



**COUNTY OF SAN LUIS OBISPO HEALTH AGENCY**  
**PUBLIC HEALTH DEPARTMENT**

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Rev 8/7/20

## **FREQUENTLY ASKED QUESTIONS**

### **Related to In-Person School Instruction, Fall 2020**

California schools have been closed for in-person instruction since mid-March 2020 due to the COVID-19 pandemic. School closures to in-person instruction were part of a broader set of California Public Health Department (CDPH) recommendations intended to reduce transmission of SARS-CoV-2, the virus that causes COVID-19. According to the CDPH, because San Luis Obispo (SLO) County has been on the COVID-19 monitoring list within the last 14 days, local schools must conduct distance learning exclusively until SLO County has been off the monitoring list for at least 14 days. This document contains questions and answers related to in-person instruction in SLO County.

#### **Can my public or private school return for in-person schooling this fall?**

Currently, schools in San Luis Obispo County are not permitted to return for in-person schooling because San Luis Obispo County was added to the State's County Monitoring list on July 16, 2020. Elementary schools may apply for a waiver if they would like to return to in-person instruction.

#### **Is my school or school district eligible to apply for a waiver while our county is on the monitoring list?**

Yes, local schools/school districts may be eligible. The Governor's Executive Order allows for local health officers for counties that are on the County Monitoring List the ability to grant a waiver for elementary schools to open for in-person instruction. Elementary schools are defined as grades K-6. See website for List status -

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/CountyMonitoringDataStep2.aspx> Grades 7-12 are not eligible to apply for the waiver.

These local grades K-6 waivers may be granted "when requested by a local superintendent (or equivalent for charter or private schools), in consultation with labor, parent and community organizations. Local health officers must review local community epidemiological data, consider other public health interventions, and consult with CDPH when considering a waiver request." See <https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Schools%20Reopening%20Recommendations.pdf>.

#### **What if San Luis Obispo County gets off the County Monitoring List?**

If/when San Luis Obispo County is removed from the County Monitoring List and remains off the list for a minimum of 14 days, in-person instruction can resume with approval from the local County Health Officer.

#### **How can waivers be obtained?**

A waiver for in-person instruction for elementary school children may be obtained by

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#### **Public Health Department**

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[www.slopublichealth.org](http://www.slopublichealth.org)

submission of an application, which can be found on [www.emergencyslo.org/reopen](http://www.emergencyslo.org/reopen), to the San Luis Obispo County Public Health Department by email to EOC-Schools@co.slo.ca.us. The Public Health Department will review for completeness and adequacy. The County Health Officer will consult with CDPH as required and aim to provide a response to the applicant within one week's time as feasible.

**When submitting a waiver, who is considered a local superintendent or equivalent?**

For public school districts, this person would be the superintendent appointed to that title by the elected School Board for that individual district. For charter or private schools, this person would be the school director, administrator, president, chief executive officer, or superintendent of a diocese or similar title.

**When submitting a waiver, what is meant by consultation with labor?**

A school or school district needs to meet and confer with all classified bargaining units or labor unions regarding opening schools for in-person instruction. Written documentation of consultation should be obtained and submitted as part of a waiver request. Such documentation may be in the form of a letter on labor union letterhead acknowledging consultation, a letter from the superintendent or school management negotiator stating the date and manner of the meeting with a written Cc to the labor leadership, or minutes from a "meet and confer" meeting. For private schools, provide documentation of engagement of school staff in consideration of the waiver request submission.

**When submitting a waiver, who represents parent organizations, and how does a school or district provide evidence of parent consultation?**

Parent organizations may be parent-teacher associations (PTA) of all schools covered by the waived entity or a similar parent – school organization. Similarly, a school or district may provide evidence of consultation through a newsletter or email to all parents with a survey or other written opportunity for parents to submit input regarding the school/district's intention to submit for a waiver.

**When submitting a waiver, who represents community organizations, and how does a school or district provide evidence of community consultation?**

For public school districts and charters, the elected or governing school board must hold an open meeting to garner public comment regarding the district's intention to request a waiver. The governing body of private and parochial schools should hold an equivalent meeting.

**What are the recommendations regarding the governing board meeting?**

Governor Gavin Newsom issued Executive Orders allowing state and local legislative bodies to hold meetings via conference calls without violating the Brown Act. Board members may attend regular, special, or emergency meetings by telephone (or video conference). Additionally, the Governor issued an Executive Order to allow all, or more than a quorum, of a legislative body (local and state) to listen and ask questions for COVID-19 updates from federal, state, or local officials. This limited exception from the open meeting laws does not authorize discussions, serial or otherwise, among members constituting a majority without complying with public meeting law requirements.

**Is a waiver needed if all instruction will be conducted outdoors?**

Yes. there is no distinction made in the California Department of Public Health (CDPH) School Guidance between an indoor or outdoor classroom setting. The State's guidance is available at: <https://files.covid19.ca.gov/pdf/guidance-schools.pdf>

**What about schools serving 7-12<sup>th</sup> grades?**

A waiver is only allowed for elementary schools. The County of San Luis Obispo, in consultation with the CDPH, defines elementary school as grades K-6. In situations where a school provides instruction for grades higher than 6<sup>th</sup> grade, the waiver for in-person instruction would only apply to students enrolled in 6<sup>th</sup> grade and below. Students enrolled in 7-12<sup>th</sup> grade may only receive distance learning while San Luis Obispo County is on the monitoring list.

**We would like to conduct in-person orientation or "meet and greet" for students. Is this activity allowed?**

No. Unfortunately, at the present time while San Luis Obispo County is on the monitoring list, the State Guidance on Schools as well as the Executive Order related to gatherings does not allow for such activities regardless of the group size. This will primarily affect students in upper grades and those elementary schools without a waiver.

**Can schools offer proctored advanced placement exams for upper grade students at school sites?**

No. Unfortunately, at the present time, the State Guidance on Schools as well as the Executive Order related to gatherings does not allow for such activities regardless of the group size.

**Can in-person services be provided for school groups such as students with special needs? -New**

At the present time, the State Guidance on Schools does not specifically allow for all such activities. We believe that students with an IEP that necessitates in-person instruction in order to meet the obligations of the IEP may provide those services in-person without a waiver and schools should plan accordingly. In addition to younger students, in-person instruction is critically important for developmentally or behaviorally-challenged students, English learners, and those at socioeconomic disadvantage. The San Luis Obispo County Health Officer and County Superintendent of Schools are continuing to ask state government leadership for clarification and to explicitly allow in-person instruction across the grade spectrum for special populations, with maximum safety measures in place.

**What are the requirements for the use of face coverings during in-person instruction?**

Cloth face coverings for students in grades K-2 are strongly recommended. A face shield is an acceptable alternative for children in this cohort who cannot wear cloth face coverings properly. Face coverings for students in grades 3 and above are required, unless exempt per State Guidance. Teachers and staff are required to wear face coverings. In limited situations where a face covering cannot be used for pedagogical or developmental reasons, (i.e., communicating or assisting young children or those with special needs) a face shield can be used instead of a cloth face covering while in the classroom as long as the wearer maintains six-feet of physical

distance from others, to the extent practicable. Staff must wear a face covering outside of the classroom.

**Are there parameters for any non-instructional groups on a school campus?**

Any approved non-school groups or school staff making use of facilities must follow the appropriate State Sector Guidance and comply with rules for all protective measures such as physical distancing, hygiene, and face coverings. Sector Guidance may be found at <https://www.emergencyslo.org/en/reopening.aspx>.

**Are there any restrictions regarding individual employees on campus?**

Any employee, volunteer, or member of the public must follow the current mandates for physical distancing, hygiene, and the wearing of a face covering.

**Are child care programs allowed to operate on school property under the auspices of a school or other governmental or non-governmental organization?**

Yes. The Child Care Sector remains open for business under State Sector Guidance. Details can be found at: <https://files.covid19.ca.gov/pdf/guidance-childcare--en.pdf>

**How do I get more information about child care guidelines?**

The Early Learning and Care Division (ELCD) has established a dedicated email address to receive public inquiries related to ELCD programs and emergency concerns: [ELCDEmergency@cde.ca.gov](mailto:ELCDEmergency@cde.ca.gov).

**Where can child care sector programs apply for child care authorization?**

Contact the Regional Office of the Early Learning and Care Division (ELCD) covering San Luis Obispo County at 805-562-0400.