

Impact Aid Program Surveying Flexibilities

COVID-19 Impact on Impact Aid Applicants

Many Impact Aid applicant school districts have expressed concern at the challenges of conducting the Impact Aid survey for applications under ESEA section 7003 this year due to COVID-19. The Impact Aid regulations require that the local educational agency (LEA) annually survey its total membership and eligible federally connected child count after the fourth day of school and before January 31 (34 CFR 222.33). In light of those concerns, the Impact Aid Program is providing the information below as a reminder of the options that are currently available:

Note: Electronic signatures should follow local and State law regarding electronic signature processes. Electronic signatures are NOT the same as Electronic Data Collection. If you plan to use electronic signatures, please contact your State analyst. If you are interested in participating in the Electronic Data Collection pilot, please email Impact.Aid@ed.gov.

Parent-Pupil Survey Forms

- The district can prepopulate any data on the form except the signature date.
- The district can email/fax the form to the parent to certify the required data. The email should be encrypted due to Personally Identifiable Information (PII).
- The parent can complete the form and either: (1) electronically sign the form, or (2) print, sign, and scan the document and send back to the LEA via fax or email.
- The LEA may use a combination of the above options.

Source Check Forms

- The district can email the form to the required signatories and receive it back via fax or email (email should be encrypted due to PII).
- The district can place children that were not verified via survey form on a source check.
- The certifier may electronically sign the source check.

Electronic Data Collection for Parent-Pupil Survey Forms or Source Check Documents

- **Contact the Impact Aid Program to join the pilot by emailing Impact.Aid@ed.gov.**
- Parents enter required data and digitally sign online.
- LEAs can use their student database to fill in most of the data on the form.
- The report from the LEA's data system provides accurate child count without counting individual forms.

Other Methods Approved by the Department of Education

- LEAs may submit a proposed alternate method to the Director of the Impact Aid Program for consideration.
- If approved, the LEA will be able to use the alternate method.

Additional Information

Do students that are enrolled in a district to learn remotely (in a full-time remote program as a result of COVID-19) count in membership for the district for Impact Aid purposes?

An eligible LEA can claim students, whether they are receiving education remotely or in-person, if the eligibility requirements of the Impact Aid regulations are met. For any student, including remote education students, to be claimed on an LEA's 7003 Impact Aid application, the LEA must meet the following requirements of 34 CFR 222.30 and 34 CFR 222.31 which require that:

- The LEA provide a complete educational program for grades Pre-K through grade 12
- The LEA provide services at public expense
 - There is no tuition charged for the online program
 - Federal funds (other than Impact Aid) do not constitute a substantial portion of the cost of education
- The program is provided under public supervision and direction
- The LEA is responsible under applicable State or Federal law for providing a free public education to those children claimed
- The State provides funds for the education of children claimed for funds on the same basis as all other public schools in the State

If the LEA meets the eligibility requirements in 34 CFR 222.30 and 34 CFR 222.31, the LEA would have to count all children (remote and in-person) in both membership and ADA for Impact Aid purposes (if not using the state average attendance rate) regardless of whether they are remote or in-person.

Will any consideration be made for the surveying of child count (such as extended deadlines, funding consideration for mailing forms back and forth, etc.) if students are receiving education remotely as a result of COVID-19?

At this point in time we do not have any plans to extend deadlines. We will continue to monitor the situation and make a determination as further information becomes available. Even if the deadline is not extended, an LEA still has the ability next spring to amend its application under the circumstances in our regulations (e.g. an amendment or a second membership count). (See 34 CFR 222.5).

Are the parents allowed to sign the survey forms via DocuSign?

Yes. DocuSign is acceptable as long as it complies with State and local e-signature requirements. In general with respect to electronic signatures, as long as there is an authentication mechanism in place so that the parent is only accessing their children's forms, the date is captured at the time of signature, and the LEA cannot modify the form after it has been signed, we would accept these types of signatures. For additional questions or to see if a particular method would be allowable, please contact your Impact Aid State analyst:

https://impactaid.ed.gov/iap_staff/.

As a reminder, DocuSign or any type of electronic signature is not the same as Electronic Data Collection. Please contact your State analyst before proceeding.

Regulatory Reference

34 CFR § 222.35 <https://www.govinfo.gov/app/details/CFR-2018-title34-vol1/CFR-2018-title34-vol1-sec222-35>