

# American Rescue Plan Act Elementary and Secondary School Relief Fund (ESSER III) Safe Return to In-Person Instruction Local Educational Agency Plan Template

## Background on ESSER

The American Rescue Plan Act (ARP) signed into law on March 11, 2021, provided nearly \$122 billion for the Elementary and Secondary School Relief Fund (ESSER). ARP ESSER, also known as ESSER III, funds are provided to State educational agencies in the same proportion as each State received under Title I-A of the Elementary and Secondary Education Act (ESEA) in fiscal year (FY) 2020. The U.S. Department of Education (ED) published Interim Final Requirements (IFR) on April 22, 2021 requiring Local Educational Agencies (LEAs) receiving ESSER III funds to submit an LEA Plan for the Safe Return to In-Person Instruction and Continuity of Services. If an LEA had already developed a plan for safe return to in-person instruction and continuity of services prior to the enactment of ARP that meets the statutory requirements of section 2001(i) but did not address all of the requirements in the IFR, the LEA must revise and post its plan no later than six months after receiving its ESSER III funds. This applies even if an LEA has been operating full-time in-person instruction but does not apply to fully virtual schools and LEAs.

The IFR and ARP statute, along with other helpful resources, are located here:

- April 2021 IFR: <https://www.govinfo.gov/content/pkg/FR-2021-04-22/pdf/2021-08359.pdf>
- ARP Act text: <https://www.congress.gov/117/bills/hr1319/BILLS-117hr1319enr.pdf>
- Centers for Disease Control and Prevention (CDC) COVID-19 School Operation Guidance: [https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/operation-strategy.html#anchor\\_1616080023247](https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/operation-strategy.html#anchor_1616080023247)
- ED COVID-19 Handbook Volume I: <https://www2.ed.gov/documents/coronavirus/reopening.pdf>
- ED COVID-19 Handbook Volume II: <https://www2.ed.gov/documents/coronavirus/reopening-2.pdf>
- ESEA Evidence-Based Guidance: <https://oese.ed.gov/files/2020/07/guidanceeuseseseinvestment.pdf>
- ED FAQs for ESSER and Governor’s Emergency Education Relief (GEER): [https://oese.ed.gov/files/2021/05/ESSER.GEER\\_FAQs\\_5.26.21\\_745AM\\_FINALb0cd6833f6f46e03ba2d97d30aff953260028045f9ef3b18ea602db4b32b1d99.pdf](https://oese.ed.gov/files/2021/05/ESSER.GEER_FAQs_5.26.21_745AM_FINALb0cd6833f6f46e03ba2d97d30aff953260028045f9ef3b18ea602db4b32b1d99.pdf)

## Purpose of the Template

The IFR issued by ED outlines several requirements for all LEAs that receive ESSER III funds, including that LEAs have in place a plan for ensuring safety during in-person instruction (either in-progress or planned) as well as ensuring continuity of services should the LEA or one or more of its schools be required to close temporarily for COVID-19-related public health reasons in the future. LEAs who had a plan in place by March 11, 2021, which incorporated opportunity for public comment and was posted publicly have six months from the date their ESSER III Assurances were completed to update and revise the plans to meet those requirements. Examples of previous plans that may be allowable would be a completed Cal/OSHA or Assembly Bill 86 plan, as long as it meets the requirements previously stated. LEAs which did not have a statutorily compliant plan in place as of March 11, 2021, must create and post this plan within 30 days of completing their ESSER III Assurances.

If you have questions as to which category applies to your LEA, please contact [EmergencyServices@cde.ca.gov](mailto:EmergencyServices@cde.ca.gov). Plans are required for all LEAs, regardless of operating status, unless an LEA is fully virtual with no physical location. All plans must be reviewed, and, as appropriate, revised, at least every six months to incorporate new or revised CDC guidance and other changed factors.

This template has been created to assist LEAs in the creation of these plans and to ensure all required elements are met. The following requirements and assurances pertain to both the statutory requirements and the IFR published by ED. LEAs

may provide any additional information they believe are helpful in assessing their plan. If you have any questions, please contact [EmergencyServices@cde.ca.gov](mailto:EmergencyServices@cde.ca.gov).

## LEA Plan for Safe Return to In-Person Instruction and Continuity of Services

LEA Name:

Option for ensuring safe in-person instruction and continuity of services:  
has developed a plan

1. Please choose one:

- The LEA had a plan, as of March 11, 2021, that is already compliant with the ARP statute and will review and, as appropriate, revise it every six months to take into consideration the additional requirements of the IFR; or

**NOTE: If your LEA already has a compliant plan as of March 11, 2021, and has assured such by checking the box above, then you may skip questions 2-4 and complete the Assurance and Contact sections.**

- The LEA has amended/created a plan compliant with the IFR using this template and has posted/will post it within 30 days of completing the ESSER III Assurances.

**NOTE: If checking the box above that you are using this template to meet the 30 day plan requirements, you must respond to each question in the template.**

Please note whether the LEA has a compliant plan and include a link to the plan, or acknowledge that the LEA is submitting a new plan and will post it within 30 days of receiving funds.

[https://drive.google.com/file/d/1iknkgiNnS5-HsP2dAljXIMjVgem\\_180o/view?usp=sharing](https://drive.google.com/file/d/1iknkgiNnS5-HsP2dAljXIMjVgem_180o/view?usp=sharing)

2. The LEA will maintain the health and safety of students, educators, and other school and LEA staff, and the extent to which it has adopted policies, and a description of any such policies, on each of the CDC's safety recommendations, including: universal and correct wearing of masks; modifying facilities to allow for physical distancing; handwashing and respiratory etiquette; cleaning and maintaining healthy facilities, including improving ventilation; contact tracing in combination with isolation and quarantine, in collaboration with the State, local, territorial, or Tribal health departments; diagnostic and screening testing; efforts to provide vaccinations to school communities; appropriate accommodations for children with disabilities with respect to health and safety policies; and coordination with State and local health officials.

Describe how the LEA will maintain, or continue to maintain, health and safety policies and procedures. Include a description of any adopted policies and procedures regarding the CDC's safety recommendations (or available LEA website links to such policies). Include descriptions of appropriate accommodations adopted and coordination efforts conducted with outside State and local health officials. Please include or describe current public health conditions, applicable State and local rules and restrictions, and other contemporaneous information that informs your decision-making process.

### Authority and Responsibility

Robert Craven, Assistant Superintendent has overall authority and responsibility for implementing the provisions of this CPP in our workplace. In addition, all managers and supervisors are responsible for implementing and maintaining the CPP in their assigned work areas and for ensuring employees receive answers to questions about the program in a language they understand.

All employees are responsible for using safe work practices, following all directives, policies and procedures, and assisting in maintaining a safe work environment.

## Identification and Evaluation of COVID-19 Hazards

We will implement the following in our workplace:

- Continue to conduct workplace-specific evaluations using the SVUSD Monthly Site Inspection Walk form.
- Evaluate employees' potential workplace exposures to all persons at, or who may enter, our workplace.
- Review applicable orders and general and industry-specific guidance from the State of California, Cal/OSHA, and the local health department related to COVID-19 hazards and prevention.
- Evaluate existing COVID-19 prevention controls in our workplace and the need for different or additional controls.
- Conduct periodic inspections using the SVUSD Monthly Site Inspection Walk form as needed to identify unhealthy conditions, work practices, and work procedures related to COVID-19 and to ensure compliance with our COVID-19 policies and procedures.

## Employee participation

Employees and their authorized employees' representatives are encouraged to participate in the identification and evaluation of COVID-19 hazards by: COVID-19 Safety walks are conducted monthly at each school. Plant foreman participate with the Operations Manager so that hazards may be evaluated and corrected. It is the responsibility of all Employees to report COVID-19 hazards in work conditions and practices to their appropriate Supervisor or Senior Management. Employees may use the Report of Unsafe Condition or Hazard Form to report COVID-19 hazards in work conditions and practices. Employees should forward the completed form to their Supervisor for review and appropriate action. The Report of Unsafe Condition or Hazard Form can be submitted anonymously. The Report of Unsafe Condition or Hazard Form may be obtained from the School Safety Coordinator or by contacting the Assistant Superintendent Facilities, Operations & Technology, or designee. It is the policy of the District to prohibit employee reprisal for reporting unsafe/unhealthy work conditions and practices. Management personnel who are found in violation of this policy shall be held accountable by means of established, progressive disciplinary procedures. Employees who have knowledge of an unsafe/unhealthy work condition or practice and who intentionally conceal this information will be in violation of District policy and will be subject to established, progressive disciplinary procedures. The District is committed to conducting complete and thorough investigations of all reports of COVID-19 hazardous conditions. If conditions are determined to be hazardous, appropriate measures will be taken by the District to correct those conditions.

## Employee screening

Employees are encouraged to self-screen prior to coming to work in accordance with CDPH guidelines. Employees were provided the CDC Covid-19 self-check website to utilize in conducting their check. This site is at: <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/coronavirus-self-checker.html>. Additionally, no-touch thermometers are available in every main office if employees need to take their temperature.

## Correction of COVID-19 Hazards

Unsafe or unhealthy work conditions, practices or procedures will be documented on the SVUSD Monthly Site Inspection Walk form, and corrected in a timely manner based on the severity of the hazards, as follows: Hazards will be corrected based upon the same processes found in the District 2021-2022 Injury and Illness Prevention Program.

## Control of COVID-19 Hazards

**Physical Distancing:** We follow CDC and CDPH recommendations regarding physical distancing. At this time there are no guidelines to continue physical distancing efforts.

**Face Coverings:** We follow CDC and CDPH recommendations regarding face masks. At this time individuals returning from COVID after a negative test are encouraged to wear a mask through day 10.

**Engineering controls:**

We maximize, to the extent feasible, the quantity of outside air for our buildings with mechanical or natural

ventilation systems by:

- Replace filters in every HVAC equipment on 6-month cycle. The type and size of filter depends on the equipment.
- Checked that we have fresh air intake
- Start HVAC units 2 hours prior through 2 hours after occupancy
- Install HEPA air purifiers with medical grade filtration in every classroom. The purifiers capture 99.97% of air particles including virus carriers.

#### Cleaning and disinfecting

We implement the following cleaning and disinfection measures for frequently touched surfaces: Custodial staff uses a daily check sheet to ensure touch points are frequently disinfected during the day. Staff were trained in use of proper disinfecting and sanitation measures and products. Cleaning and disinfecting supplies are routinely sent to the school sites and may be ordered as need by the sites as well.

Shared tools, equipment and personal protective equipment (PPE). PPE must not be shared, e.g., gloves, goggles and face shields. Items that employees come in regular physical contact with, such as phones, headsets, desks, keyboards, writing materials, instruments and tools must also not be shared, to the extent feasible. Where there must be sharing, the items will be disinfected between uses by: Near equipment that must be shared (such as copy machines, phones, or computer terminals) hand sanitizer is provided for employees to use before and after using the equipment. Disinfecting wipes are also stationed near all shared equipment with signs asking individuals to clean and wipe down the equipment before and after use. Disinfecting spray bottles were provided to sites for use on technology or other equipment that is more difficult to disinfect with wipes.

#### Hand sanitizing

In order to implement effective hand sanitizing procedures, we:

- Evaluated sites with outdoor handwashing facilities to determine the location and need for additional stations. At sites without outdoor handwashing facilities, stations were installed at various locations around campus based upon existing plumbing and mounting areas.
- Installed additional outdoor handwashing stations at sites where such facilities did not exist or additional stations were needed.
- Staff and employees are encouraged to frequently wash their hands and use hand sanitizer if a sink is not available for handwashing. Signs and stickers were provided to sites.
- A consistent supply of hand sanitizer is provided to each site on a roughly 6-week restock cycle. Sites may order additional hand sanitizer if needed. Multiple sizes are provided to best meet the needs of locations around campus.
- Outdoor hand sanitizing stations are also deployed around each facility.
- Messaging and training provided to staff.

#### Personal protective equipment (PPE) used to control employees' exposure to COVID-19

We evaluate the need for PPE (such as gloves, goggles, and face shields) as required by CCR Title 8, section 3380, and provide such PPE as needed. Employees are provided with the appropriate PPE. Masks, face shields, disposable masks are continually refreshed at the school sites from District inventory and available to all employees. Additional PPE, such as eye protection, gowns, foot and hair coverings, N-95 masks, and other items are distributed to staff as needed or required by their duties. Custodial staff have been provided with the tools and supplies including wipes, masks, gloves, eye protection and other supplies to enable proper disinfection and personal protection. The District has inventory of the products in the warehouse and stored at school sites.

#### Investigating and Responding to COVID-19 Cases

The District maintains a COVID-19 contact tracking team that participated in training from the Orange County Health Care Agency for COVID-19 evaluation and contact tracing. We continue to follow the CDPH protocols and guidelines for investigation and reporting on all COVID-19 cases.

### System for Communicating

Our goal is to ensure that we have effective two-way communication with our employees, in a form they can readily understand, and that it includes the following information: Employees exhibiting symptoms or who test positive for COVID-19 must notify their administrator and the Robert Craven. If employees are told by a student that they have tested positive, that information must be shared with the site administrator. Employees are encouraged to report any hazard they observe to their department manager or supervisor. No employee of the School District is to ever be disciplined or discharged for reporting any workplace hazard or unsafe condition. However, employees who DO NOT report potential hazards or unsafe conditions they are aware of will be subject to disciplinary action. HR continues to work with employees with medical or other conditions that put them at increased risk of a severe COVID-19 illness on appropriate accommodations.

For employees who would like a test, the District provides rapid antigen tests. The Safety Department's COVID tracking team provides impacted employees information regarding the exposure, length of quarantine, and other health related items. HR provides employees information on the different leave available to them, including in the event of a positive test. The District maintains a District website with information and training for employees and families. Additionally, the District provides signage throughout school sites and updates via email. A District dashboard with all positive cases is updated every Friday to reflect current positive cases at each site in addition to cumulative site totals.

### Training and Instruction

We will provide effective training and instruction that includes:

- Our COVID-19 policies and procedures to protect employees from COVID-19 hazards.
- Information regarding COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws.
- The fact that:
  - o COVID-19 is an infectious disease that can be spread through the air.
  - o COVID-19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth.
  - o An infectious person may have no symptoms.
- Methods of physical distancing of at least six feet and the importance of combining physical distancing with the wearing of face coverings.
- The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing must be combined with other controls, including face coverings and hand hygiene, to be effective.
- The importance of frequent hand washing with soap and water for at least 20 seconds and using hand sanitizer when employees do not have immediate access to a sink or hand washing facility, and that hand sanitizer does not work if the hands are soiled.
- Proper use of face coverings and the fact that face coverings are not respiratory protective equipment - face coverings are intended to primarily protect other individuals from the wearer of the face covering.
- COVID-19 symptoms, and the importance of obtaining a COVID-19 test and not coming to work if the employee has COVID-19 symptoms.
- The District maintains an employee website that provides information related to COVID-19, including training all employees were provided and required to complete in August. Additionally, employees determined to be a close contact at work or who contracted COVID-19 at work are provided information regarding benefits and options. Frequent emails provide staff with information regarding COVID-19, District protocols, and best practice.

### Exclusion of COVID-19 Cases

Where we have a COVID-19 case in our workplace, we will limit transmission by:

- Ensuring that CDPH guidelines regarding COVID-19 cases are followed.
- Continuing and maintaining an employee's earnings, seniority, and all other employee rights and benefits whenever we've demonstrated that the COVID-19 exposure is work related.
- Providing employees at the time of exclusion with information on available benefits.

### Reporting, Recordkeeping, and Access

It is our policy to:

- Report information about COVID-19 cases at our workplace to the local health department whenever required by law, and provide any related information requested by the local health department.
- Report immediately to Cal/OSHA any COVID-19-related serious illnesses or death, as defined under CCR Title 8 section 330(h), of an employee occurring in our place of employment or in connection with any employment.
- Maintain records of the steps taken to implement our written COVID-19 Prevention Program in accordance with CCR Title 8 section 3203(b).
- Make our written COVID-19 Prevention Program available at the workplace to employees, authorized employee representatives, and to representatives of Cal/OSHA immediately upon request.
- Implement contact tracing for all reported positive and close contact cases, occurring outside or inside the District. Contact tracing records are kept confidential and individuals deemed to be COVID-19 positive or a close contact are provided communication indicating a return-to-work date, quarantine information, COVID-19 information, and additional leave, testing, or benefits information (when applicable).

### Return-to-Work Criteria

- COVID-19 cases with COVID-19 symptoms will not return to work until all of the following have occurred:
  - o At least 24 hours have passed since a fever of 100.4 or higher has resolved without the use of fever-reducing medications.
  - o COVID-19 symptoms have improved.
  - o At least 10 days have passed since COVID-19 symptoms first appeared or a negative test after Day 5.
- COVID-19 cases who tested positive but never developed COVID-19 symptoms will not return to work until a minimum of 5 days have passed since the date of specimen collection of their first positive COVID-19 test.
- A negative COVID-19 test will not be required for an employee to return to work.
- If an order to isolate or quarantine an employee is issued by a local or state health official, the employee will not return to work until the period of isolation or quarantine is completed or the order is lifted.

3. The LEA will ensure continuity of services, including but not limited to services to address students' academic needs and students' and staff social, emotional, mental health and other needs, which may include student health and foodservices.

Describe how the LEA will ensure continuity of services in case isolation, quarantine, or future school closures are required, including how the LEA will meet the needs of students with disabilities and English learners.

For all cases of isolation and quarantine, families are provided the option to elect participation in short term Independent Study. During that time, they are provided access to a teacher or counselor at specific days/times during the week.

For students with disabilities, if instruction, services, or both, cannot be provided to Student, either at school or in person for more than 10 school days due to one or more emergency conditions as defined by Education Code § § 46392(a) and 41422(a), Student's IEP services will be provided to the extent practicable, taking into consideration Student's unique circumstances, the specific emergency circumstance(s), District policy, and federal, state and local orders. Each student's IEP details the services that would be provided in those conditions.

4. The LEA sought public comments in the development of its plan and took those comments into account in the development of its plan.

Describe the LEA's policy or practice that provided the public with an opportunity to provide comments and feedback and the collection process. Describe how any feedback was incorporated into the development of the plan.

From the emergency closure during Spring 2020 and throughout the 2020-2021 school year, the Saddleback Valley Community provided input through various surveys and preferences for learning options. Our community

desired all of our schools to be open for full-time in-person instruction five days a week and provide opportunities for distance learning program for those families that were not comfortable returning to full-time in person instruction. All developed procedures and protocols are in accordance with Orange County Health Agency, California Department of Public Health, and/or Center for Disease Control and Prevention (whichever is more restrictive).

In addition, the LEA provides the following assurances:

- X The LEA has made (in the case of statutorily compliant plans) or will make (in the case of new plans) its plan publicly available no later than 30 days after receiving its ARP ESSER allocation.
  - o Please insert link to the plan:  
<https://www.svusd.org/departments/educational-services/assessment-accountability>
- X The LEA sought public comment in the development of its plan and took those public comments into account in the development of its plan.
- X The LEA will periodically review and, as appropriate revise its plan, at least every six months.
- X The LEA will seek public comment in determining whether to revise its plan and, if it determines revisions are necessary, on the revisions it makes to the plan.
- X If the LEA revises its plan, it will ensure its revised plan addresses each of the aspects of safety currently recommended by the Centers for Disease Control(CDC), or if the CDC has revised its guidance, the updated safety recommendations at the time the LEA is revising its plan.
- X The LEA has created its plan in an understandable and uniform format.
- X The LEA's plan is, to the extent practicable, written in a language that parent can understand, or if not practicable, orally translated.
- X The LEA will, upon request by a parent who is an individual with a disability, provide the plan in an alternative format accessible to that parent.

The following person or persons is/are the appropriate contact person for any questions or concerns about the aforementioned plan.

Please list name(s), title(s), address, county, and contact information for the person or persons responsible for developing, submitting, and amending the LEA plan.

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