payments, we have attached two files. The first file [(*20 - Q3 DOR payment table*)](http://www.doe.mass.edu/charter/news/2020-0320q3-dor-payment-table.xlsx) shows how your total tuition will change from quarter 2 to quarter 3 and how your monthly payment will change from March to April based on these updates. The second file [(*20 - wQ3 rate\_sum detail*)](http://www.doe.mass.edu/charter/news/2020-0320q3-rate-sum.xlsx) is the traditional tuition rate file that we post quarterly.

Looking at the quarter 3 changes in the *payment table* file, 90 percent of charter schools will receive lower payments in April than they did in March. However, the reduction in tuition between quarter 2 and quarter 3 represents a loss of less than 2 percent of total tuition for 85 percent of charter schools. DESE recognizes that the loss of tuition at this stage of the fiscal year is problematic, which is why we are providing this information in advance of the April payments to give you time to plan and manage your budgets. We understand that these changes are not good news for some schools as they will see reductions in their April, May, and June tuition payments. It is unfortunate and is what we face using estimated tuition until the final rates have been calculated.

* Please contact Hadley Cabral at [Hadley.B.Cabral@mass.gov](mailto:Hadley.B.Cabral@mass.gov) or Rob O’Donnell at [Robert.F.O’Donnell@mass.gov](mailto:Robert.F.ODonnell@mass.gov) if you have any questions related to your tuition payments.

# COVID-19

We continue to monitor changes in this unique time. The Commissioner is holding weekly calls (noon on Fridays) with charter leaders to provide updates. This update contains the list of charter questions and the Commissioner’s answers with regard to the virus as well as mandated school closure. **Please send us any questions you have** at [charterschools@doe.mass.edu](mailto:charterschools@doe.mass.edu). We will ensure that the Commissioner will address your questions in his weekly calls or written communication.

Please check these websites as they are updated often for new guidance. Please keep your communities informed of changing guidance.

* **DESE COVID-19 Information and Resources**: <http://www.doe.mass.edu/covid19/>
* **Mass.gov Coronavirus Updates:** <https://www.mass.gov/alerts#undefined>

# FY21 Pre-Enrollment and Sibling Data

Thank you very much for submitting your FY21 pre-enrollment report. We greatly appreciate the effort each school made amidst everything you are dealing with.

We gave many schools an extension on submitting the sibling data. If we gave you an extension or you did not have time to do it, please e-mail Joanna Laghetto at [Joanna.C.Laghetto@mass.gov](mailto:Joanna.C.Laghetto@mass.gov). If you have questions about your waitlist submission, or require an extension, please email Brenton Stewart at [Brenton.Stewart@mass.gov](mailto:Brenton.Stewart@mass.gov).

# Commissioner Amends Length of Year Requirements for Charters in Response to Executive Order Closing Schools

Pursuant to 603 CMR 1.10(2), any changes to the length of the school year of any Commonwealth or Horace Mann charter school is subject to approval by the Commissioner prior to implementation. In light of current events, Commissioner Jeffrey C. Riley is amending the terms of every charter school's charter related to the length of the school year and permitting all Commonwealth and Horace Mann charter schools to operate consistent with all current and future orders from the Commonwealth of Massachusetts in response to Coronavirus Disease 2019 (COVID-19). Therefore, irrespective of the terms of their charters, all charter schools may comply with only the minimum requirements established for all public schools for the 2019-2020 school year. **Schools will receive additional information next week.​**

**Given the unique circumstances of this year, no charter schools are required to submit an amendment request for changes to the length of their school year if t​hose changes were made based on the Commonwealth’s orders.** Charter schools must make closure decisions and changes in the school year to comply with orders issued by the Commonwealth related to COVID-19. **School closures to comply with orders issued by the Commonwealth do not require action by the school's board of trustees.** All charter schools will report the total number of school days they were in session for the 2019-2020 year in their annual reports.

* Please direct any questions regarding this change to [Alyssa Hopkins](mailto:alyssa.k.hopkins@mass.gov), [781-338-3219.](tel:(781)%20338-3219)

# Open Meeting Law Reminder: Executive Order Suspends Certain Requirements of the Open Meeting Law

On March 12, 2020, Governor Baker issued an emergency [Executive Order](https://urldefense.proofpoint.com/v2/url?u=https-3A__mass.us15.list-2Dmanage.com_track_click-3Fu-3Dcb4a8f8dde889f526f9b8ca4e-26id-3Ddcdf6cfb71-26e-3D0b7320b6bc&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=j1cvHjg5yDZWP3NFeoA_vEFx9fV4BREnzh6qEDkBBks&m=YxQZPVWMYi9MGCMKSLk66t18nFCIHJcMuxlpsMOxw6Y&s=iXV_SvqRCQo4qAS2vURVF6b7Lzyrc2FzTT7Ln5K4R24&e=) modifying certain requirements of the Open Meeting Law, to enable public bodies to carry out their responsibilities while adhering to public health recommendations regarding social distancing.

* **The Executive Order relieves public bodies from the requirement in the Open Meeting Law that meetings be conducted in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body through adequate, alternative means.** “Adequate, alternative means” may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body in real time.
* **In addition, all members of a public body may participate in a meeting remotely; the Open Meeting Law’s requirement that a quorum of the body and the chair be physically present at the meeting location is suspended.** All other provisions of the Open Meeting Law, such as the requirements regarding posting notice of meetings and creating and maintaining accurate meeting minutes, as well as the limited, enumerated purposes for holding an executive session, remain in effect.
* Please see the [Attorney General’s Division of Open Government website](https://www.mass.gov/the-open-meeting-law) for additional information and for the full text of the executive order.
* If you have questions about the Open Meeting Law, please contact the Attorney General’s Division of Open Government at (617) 963-2540 or [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us).

Commissioner's Friday, March 20th Conference Call - Q & A[**(also attached)**](http://www.doe.mass.edu/charter/news/2020-0320commissioner-cs-leader-call.docx)

**Friday, March 20, 2020 – Commissioner and Charter School Leader Call**

1. **Charter School Tuition and Statewide Closure** (Q: Will the statewide closure (for either weeks or months) have any impact to FY20 charter tuition?  Will schools continue to receive their tuition even as schools are closed?)

Charter school tuition is based on enrollment data, not days of attendance. Tuition payments will continue.

1. **MTEL requirement and Charters** (Q: Will charter schools be penalized in next year's charter accountability cycle if their teachers haven't passed the MTEL within their first year of employment, since MTEL administrations have been canceled?)

We recognize that school and MTEL testing site closures may have affected charter school educators who must pass the MTEL in their first year of employment.

Charter schools should make staff decisions as they see fit. In accountability documents, charter school office staff will note that the April MTELs were cancelled and schools will not be held accountable for any teacher who is employed in 2020-21 without passing MTELs.

1. **Paying hourly employees and vendor payments** (Q:Is there anything specific charter schools need to do to keep paying all their staff (full time and hourly) through the closure?  Is paying hourly staff allowed if they are not working?  Is it disallowed?)

The Department is in the process of attempting to develop guidance on the topic of paying vendors while school is closed. We will follow up as soon as possible.

My school finance team is planning a webinar with charter school leaders and business officers for next week. Please share those questions during that call.

[On the Desktop March 20, 2020: Payments to Hourly Employees](http://www.doe.mass.edu/covid19/2020-0320payments-hourly-employees.docx)

1. **MCAS testing** (Q: Is it likely for MCAS to be cancelled this year?  (Schools are worried both about lost instruction time, but also being able to administer the test online, since chromebooks are being sent home with kids for distance learning and are now on backorder to replace.)

We are exploring all of our options and working with the Governor’s office to file legislation that would allow flexibility around this year’s testing requirements. To date, we have postponed both the Grade 10 ELA assessment scheduled for March 24-25 and the opening of the grades 3-8 ELA assessment window scheduled for March 30th. We will keep you informed on decisions related to the spring 2020 assessment schedule and the competency determination in the coming days.

Please be advised that MCAS-Alt portfolios do not need to be submitted by April 3, nor is it necessary to obtain a parent’s signature that they have reviewed the portfolio prior to submission. We will contact schools at a later date regarding a new submission deadline.

1. **Remote learning**:

Most charter schools have been, or will soon be, providing students and families with educational resources to help students continue learning while schools are closed. In addition to those resources provided by local districts and schools, DESE has pulled together a list (Supplemental Educational Resources – that will be sent along) of available resources that can support students and families while schools are closed. This list is not comprehensive, and inclusion on the list does not constitute an endorsement by the Department. We are making the list available to families and caregivers as a way to help students continue learning during this time.

Additionally, DESE has partnered with public broadcaster WGBH and its partner station WGBY to provide supplemental educational resources to students, educators, and families. This partnership provides access to:

• [PBS LearningMedia](https://mass.pbslearningmedia.org/), a free online service of thousands of educational resources. Aligned to state standards and contextualized for educational use in grades PreK-12, resources include videos, comprehensive lessons, interactive activities, and support materials across subjects. PBSLearningMedia has 1.9 million registered users nationally, including 60 percent of Massachusetts K-12 teachers.

• The newly launched WGBH Distance Learning Center ([wgbh.org/distancelearning)](https://www.wgbh.org/distancelearning) makes PBS LearningMedia resources more accessible to families and educators as they support PreK-12 students. The portal offers curated resources by grade and subject for use by students in remote learning situations. Educators are also able to assign certain lessons and resources through Google Classroom and the PBS LearningMedia assignment features.

Please see [this press release](https://www.wgbh.org/foundation/press/wgbh-partners-with-massachusetts-department-of-elementary-and-secondary-education-to-provide-tv-and-digital-distance-learning-options-for-students-and-educators-during-school-closures) for more details on the partnership.

1. **Nutrition** (Q: Do regional charter schools need permission from cities/towns in their catchment area to distribute food to students who reside outside the city/town where the charter school is located (is the school the right unit to distribute food? or is the city/town the right unit?)

We will ask the Nutrition Office about the best way charter schools can collaborate with sending districts. Please stay tuned for more information.

The Office for Food and Nutrition staff are working intently to help sites continue school meals by answering questions, approving sites for reimbursement, and helping find as many sites as possible that are eligible for reimbursement under current federal regulations. For charter schools that are currently not eligible for USDA reimbursement, we’ve been guiding them to the [USDA Area Eligibility Mapper](https://www.fns.usda.gov/areaeligibility), to use census data to qualify a location where they can serve meals.

If there are charter schools that are still unable to find a site in the USDA Area Eligibility Mapper to serve meals, we’ve guided them to keep proper meal counting and claiming documentation in hopes that USDA will allow non-area eligible sites to claim meals for reimbursement. The team has also guided school districts, legislators and the general public to [Project Bread’s School Closure Meal Site Finder Tool](https://meals4kids.org/summer) where you can find the over 600 statewide school meal sites in operation.

1. **SOA plans** (Q: If and when SOA accountability plans are delayed for districts, will they also be delayed for charter schools?)

We are working with the Governor’s office to file legislation that would allow the Commissioner to extend the April 1, 2020 deadline for district plans under the Student Opportunity Act.

Charter schools are currently expected to submit the SOA plans with their Annual Reports, due August 1. Timelines will be adjusted if needed, nothing has changed right now.

1. **Budgeting for FY21** (Q: In the context of the changing economic conditions, what are realistic expectations for FY21 budgeting?  What chances are there that SOA implementation will be delayed, and what is the likely impact on charter tuition?)

Like any charter budgeting cycle, look for the updates from our school finance office that offer projected rates for FY21.

1. **Number of School Days** (Q: Is there updated guidance to align charter days of instruction with district requirements for days of instruction for the duration of this crisis?)

I have guidance prepared that will be issued as soon as possible with regard to charter days of instruction. We have aligned the expectations for number of days to be the same as public school districts and removed any requirement to submit an amendment to document this change. Charter schools will report their total number of days of instruction for 2019-20 in their Annual Reports. Please look for communication from me on this topic in the next few days.

1. **Communication** (Q: What is the call cadence we should expect to stay up to date and in alignment with your guidance?)

We are holding calls at least once a week to provide you with as much information as we can. Please be sure that you share this information with your building administrators.

We are finalizing a letter to families and hope you will help us distribute it to families in your charter schools. We plan to post a link to the letter on our [coronavirus page,](http://www.doe.mass.edu/covid19/) and that page will include links to translated versions when they are available.

I will keep holding calls with charter leaders at noon on Fridays.

Please send questions you may have to the charter school office: [charterschools@doe.mass.edu](mailto:charterschools@doe.mass.edu)

1. **Federal and state grants**

Per Office of Management and Budget (OMB) – grant recipients may continue to charge salaries and benefits to currently active awards consistent with the recipient organization's policy of paying salaries (under unexpected or extraordinary circumstances) from all funding sources, Federal and non-Federal.

Other costs may be charged to awards, including those necessary to resume activities supported by the award, consistent with applicable cost principles and the benefit to the project. The Department will also evaluate the recipient's ability to resume the project activity in the future and the appropriateness of future funding, as done under normal circumstances, based on subsequent progress reports and other communications with the recipient.

EdGrants can be accessed remotely as it is a web-based application. Grantees are encouraged to continue using EdGrants as needed.

Typically, the rule regarding line item amendments is that they are required to be approved 30 days prior to need. Grants management will temporarily lift this 30 day prior to need amendment rule. Please keep in mind that any funds spent using grant funds should still fall within the allowable costs and program parameters. If there are specific questions as to whether something is allowed, grantees should contact the DESE program personnel managing the grant. This is typically the person listed as the contact in the RFP posting.

The payment request windows are set up at the start of the fiscal year so there will be no disruption in accessing payment windows. Payment windows remain open the 20th of the month through the end of the month. As always, if there is an issue you can contact Grants Management for assistance.

1. **Accountability relief around student attendance**

Chronic absenteeism is a factor in our accountability system and we don’t want closures or absences related to the coronavirus to skew those numbers. For accountability purposes for SY2019-20, we are only calculating chronic absenteeism through Monday, March 2, 2020 and will not use attendance data for the remainder of the school year.

1. **SIMS extension**

The SIMS submission deadline has been extended to Thursday, March 26.

1. **Cutting down on ongoing mandates during this time**

a. Problem Resolution System (PRS): The Department will be as flexible as possible with deadlines and requests related to PRS complaint investigations and are seeking additional flexibility about the federal-mandated requirement to close special education complaints within 60 days.

b. School Monitoring Requirements: The Department has suspended all monitoring and onsite assistance visits. If you want or need our assistance, we will be happy to provide it virtually.

c. The Charter School Office has cancelled all remaining eight charter school site visits for the rest of the school year.