



SONIA Y. ANGELL, MD, MPH
State Public Health Officer & Director

State of California—Health and Human
Services Agency
**California Department of
Public Health**



GAVIN NEWSOM
Governor

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TO: All Californians

SUBJECT: California Department of Public Health Schools Guidance FAQs

General

What schools guidance has CDPH issued?

All CDPH and Cal/OSHA guidance can be found on the [covid19.ca.gov](https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Schools-FAQ.aspx) Industry Guidance to Reduce Risk webpage. These include:

- Guidance on Schools and School-Based Programs (PDF)
- COVID-19 and Reopening In-Person Learning: Framework for K-12 Schools in California (PDF)

What is the legal authority for enforcing the CDPH schools guidance?

The Governor has ordered, in multiple executive orders (PDF), that all California residents heed the guidance and directives of the state public health officer. Government Code section 8665 provides that any person who violates or who refuses or willfully neglects to obey an Executive Order shall be guilty of a misdemeanor and on conviction shall be punishable by a fine.

Which schools are subject to CDPH's guidance?

The guidance applies to all public and private schools operating in California. This is a public health directive and the Governor has ordered, in multiple executive orders (PDF), that all California residents heed the guidance and directives of the state public health officer.

Is there a statewide standard on whether or not to open or close schools for in-person instruction?

Education Code section 43504, enacted as part of the 2020-21 Budget, specifies that schools should "offer in-person instruction to the greatest extent possible."

The Framework for K-12 Schools in California (PDF) outlines standards for when schools should open and close for in-person instruction. Within those standards, local public health and school officials should collaborate to make decisions tailored to the circumstances and needs of the community.

If the local health jurisdiction has been on the county monitoring list within the prior 14 days, the school must conduct distance learning only, until their local health jurisdiction has been off the monitoring list for at least 14 days. The framework authorized local health officers to grant a waiver of this criteria, in order for elementary schools to open for in-person instruction under specified conditions. Further details about the waiver process are available in the *COVID-19 and Reopening In-Person Learning Elementary Education Waiver Process* document.

What if the school is in a local health jurisdiction that is not the county?

School districts in local health jurisdictions that are cities are considered to be included as part of the county if the county is on the monitoring list.

Will teachers, support staff, and administrators be able to return to work physically without students on site while counties are on the monitoring list?

Yes, provided that adults on site engage in physical distancing and wear face coverings. School administrators should also consider precautions outlined in the guidance on office workspaces (PDF).

Do local health officers have to approve modes of instructional learning employed by schools or school districts?

No. Schools are not required to seek or receive approval from a state or local public health officer prior to adopting particular instructional models. However, schools and school districts should work closely with local public health officers to ensure that in-person instruction is conducted in a safe manner consistent with state and local public health guidance.

How should conflicting or inconsistent guidance between federal, state, and local authorities be addressed?

Governmental and non-governmental entities at all levels have issued guidance relating to the safe reopening of schools for in-person instruction. Under the operative executive orders (PDF) and 2020-21 Budget Act, schools must comply with orders and guidance issued by the California Department of Public Health and relevant local public health departments. Schools may comply with guidance from other federal, state, local, and non-governmental sources, to the extent those guidelines are consistent with state and local public health directives.

Testing and Screening

Who should be tested and how often?

As explained in the Framework for K-12 Schools in California, school staff should be tested, including teachers, paraprofessionals, cafeteria workers, janitors, bus drivers, or any other school employee that may have contact with students or other staff. School districts and schools should ensure that staff are tested periodically by their primary

care provider or by referring teachers to a community testing site, as testing capacity permits and as practicable. Examples of recommended frequency include all staff being tested over 2 months, where 25% of staff are tested every 2 weeks, or 50% every month to rotate which staff members are tested over time.

Who will pay for the testing of school employees and students?

School employees and students who need testing would either go to their health care provider or a state-operated or other community testing site. The Department of Managed Health Care has filed an emergency regulation to require health plans to pay for COVID-19 testing for all essential workers, including school staff. In addition, tests are available at community testing sites throughout the state.

Does the CDPH guidance encourage an active screening of students, staff, and other individuals entering campus?

Since the original June 5th guidance, CDPH has recommended daily visual wellness and symptoms checks prior to individuals entering campus. In order to facilitate those checks, the California Office of Emergency Services has distributed multiple no-touch thermometers for each school throughout the state to local county offices of education. These checks can happen in a variety of ways, including: As the individuals enters the building or during morning homeroom. Students can be asked about their symptoms or can complete a short checklist of symptoms and hand it in. Follow-up to those checklists should occur whenever symptoms of COVID-19 are identified.

Positivity, Notification of Positive Cases, and Quarantine

Who will be notified when a person at the school site tests positive or initiates self-quarantine due to confirmed or suspected exposure?

Schools should maintain communication systems that allow staff and families to self-report symptoms and receive prompt notifications of exposures and closures, while maintaining confidentiality, as required by FERPA and state law related to privacy of educational records and other privacy laws. Additional guidance can be found in the March 2020 Student Privacy Policy FERPA & Coronavirus Disease 2019 (COVID-19) FAQs (PDF) from the U.S. Department of Education. In addition, local public health departments will notify the school administration if a case and contact investigation reveals exposure at the school site.

What is the definition of "close contact"? Is there a consistent statewide definition?

Close contact is defined as contact within 6 feet for greater than 15 minutes. The CDPH is following the Centers for Disease Control guidance on close contact.

Masks, Face Coverings and Face Shields

The American Academy of Pediatrics does not recommend masks or face coverings for students under middle school age. Why does CDPH have a different recommendation?

CDPH recommends face masks (or face shields for very young children) at age 2 or older, so that those who cannot manage masks can nonetheless be protected. CDPH guidance requires all children in 3rd grade or later to wear masks. Increasing evidence suggests wearing masks or face coverings can significantly decrease COVID-19 disease transmission. Other countries' experiences (e.g., China, Singapore) suggests that virtually all students can be taught to handle face coverings at that age.

Schools should review the CDPH Guidance for the Use of Face Coverings (PDF) and any applicable local health department guidance and incorporate face covering use for students and workers into their COVID-19 prevention plan.

What if an individual cannot wear a face covering?

The face covering guidance recognizes that there are some people who cannot wear a face covering for a number of different reasons. People are exempted from the requirement if they are under age 2, have a medical or mental health condition or disability that would make it difficult for them to properly wear or handle a mask, or when it would inhibit communication with a person who is hearing impaired.

Schools should develop protocols to provide a face covering to students who inadvertently fail to bring a face covering to school to prevent unnecessary exclusions. The California Office of Emergency Services has distributed appropriate face coverings for each school throughout the state to local county offices of education.

What if a student arrives at school without a face covering, and refuses to wear one provided by the LEA?

If a student refuses, the student must be excluded from on-campus instruction, unless they are exempt, until they are willing to wear a face covering. Students excluded on this basis should be offered other educational opportunities through distance learning. Disposable paper masks are thinner and may be less effective, but may still be used as a face covering to meet the requirement.

What is the guidance on face coverings and physical distancing on buses?

Face coverings are required on buses. The guidance acknowledges that a full 6 feet of physical distancing may not be practicable on buses, therefore face coverings are essential. Physical distancing should be maximized to the extent practicable.

Elementary School Waiver Process

What grade levels does the waiver apply to?

Waivers for in-person instruction may be requested for grades TK-6.

Can private schools file for a waiver?

The CDPH guidance provides that both public and private schools in counties on the County Monitoring List may request a waiver to conduct in-person instruction in elementary schools for grades TK-6. The private school equivalent of a superintendent (in most cases, the head of school) may request a waiver from the local health

officer to conduct in-person elementary school instruction, in consultation with labor (as applicable), parent, and community organizations. Local health officers, in turn, should review local community epidemiological data, consider other public health interventions, and consult with CDPH when considering a waiver request.

Why does the waiver only apply to elementary schools and not middle or high schools?

Based on the current best available scientific evidence, COVID-related risks in schools serving elementary-age students (grades TK-6) are lower than and different from the risks to staff and to students in schools serving older students. In particular, there appears to be lower risk of child-to-child or child-to-adult transmission in children under age 12, and the risk of infection and serious illness in elementary school children is particularly low.

What community organizations would schools have to consult with before considering a waiver?

Examples of community organizations include school-based non-profit organizations and local organizations that support student enrichment, recreation, after-school programs, health services, early childhood services or provide family support.

Applicability

Does this guidance allow for sports activities?

The guidance does not permit team competition, but does allow for individual or team physical conditioning and training and physical education where physical distancing can be maintained and ideally outdoors. Indoor physical conditioning and training is allowed only in counties where gyms and fitness centers are allowed to operate indoors. Please see the CDPH Youth Sports Guidance (PDF) for further details.

Does this guidance allow for singing or playing instruments?

No. Activities where there is increased likelihood for transmission from contaminated exhaled droplets—such as singing, yelling, chanting, blowing wind instruments—are not permitted at this time.

Does this guidance apply to childcare programs?

This guidance applies to K-12. Please see separate childcare guidance.

Do these new guidelines apply to preschool?

Unless there is a local public health order stating otherwise, child care programs can remain open or re-open. There will be some variation for preschool programs that are based on a school campus: if the school campus is closed, then the local school district will decide if the childcare or preschool program can open

Are boarding schools allowed to reopen residential dorms under this framework?

No, the residential components of boarding schools are to remain closed regardless of Tier status of their county until further guidance is issued. Boarding schools present unique risks compared to other K-12 schools due to the nature of the congregate living situation that brings together students and faculty from various communities across the state and from other states, which raises the risk of COVID-19 transmission. Additionally, as students may travel back to their home communities on weekends and holidays, this would further raise the risk of the spread of COVID-19 through multiple communities. The non-residential components of boarding schools (e.g., in-person instruction for day students) are governed by the same guidelines as other K-12 schools.

Closure Criteria

How should schools calculate the 5% benchmark for closing schools?

The benchmark will generally include the denominator of both students and staff, which should be tracked separately. The CDPH guidance provides that each school site should designate a liaison – the school nurse, if applicable – to help coordinate monitoring and communications to local health officials, as well as the school community. The liaison should monitor and report positive cases, and track whether the school approaches the 5% threshold during a 14-day period.

If a school has opened because its county was not (or is no longer) on the monitoring list, will schools be required to close if the county reenters the monitoring list?

No, the school will not be required to close. Closure requirements are outlined by the CDPH criteria laid out in the COVID-19 and Reopening Framework for K-12 Schools in California (PDF) document.

Once a school starts in distance learning, is it required to remain that way for the entire quarter, semester?

No. Education Code section 43504 specifies that schools should "offer in-person instruction to the greatest extent possible." However, in-person instruction should be conducted only if the conditions are safe for both students and staff. If a school starts in distance learning, school and public health officials should collaborate to prepare to reopen for in-person instruction as soon as practicable.

Other Exemptions

If a school is closed for in-person instruction, is it permissible for a small set of students—such as students with disabilities and other students with special needs—to receive in-person instruction on campus?

More detailed guidance on conditions under which permissible in-person instruction and services for small sets of students, such as those provided pursuant to an individualized education program (IEP), is forthcoming.



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