



August 28, 2020

Dear District Superintendent, Charter School Director, or Private School Head of School:

On June 7, 2020, the California Department of Public Health (CDPH) placed San Joaquin County on its monitoring list. On July 17, 2020, Governor Gavin Newsom announced that if a county has been on the monitoring list within the prior 14 days, a school must conduct distance learning only, until the county has been off the monitoring list for at least 14 days.

In counties on the monitoring list, CDPH guidance allows a district superintendent, private school principal/head of school, or executive director of a charter school (hereinafter superintendent) to apply for a waiver from the local health officer to open an elementary school for in-person instruction. This waiver is applicable only for grades TK-6, even if the grade configuration at the school includes additional grades. Waiver requests will not be granted before San Joaquin's countywide case rate is under 200 per 100,000 for 7 consecutive days. The county is recommending a phased approach in school districts with multiple TK-6 schools, to open schools in staggered intervals.

When applying for the waiver, the superintendent must submit to the local health officer evidence of (1) consultation with labor and parent organizations and (2) publication of the elementary school reopening plans on the website of the local educational agency (or equivalent).

The local health officer then reviews the application and reopening plan (along with local community epidemiological data), makes a determination whether to grant or deny the waiver, and consults with CDPH regarding that determination. Elementary schools in counties on the monitoring list within the prior 14 days may not open for in-person instruction until they have received approval of a submitted waiver from the local health officer.

In order to apply for a waiver, please complete and submit the attached Application Cover Form. An application must contain:

- Attestation that the superintendent (equivalent or designated staff) has consulted with all parent and labor organizations at each school site for which an application is being submitted. If no labor organization represents the school site staff, then consultation with school site staff is sufficient.
- Confirmation that elementary school reopening plans have been published on the website of the local educational agency (or equivalent). Reopening plans must address the components in the CDPH guidance for schools and school-based programs (which are also listed in the attached Application Cover Form).

Applications and all supporting documents should be submitted to the local health officer at least 14 days prior to the desired reopening date to SJCSchoolWaiver@sjcphs.org.

Sincerely,

A handwritten signature in blue ink that reads "Maggie Park".

Maggie Park, MD
San Joaquin County Public Health Officer
San Joaquin County Public Health Services

Waiver Application Cover Form

(for use by a Local Education Agency or equivalent)

Please submit one application for each local educational agency or equivalent. If applying on behalf of a school district please submit one application for elementary schools in the district that are seeking to reopen for in-person instruction. Proposed enrollment numbers for each school should be provided (see Appendix A). If applying for an independent, private, faith-based, or charter school, please submit an application for each school.

Background Information

Name of Applicant (Local Educational Agency or Equivalent):

School Type:

Number of Schools: _____ Enrollment: _____

Total Number of Staff: _____

Superintendent (or equivalent) Name: _____

Address: _____

Grades/Number of Students Proposed to be Reopened:

TK _____ K _____ 1st _____ 2nd _____ 3rd _____ 4th _____ 5th _____ 6th _____

Date of Proposed Reopening: _____

Name of Person Completing Application: _____

Phone Number: _____

Email: _____

Signature: _____

Date: _____

I. Consultation

Please confirm consultation with the following groups:

Name of Organization #1: _____
Phone Number: _____
Email Address: _____
Date Consulted: _____

Name of Organization #2: _____
Phone Number: _____
Email Address: _____
Date Consulted: _____

Required: Attach letters from each organization, describing the consultation that has occurred with the superintendent.

If no labor organization represents staff at the school, please attach signed attestation by superintendent that teachers and staff have been consulted as part of this process.

Please confirm consultation with the following groups:

Name of Organization #1: _____
Phone Number: _____
Email Address: _____
Date Consulted: _____

Name of Organization #2: _____
Phone Number: _____
Email Address: _____
Date Consulted: _____

Required: Attach letters from each organization, describing the consultation that has occurred with the superintendent. At least one letter should be from a representative parents' association. Parent survey results are acceptable in lieu of a letter.

II. Elementary School Reopening Plans

Please confirm that elementary school reopening plan(s) addressing the following, consistent with guidance from the California Department of Public Health and the local health department, have been published on the website of the local educational agency (or equivalent) – include page number where references to each topic can be found:

page #

Cleaning and Disinfection: How shared surfaces will be regularly cleaned and disinfected and how use of shared items will be minimized.

Cohorting: How students will be kept in small, stable, groups with fixed membership that stay together for all activities (e.g., instruction, lunch, recess) and minimize/avoid contact with other groups or individuals who are not part of the cohort.

Entrance, Egress, and Movement Within the School: How movement of students, staff, and parents will be managed to avoid close contact and/or mixing of cohorts.

Face Coverings and Other Essential Protective Gear: How CDPH's face covering requirements will be satisfied and enforced.

Health Screenings for Students and Staff: How students and staff will be screened for symptoms of COVID-19 and how ill students or staff will be separated from others and sent home immediately.

Healthy Hygiene Practices: The availability of handwashing stations and hand sanitizer, and how their use will be promoted and incorporated into routines.

Identification and Tracing of Contacts: Actions that staff will take when there is a confirmed case. Confirm that the school(s) have designated staff persons to support contact tracing, such as creation and submission of lists of exposed students and staff to the local health department and notification of exposed persons. Each school must designate a person for the local health department to contact about COVID-19.

Physical Distancing: How space and routines will be arranged to allow for physical distancing of students and staff.

Staff Training and Family Education: How staff will be trained and families will be educated on the application and enforcement of the plan.

Testing of Students and Staff: How school officials will ensure that students and staff who have symptoms of COVID-19 or have been exposed to someone with COVID-19 will be rapidly tested and what instructions they will be given while waiting for test results. Describe how staff will be tested periodically to detect asymptomatic infections.

Triggers for Switching to Distance Learning: The criteria the superintendent will use to determine when to physically close the school and prohibit in-person instruction.

Communication Plans: How the superintendent will communicate with students, staff, and parents about cases and exposures at the school, consistent with privacy requirements such as FERPA and HIPAA.

III. Indemnification and Defense

Applicant agrees to indemnify and hold County and its Officers and Employees harmless from, any and all claims, demands, obligations, losses, causes of action, damages, penalties, costs, expenses, attorneys' fees, liabilities, and indemnities of any nature whatsoever, (hereinafter collectively "Claims"), whether based in contract, tort, statute, or other legal or equitable theory of recovery arising out of or in any way related to the Approval or Disapproval of this Application

IV. Authorization

Submit an order or resolution of the governing body for the school or school district agreeing to and authorizing the submittal of this application.

Additional Resources:

CDPH and Cal/OSHA Guidance for Schools and School-Based Programs

<https://files.covid19.ca.gov/pdf/guidance-schools.pdf>

California Department of Education Stronger Together: A Guidebook for the Safe Reopening of California's Public Schools

<https://www.cde.ca.gov/ls/he/hn/strongertogether.asp>

CDPH COVID-19 and Reopening In-Person Learning Framework for K-12 Schools in California, 2020-2021 School Year

<https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Schools%20Reopening%20Recommendations.pdf>

APPENDIX A

School Name: _____

Address: _____

Grades/Number of Students Proposed to be Reopened:

TK_____ K_____ 1st_____ 2nd_____ 3rd_____ 4th_____ 5th_____ 6th_____

Date of Proposed Reopening: _____

School Name: _____

Address: _____

Grades/Number of Students Proposed to be Reopened:

TK_____ K_____ 1st_____ 2nd_____ 3rd_____ 4th_____ 5th_____ 6th_____

Date of Proposed Reopening: _____

School Name: _____

Address: _____

Grades/Number of Students Proposed to be Reopened:

TK_____ K_____ 1st_____ 2nd_____ 3rd_____ 4th_____ 5th_____ 6th_____

Date of Proposed Reopening: _____