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August 21, 2020

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

On June 6, 2020, the California Department of Public Health (CDPH) placed Santa Barbara 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 when the COVID case rate is less than 200 per 100,000 population. This waiver is applicable only for grades TK-6, even if the grade configuration at the school includes additional grades. Santa Barbara County has recently decreased the COVID case rate to less than 200 per 100,000 population, so although we do not meet the goal of 100 COVID cases per 100,000 population, we are able to accept waivers for elementary schools.

The Process

When applying for the waiver, the superintendent must submit to the local health officer evidence of consultation with labor and parent organizations, and publication of the elementary school reopening plans on the website of the local educational agency. The local health officer then reviews the application, the reopening plan, and local community epidemiological data. The local health officer consults with CDPH to make a determination whether to grant or deny the waiver. 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.

Schools interested in applying should also be aware that, as part of the local process, written proof of consultation with community organizations, teachers' unions (if applicable) and parent organizations must be submitted, as required by state guidance for waivers.

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/In-Person-Elementary-Waiver-Process.aspx>

In addition, we will be requiring schools to present their response plan for an exposure to a case of COVID-19, their cohorting plan for assigning students to cohorts and maintaining them, and their every 2-month staff testing plan, in accordance with the requirements of the state school K-12 in-person instruction reopening framework.

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

The County can be a resource for your planning and testing during an outbreak. The County cannot be the sole provider for routine testing. Schools are advised to work with employee health plans to allow COVID-19 testing. Schools may also determine that contracting with a third-party testing provider may be useful and this is acceptable assuming antibody tests are not used. Any California licensed laboratory or testing provider is acceptable.

Requests for technical advice may be sent to SchoolWaivers@sbcphd.org.

Finally, schools should be aware that the County Public Health Department may choose a phased in approach with a selection of schools per supervisorial district in order to evaluate risk and probability of outbreak, rather than opening all applicants at once. Schools may be closed by the state or the local health officer if outbreak thresholds are exceeded. Waivers are strictly discretionary, are not automatically granted and may be withdrawn. All documents submitted will be public under the California Public Records Act.

The Application

In order to apply for a waiver, please complete and submit:

- An Application Form. (The form is provided to you via this link.)
- 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). Please do not submit reopening plans unless requested.
- The District is also responsible for meeting all of the requirements, including a County RISE attestation, before reopening a school. <https://recoverysbc.org/reopen-your-business/>

Applications and all supporting documents should be submitted to the local health officer at least 14 days prior to the desired opening date. Schools cannot open for in-person instruction until they have received approval of a submitted waiver from the local health officer.

Waiver applications and materials should be sent to: SchoolWaivers@sbcphd.org

Sincerely,

Henning Ansorg, MD
Health Officer
Santa Barbara County Public Health Department