

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_117/hr1319enr.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
- 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/guidanceeusesinvestment.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_FINAL

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. 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.

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 will amend its 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.

We had posted a [COVID Safety Plan](#) prior to beginning in-person instruction in the Spring on our website and we are submitting a new plan on this template and will post it within 30 days of receiving funds.

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.

In developing our plan for creating healthy on-campus learning environments, we relied and continued to rely on the most current information and guidance from the Center for Disease Control (CDC), the California Department of Public

Health (CDPH), the California Department of Education (CDE), the Santa Clara County Department of Health (SCCDH), and the Santa Clara County Office of Education(SCCOE). In addition, DCP also created and publicly posted (website) a CalOsha compliant [COVID Safety Plan](#) prior to return to in-person instruction. DCP also created and distributed a [Student and Family Guidebook](#) that included the safety policies and processes with regard to universal and correct wearing of masks, physical distancing measures and protocols, handwashing & respiratory etiquette, cleaning and maintaining of facilities including ventilation, contact tracing in accordance with Santa Clara County Public Health Department requirements, health screenings and appropriate accommodations for children with disabilities with respect to health and safety protocols.

The safety protocols currently in place were informed by the guidance and requirements from the various agencies mentioned before. They were also informed by input from our stakeholders as described later in this plan. In addition, once we had the safety protocols and facility modifications in place, we took advantage of an offer from the Santa Clara County Department of Health to do campus walkthroughs with their personnel and incorporated their feedback into our plans.

In addition, once vaccinations became available, DCP embarked on a campaign to encourage students, families and staff to get vaccinated. The campaign included giving staff time off for vaccination appointments, providing information on how and where to get vaccinated via email to all staff, information to families via direct messaging and [posting on our website](#). In addition we partnered (and are still partnering) with the Santa Clara County Public Health Department to provide a [vaccination clinic site](#) at one of our school campuses.

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 food services.

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.

DCP's plan to ensure continuity of services for the Spring 2021 Term are described in the [Learning, Continuity & Attendance Plans](#) for each of its schools and case isolation, quarantine, et cetera are included in the safety measures described above and the student & family guidebook linked above. The plans include how DCP would address various needs including student

academic needs, students emotional and mental health needs, needs of students with disabilities and food services. For the upcoming school year, DCP is planning for a full return to in-person instruction and is reviewing and updating plans in accordance with the just released [guidance](#) from the California Department of Public Health (CDPH) on safety and the guidance from the California Department of Education (CDE) on instruction for the 2021-2022 school year.

As part of the updating effort, DCP is currently engaging its stakeholders including families and the teachers' union with regard to Independent Study and how to implement that as a way to provide choice to families that may not want to send their children to on campus instruction for various reasons. In addition, this is how we would be able to ensure continuity of instruction for students who may need to quarantine.

In the event of closure, continuity of emotional health and wellness measures as well as food services would most likely be accomplished by reverting to the way we have been providing these services during the shelter-in-place order. This will be indicated in updates once we finish gathering and incorporating input from our stakeholders.

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.

DCP engaged stakeholders, which included students, families, Board members, and our teachers' Union (SBEU) to better understand their needs while preparing for multiple reopening scenarios. The pre-work DCP completed through family surveys and staff feedback helped to shape the initial drafts of the Learning Continuity Plan and safety plans. We completed multiple revisions before the plans were finalized. DCP reached out to all stakeholders by way of virtual meetings, email, and phone blasts/calls/text messages in an effort to engage as many families as possible, including those without internet access and who speak languages other than English. DCP activities for engaging stakeholders are outlined in the [Learning, Continuity and Attendance Plan](#) publicly posted on our website. These activities included several zoom meetings to gather input from families. These zoom sessions were recorded and [posted on the Parent Hub](#) on the website so parents could continue to access them. In addition, all staff provided input through surveys, zoom sessions and during orgwide professional development days. Furthermore, staff facing efforts included

negotiations with our teachers' union , South Bay Educators United (SBEU), which culminated in a [Memorandum of Understanding](#) on various aspects of the safe return to campus including ventilation and other campus safety provisions. Once the plans were finalized, DCP also provided summarized policies and processes though a [student and family guidebook](#) provided to all families.

In addition the LEA provides the following assurances:

✓ 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.

- Please insert link to the plan: (website link to be added after posting)

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

✓ The LEA will periodically review and, as appropriate revise its plan, at least every six months.

✓ 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.

✓ 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.

✓ The LEA has created its plan in an understandable and uniform format.

✓ The LEA's plan is, to the extent practicable, written in a language that parents can understand, or if not practicable, orally translated.

✓ 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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