

**MEMORANDUM OF UNDERSTANDING
CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION AND ITS BERRYESSA
CHAPTER 364 TO BERRYESSA UNION SCHOOL DISTRICT REGARDING RETURN
IMPACTS AND EFFECTS ON THE CSEA BARGAINING UNIT**

This memorandum is agreed between **Berryessa Union School District (District)** and the California School Employees Association and its **Berryessa Chapter 364** (together "CSEA") concerning the impacts and effects of resumed District operations for the 2020-2021 school year under a distance learning model.

The District and CSEA recognize the importance of maintaining safe facilities and operations, for the benefit of the students and communities served by the District and its teachers and staff. We recognize the importance of prudent measures to prevent District employees, students, their families, or other people using District facilities from being exposed to or infected with coronavirus. Care should be taken to identify potential exposure and prevent the spread of the disease. We agree that the District's first priority should be the provision of continued educational services and support to pupils while safeguarding the health and safety of students, families and employees.

This MOU shall cover any need for unit members to conduct in-person assessments of pupils during the 2020-2021 school year.

To these ends, the District and CSEA agree as follows:

Safety:

The district agrees to:

1. Train CSEA unit member on protocols for physical distancing for both indoor and outdoor spaces prior to August 17th, 2020
2. Maintain unit member and employee work stations at sufficient distances according to state and federal health guidelines in effect at the time, and the District shall post all State and local health orders and safety guidance regarding proper distancing for all other work spaces at each school site.

Ensure physical distancing in food service areas

3. The District agrees to install, in administrative (non-classroom) spaces, ***including Library Point Of Service desks***, physical barriers, such as sneeze guards and partitions at Point of Service and other areas where maintaining the recommended physical distance is impracticable .
4. Provide a minimum of two face coverings for every unit member before they are asked to work at a site or district location, ***including 2 face shields for all SPED unit members.***

5. Have additional face covering available in the event a unit member forgets their face covering.
6. Provide adequate supplies to support healthy hygiene behaviors, including soap, tissues, no-touch trashcans, face coverings and hand sanitizers (with at least 60 percent ethyl alcohol) for unit members who can safely use hand sanitizer.
7. Follow all applicable local, state and federal guidelines and safety protocols.

Reporting Unsafe Conditions

Unit members and other employees shall adhere to the "Steps to Take in Response to Confirmed or Suspected COVID-19 Cases and Close Contacts" contained on pp. 21-22 of the County of Santa Clara Department of Public Health June 30, 2020 directive "COVID-19 Prepared: Reopening of Santa Clara County K-12 Schools for the 2020-2021 School Year," a copy of which is attached as Exhibit A.

In the interest of protecting community and workplace health, any unit member may report, in writing, any unsafe condition in the working environment to the immediate supervisor. The supervisor shall, within three (3) working days, respond in writing to the employee, with simultaneous copy to CSEA, stating what has been done to make the condition safe or, if no action will be taken, the reason(s) why. This method of resolving safety concerns shall not displace the right to file OSHA but must be taken before a unit member exercises the right to file a grievance in accordance with the collective bargaining agreement Article 7 Grievance Procedure.

Unit members shall meet and confer with their supervisor in the event that they believe that their work conditions are unsafe. In the event that the unit member and supervisor disagree, the matter shall be referred to the Superintendent or designee. Unit members may be directed by their supervisor, at the supervisor's discretion, to complete alternate work or work under modified conditions as directed.

Reporting: The District shall adhere to the reporting requirements contained in pp. 19-22 ("Steps to Take in Response to Confirmed or Suspected COVID-19 Cases and Close Contacts") contained in the County of Santa Clara Department of Public Health June 30, 2020 directive "COVID-19 Prepared: Reopening of Santa Clara County K-12 Schools for the 2020-2021 School Year," a copy of which is attached as Exhibit A. In the event that the County's guidance requires notice to unit members, the District will provide unit members with notice no less than twenty-four (24) hours of learning of a confirmed or suspected COVID-19 case, or, in the event that the District learns of a confirmed or suspected case during non-business hours, by the end of the next business day.

Screening:

The parties agree that the District shall adhere to the screening procedures set forth in the "BUSD Employee Return to Work COVID-19 Safety Guidelines 2020-2021" directive distributed to employees July 31, 2020, a copy of which is attached as Exhibit B.

- ☐ The District shall notify bargaining unit employees who have been exposed to COVID-19 at work, within 24 (hours) of the District's knowledge via phone and e-mail, excluding weekends.
- ☐ The District will notify employees of free testing sites and allow testing to take place during their workday.

Leave:

- ☐ The District will work with unit members who are at risk with respect to COVID-19 transmission under the Centers for Disease Control's guidelines to identify available statutory and/or contractual leaves, and engage in the interactive process with the unit member.
- ☐ In the event that a unit member is quarantined under the guidance contained on pp. 19-20 of the County of Santa Clara Department of Public Health June 30, 2020 directive "COVID-19 Prepared: Reopening of Santa Clara County K-12 Schools for the 2020-2021 School Year," (Exhibit A), unit members shall be expected to be available to perform their duties from home during regular business hours. In the event that a unit member is unable to work during the period of quarantine, he/she shall be entitled to use available and accrued statutory or contractual leaves, and shall request leave time using the District's leave request form attached as Exhibit D.
- ☐ Any unit member absence from work due to reasons related to COVID-19 shall be addressed in accordance with statutory and contractual leaves available to employees. Unit members shall request COVID-19 related leaves using the existing leave request form. Unit members requesting leave under the federal "Families First Coronavirus Relief Act" shall indicate on the form that they are requesting leave under that Act. The eligibility and leave requirements under the FFCRA are summarized in Exhibit C. The District's leave request form is attached as Exhibit D. (The District shall allow the use of FFCRA intermittently.)

Unit members shall not suffer a loss of wages, salary, pay, or fringe benefits during the temporary school closure (or quarantine) in derogation of their rights under the Education Code, Rodda Act, or the collective bargaining agreement.

☐ **Vacation Leave:**

The parties shall meet and negotiate over the accrual and use of vacation at the end of the 2020-2021 school year after having the opportunity to collect and review data regarding unit member use and accrual of vacation time.

Telecommuting

- ☐ Bargaining unit members shall be notified that hotspots are available as needed.
- ☐ The District shall continue providing Chromebooks and hotspots, if needed for internet connectivity, to unit members to perform their assigned duties from home.
- ☐ The District shall establish a weekly schedule and provide unit members no less than 2 weeks notice of the schedule.
- ☐ In the event a CSEA bargaining-unit employee who is telecommuting is asked to report to a District work site. The District shall provide 48-hour notice prior to the time they are required to report.
- ☐ Unit members shall retain their current work schedule and work year calendar. The parties agree to meet and further negotiate any proposed changes to bargaining unit work hours and/or work year.
- ☐ Whether unit members may work remotely or in-person shall be determined by Superintendent or designee, if a schedule cannot be mutually agreed upon between unit member and supervisor.

Workload:

- ☐ The District agrees that no unit member shall be disciplined solely on the basis of incurring an increased workload related to maintaining County or State guidelines related to Covid-19.

Duties:

- ☐ The parties recognize that the District wishes to optimize the utilization of unit members. The District and CSEA acknowledge that California Education Code §45101(a) requires that all classified positions have set duties. However, due to the current unforeseen and unprecedented nature for the current conditions CSEA and the District recognize that some CSEA bargaining unit positions may be asked to perform duties not currently contained within their current job description.
- ☐ The parties agree that, under Education Code section 45109, the District's Governing Board "shall fix and prescribe the duties to be performed by all persons of the classified service" for determining when classified employees are, for the purposes of Education Code section 45110, performing "duties which are not fixed and prescribed for the position by the Governing Board in accordance with [Education Code] Section 45109." The parties agree that, due to the unique and unprecedented challenges caused by the need to maintain the distance-learning model, that the Board's prescription of the duties applying to the classified service under Education Code

section 45109, or the provisions of Education Code section 45110, which otherwise would allow for a higher rate of pay if a classified employee performs duties of a classification with a higher rate of pay, shall not apply to the assignment of unit member duties, for the 2020-2021 school year only.

- ☐ In the event that unit members are called upon to perform duties that have been previously performed by members of another bargaining unit, the District agrees to consult with the potentially affected bargaining unit before assigning such work to CSEA unit members.
- ☐ The District and CSEA agree this is a temporary solution to a current need and shall not be considered a waiver of CSEA's rights to negotiate the transfer of duties as required by law and shall not be considered precedent setting for either party. All temporary transfer of duties shall be negotiated.

Information and Further Negotiation: The District will share with CSEA all new information it receives from local health authorities about COVID-19 pandemic. The District will inform CSEA, in writing, prior to any material changes in operations impacting unit members and will negotiate effects on terms and conditions of employment, including occupational health and safety.

Compliance with further governmental orders: The parties recognize that the COVID-19 pandemic is evolving and so is governmental response. The parties will comply with further state or federal legislation or orders as they affect the terms and conditions of employment of bargaining unit employees and will bargain as needed over the effects of such further directives.

Duration of Agreement: This agreement shall remain in effect from the date of mutual execution through June 30, 2021 **unless superseded by a mutually agreed-upon MOU.**

Disagreements arising from the enforcement of this agreement shall first be reported to unit member's supervisor and if unresolved shall be referred to Superintendent or designee. If disagreement still exists, the disagreement shall be settled through Article 7 – Grievance Procedure outlined in the collective bargaining agreement.

Dated: By: 8/27/2020 | 11:56:21 AM PDT

DocuSigned by:
Darrien Johnson
For Berryessa Union School District, Darrien Johnson,
Assistant Superintendent of Human Resources

Dated: By: 8/27/2020 | 12:47:26 PM PDT

DocuSigned by:
Debbie Narvaes
For California School Employees Association, Debbie
Narvaes, President of CSEA Chapter 364

Dated: By: 8/27/2020 | 4:07:00 PM PDT

DocuSigned by:
Robin James-Utgaard
For California School Employees Association, Robin
James-Utgaard, Labor Relations Representative

EXHIBIT A



COVID-19 PREPARED:

Reopening of Santa Clara County K-12 Schools

for the 2020-2021 School Year

Issued June 30, 2020

Revised August 7, 2020

COVID-19 PREPARED: Reopening of Santa Clara County K-12 Schools for the 2020-2021 School Year



ISSUED JUNE 30, 2020; REVISED AUGUST 7, 2020

Table of Key Updates

Page	Description of Updates
9	<u>Physical Distancing</u> : Addition of requirement that staff maintain at least 6 feet apart while on campus
9	<u>Physical Distancing</u> : Addition of recommendations to place markings around campus where students/staff are expected to cluster or form lines
9	<u>Physical Distancing</u> : Addition of recommendation to review emergency plans and drills to facilitate physical distancing, to the extent feasible, during such events
11	<u>Classroom Settings</u> : Addition of footnote omitted from June 30, 2020 version regarding rotation of students with disabilities, their personal aides, specialty teachers, and substitute teachers in and out of classrooms
12	<u>Classroom Settings</u> : Addition of footnote omitted from June 30, 2020 version regarding circulation of outdoor air
11	<u>Classroom Settings</u> : Addition of recommendations to promote distancing and use of outdoor and other non-classroom spaces; to face students in the same direction, if feasible; and to assign students to cohorts based on known associations outside of school, to the extent feasible
13	<u>Non-Classroom Settings</u> : Addition of requirement to prohibit staff from eating in break rooms.
13	<u>Non-Classroom Settings</u> : Clarification of recommendation regarding use of face coverings during recess and physical education
13	<u>Non-Classroom Settings</u> : Addition of recommendation for playground supervisors carry first aid kits that include hand sanitizer, face coverings, and gloves
13	<u>Non-Classroom Settings</u> : Addition of recommendations for school offices
14	<u>Bus Transportation</u> : Addition of requirement for families to screen students for COVID-19 symptoms before boarding the school bus



14	<u>Bus Transportation</u> : Addition of recommendations to increase ventilation and for bus drivers to carry extra face coverings and carry disinfectant wipes and disposable gloves for disinfection of frequently touched surfaces
16	<u>Face Coverings</u> : Addition of requirement to clarify mandatory use of face coverings by staff working directly with students
16	<u>Face Coverings</u> : Revision of face covering requirements for students to align with State requirements
16	<u>Face Coverings</u> : Addition of recommendation to schedule breaks for children in 2 nd grade and below to remove face coverings when interacting only with their classroom cohort outdoors
16	<u>Face Coverings</u> : Addition of clarification that teachers may consider wearing face shields in addition to face coverings
16	<u>Face Coverings</u> : Revision to recommendation regarding alternative face coverings for phonological instruction, hearing-impaired students, and students with disabilities
16	<u>Face Coverings</u> : Addition of recommendation to clarify use of cloth face coverings versus disposable face coverings
20	<u>Electives and Extracurricular Activities</u> : Addition of consideration to clarify that certain in-person choir, band, and vocal cheerleading activities may be conducted
20	<u>Athletics</u> : Addition of statement that athletics must comply with State requirements
22	<u>Additional Safety Measures for Teachers and Other Staff</u> : Addition of new section to summarize key requirements, recommendations, and considerations relating to staff safety and to include additional provisions to support staff safety
25	<u>Health Screenings</u> : Update to list of COVID-19 symptoms to screen for
28	<u>Response to Suspected or Confirmed Cases and Close Contacts</u> : Clarification and update of requirements
31	<u>Distance/Remote Learning</u> : Removal of requirement for families to provide a physician's note if requesting distance learning due to medical fragility

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Introduction and Overview

This document is designed to assist in planning for the safer reopening of public and private K-12 schools in Santa Clara County for the 2020-2021 school year. We recognize the importance of returning students to school campuses for in-person instruction, as well as the overarching need to protect the health and safety of our students, school staff, and broader community. The goal of this document is to help schools plan for and implement measures to reduce COVID-19 transmission in the school setting, while meeting the educational needs of all students. We expect that COVID-19 will be present, to some degree, in our community throughout the upcoming school year. Schools should expect that they will experience a

COVID-19 exposure after they reopen and must be prepared to respond. However, the requirements and recommendations in this document are intended to significantly reduce the risk that other students and staff will be exposed to COVID-19.

Education, just like healthcare and food provision, is essential to our community, and as such, the reopening of school campuses for in-person instruction with strict safety protocols should be prioritized. School closures magnify socioeconomic, racial, and other inequities among students. The students most impacted by school closures are those whose parents comprise a disproportionate share of our community's essential workforce and may be less available to provide instructional support, those without access to technologies that facilitate distance learning, and those with special needs. The health-related risks for children who are not provided in-person instruction are significant, including lower rates of immunization, higher rates of undetected child abuse and neglect, and risk to social/emotional wellbeing.

The safety of teachers and other staff is also a critical priority in school reopening guidance and decisions. We have highlighted key staff safety measures in a standalone section that summarizes safety measures set forth throughout this document to protect staff and students, and also includes many additional safety measures specific to staff that have been effective in reducing transmission risk in other workplace settings.

The reopening and closing of schools are subject to certain criteria and guidance issued by the California Department of Public Health (CDPH). Currently, the State has directed schools to conduct only distance learning if they are located in a local health jurisdiction that has been on the [State's monitoring list](#) in the prior 14 days. However, elementary schools may apply to their local health officer for a waiver to fully or partially reopen for in-person instruction. As for school closures after reopening, the State's guidance provides that individual school closures and school district closures should be made in consultation with the local health officer.

Because the prevalence of COVID-19 in our community can change quickly in a short period of time, schools will need to maintain flexibility in their delivery of educational instruction. Schools should be prepared to switch between distance learning and in-person instruction, and vice versa, with little notice. Schools reopening for in-person instruction should also be ready and able to provide distance learning for students who may need to isolate or quarantine, as well as students who are medically fragile or who have a household member who is medically fragile.

This document contains a series of public health requirements, recommendations, and considerations for schools reopening their campuses for in-person instruction. These should be read in conjunction with all relevant local, State, and federal laws, as well as school reopening requirements and/or guidance from the State and federal government, including but not limited to the California Department of Education's "[Stronger Together: A Guidebook for the Safe Reopening of California's Public Schools](#)" (June 2020), CDPH's "[COVID-19 Industry Guidance: Schools and School-Based Programs](#)" (July 17, 2020), CDPH's "[COVID-19 and Reopening In-Person Learning Framework for K-12 Schools in California, 2020-2021 School Year](#)" (July 17, 2020), CDPH's "[COVID-19 and Reopening In-Person Learning: Elementary Education waiver](#)"

[Process](#)" (August 3, 2020), and CDPH's [Schools Guidance FAQs](#) (August 3, 2020), CDPH's [Youth Sports Questions and Answers](#) (August 3, 2020).

The **requirements** in this document are actions that the County of Santa Clara Public Health Department is *requiring* schools to follow as they resume in-person instruction. Only those items labeled "requirements" in this document must be in place for schools to proceed with in-person instruction.

The **recommendations** in this document are additional measures that the County of Santa Clara Public Health Department recommends schools take to protect the health and safety of students, staff, and the broader community. Recommendations from federal, state, or local public health officials are distinct from the legal orders or requirements that schools *must* follow. The recommendations in this document reflect the best judgment of the County of Santa Clara Public Health Department as to practices that schools should follow, and they take into account local conditions and considerations. Many portions of the California Department of Education's ["Stronger Together: A Guidebook for the Safe Reopening of California's Public Schools,"](#) CDPH's ["COVID-19 Industry Guidance: Schools and School-Based Programs,"](#) and CDPH's ["COVID-19 and Reopening In-Person Learning Framework for K-12 Schools in California, 2020-2021 School Year,"](#) for example, offer general guidance for the entire state, where conditions vary significantly from region to region.

Finally, the **considerations** in this document provide concrete examples of how the requirements or recommendations can be implemented and factors that school administrators may want to keep in mind when implementing them. These considerations are not requirements that schools must follow or even recommendations that the County urges schools to adopt.

Guiding Principles

Several key principles informed the creation of this document:

1. **Evidence- and Practice-Based:** This document is based on a review of the scientific research and available epidemiologic data on COVID-19. Although there continues to be limited information available on COVID-19 transmission dynamics, effectiveness of various public health interventions, and the clinical impact of COVID-19 on children and youth, we have utilized the best evidence available to create our recommendations. This included evaluation of published scientific literature, the experiences of other jurisdictions, and recommendations of experts in the United States and elsewhere.

Early decisions on school closure by public health experts around the country were based heavily on knowledge and experience with influenza, a disease for which school-based transmission is a significant factor in community-wide spread of disease. While scientific data

for COVID-19 is still limited, published studies suggest that the epidemiology of COVID-19 is distinct from that of influenza. Specifically, studies suggest:

- COVID-19 disease prevalence among children is lower than in adults, and children who contract COVID-19 are more likely than adults to be asymptomatic or to have very mild symptoms.
- Multisystem inflammatory syndrome in children (MIS-C), a severe condition associated with COVID-19, remains rare.
- In several studies, children were less likely to be the first case within a household, suggesting that child-to-adult transmission may be less common than adult-to-child transmission.
- In other countries, where schools remained open or have recently reopened, cases in schoolchildren have been associated with few secondary cases in the school, suggesting that child-to-child transmission may also not be as significant as with influenza.
- Emerging data from summer camps in the United States suggest that spread in camp settings may be more widespread and may differ from school settings.
- Analysis of data broken down further by age show that these trends are seen more in younger children compared to teenagers, whose disease patterns more closely parallel those of adults.

These key findings have important implications for how we think about infection risk and play an important role in guiding our recommendations for preventing transmission in schools. Specifically, these findings suggest that COVID-19 transmission in schools is likely to be less widespread than influenza transmission, that adult-to-child transmission is greater than child-to-child transmission, and that transmission risks among younger children appear to be lower than older children.

2. **Collaborative:** In developing this document, we are grateful for the collaboration of the Santa Clara County Office of Education; the questions and concerns we have heard from school superintendents, parents, and others; and our partnership with other health officers and school officials in the San Francisco Bay Area and throughout the State of California. The input that we received has been invaluable in helping us to consider the educational needs of students and the practical constraints facing schools and families while also protecting the health and safety of students, staff, and our entire community.

3. **Iterative:** Given the evolving nature of the COVID-19 epidemic and the scientific information that we anticipate will develop in the coming months, we expect that this document may need to be updated in the future.

4. **Practical and Adaptable:** During this unprecedented pandemic, we realize that schools face significant operational constraints, parents and teachers have a range of perspectives on the reopening of school campuses, and students themselves have a variety of educational and developmental needs. These heterogeneous perspectives are particularly evident when considering the spectrum of differences across elementary, middle, junior high, and high school settings and the possibility of intermittent partial or full school closures (short-term or long-

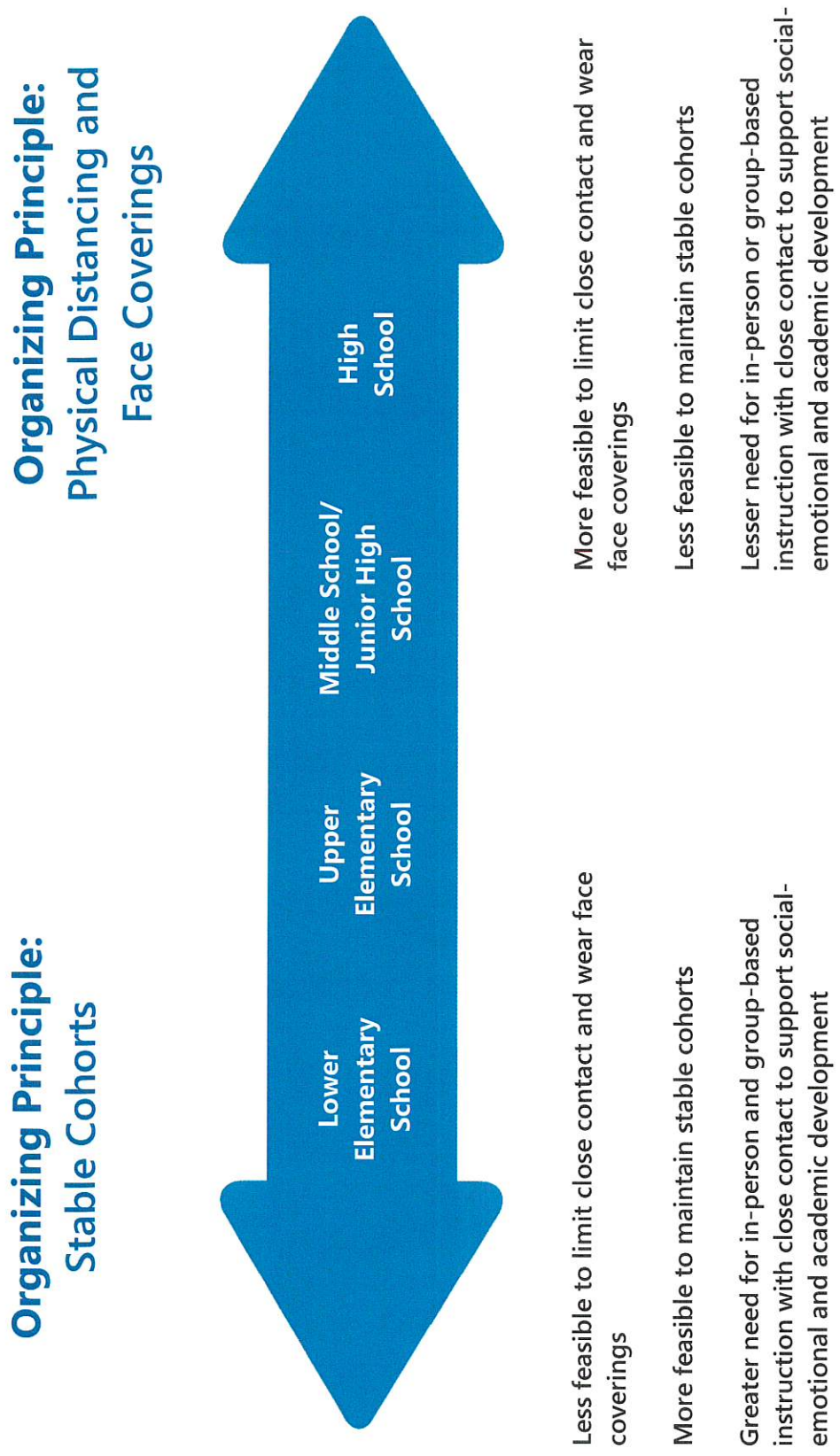
term) in the upcoming academic year. This document, therefore, was designed to provide clear direction while allowing schools appropriate flexibility based on their own constraints and resources.

Section 1: Prevention

Common public health strategies to reduce the risk of disease transmission in schools and other community settings include: (1) minimizing the number of people who come into contact with each other, (2) maximizing the physical distance between people, (3) reducing the time that people spend in close proximity to others, and (4) measures to minimize dispersion of droplets and aerosols (e.g., using face coverings and covering coughs and sneezes). Because the relative contribution of each of these measures in reducing the spread of COVID-19 is not yet clear, public health experts have generally recommended that they be used collectively where possible.

These strategies may be easier or harder to implement in different age groups or settings. For example, a school may be able to ensure that younger elementary school students have fewer contacts by having students stay in one classroom, but young students may be less able to wear face coverings consistently or maintain physical distancing during age-appropriate social and educational activities. In contrast, high school students encounter more individuals in a typical school day but are likely to have greater ability to maintain physical distancing and to more consistently use face coverings. (See Figure 1.) For these reasons, the requirements, recommendations, and considerations for minimizing disease transmission on school campuses necessarily vary by age group.

Figure 1. Organizing Principles for Preventing COVID-19 Transmission by Age Group



A. Physical Distancing

1. General

Requirements

- Communicate with all staff and families regarding physical distancing requirements and recommendations.
- Train staff and students on protocols for physical distancing for both indoor and outdoor spaces.
- Post signage reminding students and staff about physical distancing in prominent locations throughout each school campus.
- Allow only necessary visitors and volunteers on the campus and limit the number of students and staff who come into contact with them.
- For outside organizations utilizing school facilities outside of school hours, ensure that they follow all required health and safety measures.
- Ensure staff maintain six feet or more of distance between one another while on the school campus.

Recommendations

- Place markings on the ground to facilitate physical distancing of six feet or more at all school entry and exit points, crosswalks near the school, in classrooms, and elsewhere on campus where students or staff are expected to cluster or form lines.
- Review emergency plans and drills to facilitate physical distancing, to the extent feasible, during such events.

2. Arrival and Departure

Requirements

- Minimize close contact between students, staff, families, and the broader community at arrival and departure through the following methods:
 - Utilize as many entrances and exits as can be supervised appropriately to decrease crowding at entry and exit points.
 - Designate routes for entry and exit.
 - Instruct drivers to remain in their vehicles, to the extent possible, when dropping off or picking up students. When in-person drop-off or pick-up is needed, only a single parent or caregiver should enter the facility to pick up or drop off the child.
 - Require adults entering campus for in-person pick-up or drop-off to wear a face covering.
 - Provide supervision to disperse student gatherings during school arrival and departure.

Considerations

- If crowding of students is occurring during arrival or departure, consider staggering arrival or departure times and designating multiple pick-up and drop-off locations to maximize physical distancing while minimizing scheduling challenges for students and families.

3. Classroom Settings

Requirements

- Elementary schools
 - Ensure students and staff remain in stable classroom cohorts by keeping the same students and teacher or staff together for the entire school day.¹ Students should not mix with other stable classroom cohorts.
- Middle schools/junior high schools and high schools
 - Reduce disease transmission risk by maximizing the space between student desks.
- All schools
 - Distance teacher and staff desks at least six feet away from students to minimize the risk of adult-to-child disease transmission.
 - Assign stable seating arrangements for students to ensure that close contacts within classrooms are minimized and easily identifiable.

Recommendations

- Elementary schools
 - Prioritize stability of stable classroom cohorts over physical distancing or face covering use in 2nd grade and below. Given the social and educational needs of this age group, physical distancing and face coverings may be difficult to enforce for this age group. Therefore, strict maintenance of a stable classroom cohort, which minimizes the total number of contacts, is the primary mechanism of risk reduction.
- Middle schools/junior high schools and high schools
 - Establish stable classroom cohorts for the entire school day, if feasible.
- In all settings
 - Class sizes should be as small as practicable.
 - Move as much instruction and as many activities as possible to outdoor spaces and other non-classroom spaces to allow for greater distancing between students and greater dispersion of viral particles.

¹ However, (1) students with disabilities and staff providing special education and related services can rotate into general education classrooms for a portion of the day, (2) students with disabilities may spend a portion of the day in a separate classroom cohort for the provision of special education services, (3) specialty teachers may rotate into classrooms for specialized instruction (e.g., art or music) but must maintain at least 6 feet of distance from everyone in the cohort, and (4) substitute teachers can provide coverage for teachers who are absent. If possible, schools should limit the number of stable cohorts that substitute teachers interact with by assigning certain substitutes to specific schools.

- Train staff and students to maintain at least six feet of distance from each other as much as possible during educational instruction (e.g., during whole-class instruction, presentation, or lecture).
- Seat students at least six feet apart, if possible, in existing facilities. If that is not possible, consider use of outdoor spaces or non-classroom space to accommodate physical distancing. If use of outdoor space is not feasible, consider placing barriers between student desks.
- Increase ventilation by increasing outdoor air circulation (e.g., by opening windows) or using high-efficiency air filters and increasing ventilation rates.²
- Reduce the amount of furniture and equipment in the classroom to facilitate distancing and reduce high-touch surfaces.
- Student desks should be faced in the same direction (and not facing each other) to minimize risk of disease transmission, if feasible.
- Ensure adequate supplies to minimize sharing of high-touch materials (art supplies, equipment, electronic devices, etc.) to the extent practicable, or limit use of supplies and equipment to one group of students at a time and clean and disinfect between uses.
- Keep students' belongings separate so that students do not come in contact with other students' belongings.
- For schools organizing students into stable cohorts, assign students to stable cohorts based on known associations outside of school, to the extent feasible. For example, if certain students attend the same afterschool program, assign them to the same stable cohort at school.

Considerations

- Place markings on classroom floors to facilitate physical distancing.
- For middle schools/junior high schools and high schools, facilitate stable classroom cohorts by having different teachers rotate into the classroom to teach different subjects.
- Limit the number of teachers physically present with each student cohort, such as by having specialty or subject-specific teachers provide instruction remotely.

² Increase circulation of outdoor air as much as possible by opening windows and doors, unless doing so would pose a health or safety risk to individuals using the facility (e.g., allowing in pollen or smoke or exacerbating asthma symptoms). If opening windows poses a safety or health risk, maximize central air filtration for HVAC systems (ideally with a targeted filter rating of at least MERV 13).

4. Non-Classroom Settings

Requirements

- Staff Break Rooms: Do not allow staff to eat in break rooms.

Recommendations

- Restrooms: Stagger restroom use by groups of students to the extent practicable, and/or assign certain groups of students to use certain restrooms.
- Libraries: Stagger group use of libraries.
- Cafeterias: Serve meals in classrooms or outdoors, instead of cafeterias or group dining rooms, wherever practicable.
- Physical Education, Playgrounds, and Recess:
 - Consider holding activities in separated areas designated by class and/or staggered throughout the day.
 - Conduct activities outdoors whenever possible, with appropriate physical distancing within groups to the extent practicable.
 - Limit use of shared playground equipment in favor of physical activities that require less contact with surfaces and allow for greater physical distancing.
 - Cloth face coverings must be worn during indoor physical conditioning and training or physical education classes. Activities that require heavy exertion should be conducted outside in a physically distanced manner without face coverings. Activities conducted inside should be those that do not require heavy exertion and can be done with a face covering. Students should take a break from exercise if any difficulty in breathing is noted and should change their face covering if it becomes wet and sticks to the student's face and obstructs breathing.
 - Have playground recess supervisors carry first aid kits that include hand sanitizer, face coverings, and gloves.
- Lockers: Minimize use of lockers to avoid unnecessary mixing and congregation of students in hallways.
- Hallways: Minimize congregate movement through hallways as much as practicable. For example, establish more ways to enter and exit a campus, stagger passing times when necessary or when students cannot stay in one room, and establish designated one-way walking/passage areas.
- Staff Break Rooms:
 - Consider closing break rooms, and prohibit staff from drinking or eating together indoors. If break rooms remain open to staff for purpose other than eating, limit the number of staff who can be in the break room at a given time (particularly rooms that are small) to allow for physical distancing.
 - Encourage or require staff to eat meals outdoors or in large, well ventilated spaces.
- School Offices:

- Space staff at least six feet apart.
- Consider reorganizing workspaces to prevent risk of transmission (e.g., orienting staff away from each other in shared workspaces).
- Place markings on the ground to remind students/staff to maintain physical distancing.
- Increase ventilation by increasing outdoor air circulation (e.g., by opening windows) or using high-efficiency air filters and increasing ventilation rates.³

5. *Bus Transportation to and from School*

Requirements

- Require families to screen students for COVID-19 symptoms before they board the school bus.
- Ensure at least six feet of distance between the bus driver and students when seated. These may include use of physical partitions or visual cues (e.g., floor decals, colored tape, or signs to indicate to students where they should not sit or stand near the bus operator).
- Ensure bus drivers and students wear face coverings at all times while awaiting and riding on buses.
- Maximize physical distancing between students on the bus by limiting available seats to the extent practicable (e.g., every other row available for seating).
- Students from the same family and/or the same classroom should be instructed to sit together whenever possible to minimize exposure to new contacts.
- Buses should be thoroughly cleaned and disinfected daily and after transporting an individual who is exhibiting COVID-19 symptoms.

Recommendations

- Increase ventilation on buses by opening windows, to the greatest extent possible.
- Provide bus drivers with extra face coverings for students who lose or forget to bring their face coverings.
- Provide bus drivers with disinfectant wipes and disposable gloves to support disinfection of frequently touched surfaces during the day.

³ Increase circulation of outdoor air as much as possible by opening windows and doors, unless doing so would pose a health or safety risk to individuals using the facility (e.g., allowing in pollen or smoke or exacerbating asthma symptoms). If opening windows poses a safety or health risk, maximize central air filtration for HVAC systems (ideally with a targeted filter rating of at least MERV 13).

Considerations

- Maximize physical distancing between students at bus stops by placing ground markings at bus stops.

B. Hygiene Measures

1. Face Coverings

Requirements

- Teachers and staff
 - All adults must wear a face covering at all times while on campus, except while eating or drinking.
 - Staff excluded from this requirement are those that require respiratory protection according to Cal/OSHA standards.
 - Staff who are unable to wear a face covering for medical reasons shall not be assigned duties that require close contact with students.
- Students
 - All students (transitional kindergarten through 12th grade) are required to wear face coverings:
 - while arriving and departing from school campus;
 - in any area outside of the classroom (except when eating, drinking, or engaging in physical activity);⁴
 - while waiting for or riding on a school bus.
 - Students in 2nd grade and below should be encouraged, but are not required, to wear a face covering within their stable classroom cohort.
 - Students in 3rd grade and above must use face coverings when in the classroom even if they are in a stable classroom cohort.
 - Students excluded from face covering requirements include: (1) anyone who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove the covering without assistance and (2) students with special needs who are unable to tolerate a face covering.
- Post signage in high visibility areas to remind students and staff of (1) when and where face coverings are required and (2) appropriate use of face coverings.
- Communicate with all staff and families regarding expectations for use of face coverings at school and how to wash face coverings.
- Educate students, particularly younger elementary school students, on the rationale and proper use of face coverings.

Recommendations

- Do not exclude students from the classroom if they occasionally fail to wear a face covering, or if a few students in the classroom are consistently unable to wear a face

⁴ If elementary students are outside the classroom where they are only with members of their stable cohort, cloth face coverings are not required.

covering, when required. The small increase in risk of disease transmission does not justify classroom exclusion, but students without face coverings should maintain physical distance to the extent feasible.

- If a student or staff experiences difficulty wearing his/her face covering, allow the individual to remove his/her face covering for a short period of time. For younger children in 2nd grade and below, consider scheduling times throughout the day when face coverings are not required, as long as students are outside and will only interact with members of their stable classroom cohort.
- Provide face coverings for students and staff who lose their face coverings or forget to bring them to school.
- Face shields are not recommended as a replacement for face coverings given concerns over their ability to minimize droplet spread to others. However, teachers and other staff may consider using face shields in combination with face coverings when in the classroom to further reduce the risk of transmission.
- Teachers may consider using face coverings with clear windows during phonological instruction to enable students to see the teacher's mouth and in settings where a face covering poses a barrier to communicating with a student who is hearing impaired or a student with a disability.
- Except as specifically provided in this document, students and staff should use cloth face coverings whenever face coverings are required. Medical masks, such as N95 and surgical masks, are strongly discouraged for general use due to the global shortage of medical masks needed for healthcare professionals. However, schools may use existing inventories of disposable masks, including N95 and surgical masks, for students and staff if reusable cloth face coverings are not available.

2. Handwashing and Other Hygiene Measures

Requirements

- Teach and reinforce proper handwashing technique, avoiding contact with one's eyes, nose, and mouth, and covering coughs and sneezes.
- Post signage in high visibility areas to remind students and staff of proper techniques for handwashing and covering of coughs and sneezes and other prevention measures.
- Ensure adequate supplies to support healthy hygiene behaviors, including soap, tissues, no-touch trashcans, face coverings and hand sanitizers (with at least 60 percent ethyl alcohol) for staff and students who can safely use hand sanitizer.
- Minimize the sharing of supplies and equipment among staff and students to the extent feasible. When items must be shared, clean and disinfect items between uses.
- Minimize staff's and students' contact with high-touch surfaces (e.g., propping open building or room doors, particularly at arrival and departure times).

Recommendations

- Model, practice, and monitor handwashing, particularly for lower grade levels.

- Develop routines to ensure students wash their hands or use hand sanitizer upon arrival to campus; after using the restroom; after playing outside and returning to the classroom; before and after eating; and after coughing or sneezing.
- Have students and staff wash hands at staggered intervals to minimize congregation around handwashing and hand sanitizer stations.
- Proper handwashing is more effective at preventing transmission, but hand sanitizer is an acceptable alternative if handwashing is not practicable.
- Provide hand sanitizer in each classroom, in any other indoor space used by students or staff, at building entrances/exits, and at locations designated for students or staff to eat.
 - Students under the age of 9 should use hand sanitizer only under adult supervision.
- Suspend or modify use of site resources that necessitate sharing or touching items. For example, consider suspending use of drinking fountains and installing hydration stations; encourage the use of reusable water bottles.

Considerations

- Consider installing additional temporary handwashing stations at all school entrances and near classrooms to minimize movement and congregation in bathrooms.

C. Cleaning and Maintenance

Requirements

- At least daily, and more frequently if feasible, clean and disinfect frequently touched hard surfaces (e.g., tables, desks, chairs, door handles, light switches, phones, copy/fax machines, bathroom surfaces (toilets, countertops, faucets), drinking fountains, and playground equipment) and shared objects (toys, games, art supplies, books) pursuant to CDC guidance. See:
 - [Cleaning and Disinfecting Your Facility](#)
 - [Reopening Guidance for Cleaning and Disinfecting Public Spaces, Workplaces, Businesses, Schools, and Homes](#)

Recommendations

- When choosing cleaning products, use those approved for use against COVID-19 on the Environmental Protection Agency (EPA)-approved list “N” and follow product instructions. Choose asthma-safer ingredients (hydrogen peroxide, citric acid or lactic acid) whenever possible and avoid products that mix these ingredients with peroxyacetic (paracetic) acid, sodium hypochlorite (bleach) or quaternary ammonium compounds, which can exacerbate asthma.
- Provide employees training on manufacturer’s directions, on Cal/OSHA requirements for safe use and as required by the Healthy Schools Act, as applicable.

- Ensure proper ventilation during cleaning and disinfecting. Introduce fresh outdoor air as much as possible, for example, by opening windows where practicable. When cleaning, air out the space before students arrive; plan to do thorough cleaning when students are not present. If using air conditioning, use the setting that brings in fresh air. Replace and check air filters and filtration systems to ensure optimal air quality.
- Ensure that all water systems are safe to use after a prolonged facility shutdown to minimize the risk of Legionnaires' disease and other waterborne diseases.
- After an illness, limit access to areas used by the sick person (e.g., a student's desk or a staff member's office) until cleaned and disinfected.

Considerations

- Limit use of items that are difficult to clean and sanitize.
- Establish a cleaning and disinfecting schedule to avoid both under- and over-use of cleaning products.

D. Food Services

Requirements

- Refer to Distancing Section above for requirements regarding physical distancing in cafeterias and food service areas.
- Follow all requirements issued by the County's Department of Environmental Health to prevent transmission of COVID-19 in food facilities.

Recommendations

- Serve meals in classrooms or outdoors instead of in cafeterias or group dining rooms where practicable. Serve individually plated or bagged meals. Avoid sharing of foods and utensils and buffet or family-style meals.

E. Electives, Extracurricular Activities, Athletics, and School Events

1. *Electives and Extracurricular Activities*

Requirements

- Do not allow electives and extracurricular activities in which physical distancing (at least six feet) and face covering use cannot be maintained at all times.
- Do not allow aerosol generating activities, including in-person choir, band, and vocal cheerleading activities (cheers and chants) due to increased risk of disease transmission.

Considerations

- Consider whether extracurricular activities can be conducted outdoors or virtually (e.g., remote broadcasting of musical and theatrical practice and performances) or while maintaining stable classroom cohorts.
- In-person choir, band, and vocal cheerleading activities may be conducted if they do not include aerosol-generating activities such as singing, playing of wind and brass instruments, cheering, or chanting. In-person class time can be used for non-aerosol generating activities, such as rhythm study, music theory, music history, composition, and analysis.

2. *Athletics*

School athletics may only occur in compliance with CDPH's August 3, 2020 memorandum on [youth sports questions and answers](#).

3. School Events

Requirements

- For elementary schools:
 - Field trips, assemblies, and other gatherings are permitted if (1) students of different classroom cohorts do not mix and (2) classroom cohorts remain at least 25 feet apart from each other.
- For middle schools/junior high schools and high schools:
 - Field trips, assemblies, and other gatherings will be permitted to the extent allowed under any applicable requirements for gatherings occurring in the community.
- In all schools:
 - Attendance at school events should be limited to students and staff or those participating in a presentation only (no visitors).

Recommendations

- Maximize the number of school events that can be held virtually or outside.
- Events involving on-campus visitors interacting with staff or students should be minimized.

F. Additional Safety Measures for Teachers and Other Staff

This section summarizes many of the key requirements, recommendations, and considerations that protect both staff and students, as well as specific additional requirements and recommendations to reduce transmission risks for teachers and other staff.

Requirements

- Limit visitors to campus, maximize social distancing between staff and students, do not allow staff to eat together in break rooms, as described in further detail elsewhere in Section 1 of this document.
- All students and staff must be screened for symptoms daily, as described in Section 2 of this document.
- Conduct all staff meetings, professional development training and education, and other activities involving staff via video or phone conference. If in-person attendance is necessary, conduct such activities outdoors, if feasible, and with appropriate physical distancing.
- Ensure staff maintain six feet or more of distance between one another while on the school campus.
- Adopt procedures to ensure staff can maintain six feet or more of distance from any necessary visitors and volunteers.
- Provide adequate training and personal protective equipment to protect custodial staff who will be cleaning and disinfecting areas used by any sick person. To reduce risk of exposure, wait 24 hours before you [clean and disinfect](#). If it is not possible to wait 24 hours, wait as long as practicable.
- Require students and staff to get tested as soon as possible after they develop one or more COVID-19 symptoms or if one of their household members or non-household close contacts tested positive for COVID-19, as described in Section 2 of this document.

Recommendations

- Staff break rooms/meals:
 - Consider closing break rooms or limiting the number of staff who can be in the break room at a given time (particularly rooms that are small) to allow for physical distancing.
 - Encourage or require staff to eat meals outdoors or in large, well ventilated spaces.
- School offices:
 - Space staff at least six feet apart.
 - Consider reorganizing workspaces to prevent risk of transmission (e.g., orienting staff away from each other in shared workspaces).

- Place markings on the ground to remind students/staff to maintain physical distancing.
- Increase ventilation by increasing outdoor air circulation (e.g., by opening windows) or using high-efficiency air filters and increasing ventilation rates.⁵
- Equipment for bus drivers:
 - Provide bus drivers with extra face coverings for students who lose or forget to bring their face coverings.
 - Provide bus drivers with disinfectant wipes and disposable gloves to support disinfection of frequently touched surfaces during the day.
- Equipment for front office staff:
 - Install physical barriers, such as a glass window or clear plastic barrier, in the school's front office to separate staff from visitors and volunteers.
 - Teachers and other staff with close contact with students may consider wearing face shields in addition to wearing face coverings, as described in Section 1.
- Personal protective equipment (PPE) for special education instructors and aides and healthcare personnel:
 - A surgical mask and face shield is recommended when providing services to students which requires repeated close contact interactions (e.g., assistance with activities of daily living) or conducting health assessments (including vision and hearing screening)
 - Gloves should be worn as recommended for procedures which require universal precautions (e.g., toileting assistance, catheterization, and insulin administration)
 - PPE for potential aerosol generating procedures (e.g., suctioning of tracheostomy sites and nebulizer treatments) should follow [CDC guidance](#).

Considerations

- Hold regular all-staff meetings or send regular communications regarding implementation of the school's COVID-19 prevention plan and strategies.
- Arrange classroom furniture and equipment to maximize physical distance between teachers and students when a teacher is providing whole group instruction to the class and close contact is not necessary to deliver instruction.
- Develop policies that encourage staff and students to stay home when they are sick.
- Minimize the number of teachers physically present with each cohort, for example by having specialty or subject-specific teachers provide remote instruction.

⁵ Increase circulation of outdoor air as much as possible by opening windows and doors, unless doing so would pose a health or safety risk to individuals using the facility (e.g., allowing in pollen or smoke or exacerbating asthma symptoms). If opening windows poses a safety or health risk, maximize central air filtration for HVAC systems (ideally with a targeted filter rating of at least MERV 13).

Section 2: Monitoring

A. Health Screenings

Health screenings refer to symptom screening, temperature screening, or a combination of both. Although temperature screening for COVID-19 has become a widespread practice in a variety of business and community settings, its limited effectiveness may be outweighed by potential harms. With respect to COVID-19, the CDC acknowledges that "fever and symptom screening have proven to be relatively ineffective in identifying all infected individuals." This is because people with COVID-19 can infect others before they become ill (pre-symptomatic transmission), some people with COVID-19 never become ill but can still infect others (asymptomatic transmission), and fever may not be the first symptom to appear.

There are also several drawbacks and limitations to temperature screening including inaccurate results, potential risks to the personnel who are measuring temperatures, potential risks to screened populations, and significant logistical challenges and costs. Temperature screening may additionally lead to delays in the start of the school day and may also inadvertently increase risk of disease transmission if students congregate in long lines while waiting to be screened. For these reasons, temperature screening is not a requirement for schools.

Requirements

- Post signs at all entrances instructing students, staff, and visitors not to enter campus if they have any COVID-19 symptoms. COVID-19 symptoms include fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, sore throat, loss of taste or smell, nausea/vomiting or diarrhea.
- All students and staff must be screened for symptoms each day. Staff and students' parents or guardians can conduct symptom screening at-home, prior to arrival. Alternatively, symptom screening can occur on-site via self-reporting, visual inspection, or a symptom screening questionnaire. Symptom screenings do not need to be performed by a nurse or other health professional.
- Temperature screening of students and staff is not required. If temperature screening is performed, contact-less thermometers should be used.
- Contact thermometers should only be used when a fever is suspected and if appropriate PPE can be used (facemask, eye protection, and disposable gloves). Contact thermometers must be properly cleaned and disinfected after each use.
- Students or staff with any identified COVID-19 symptoms and/or a temperature of 100.0 or higher must be sent home immediately until testing and/or medical evaluation has been conducted.
- Communicate screening requirements to all staff and families. Provide periodic reminders throughout the school year.

Recommendations

- Any on-campus temperature screening (for students or staff) should be conducted using a contact-less thermometer with a physical barrier in place to separate the screener from individuals screened. Specifically,
 - Screening stations should be set up at least six feet apart from each other.
 - A physical barrier, such as a glass window or clear plastic barrier on a table, for the person taking the temperature to stand behind, should be put in place.
 - If a barrier cannot be put in place, the person measuring temperatures should be trained and wear appropriate PPE (facemask, eye protection, and disposable gloves).
 - When using a non-touch (infra-red) or temporal thermometer, gloves do not need to be changed before the next check if the individual screened was not touched.

Figure 2. Recommended Health Screening for Students and Staff

Ask these questions. A person who answers “Yes” to any one of these questions must not be allowed to enter the school facility.

1. Within the last 14 days have you been diagnosed with COVID-19 or had a test confirming you have the virus?	
Yes – STAY HOME and seek medical care.	
2. Do you live in the same household with, or have you had close contact with, someone who in the past 14 days has been in isolation for COVID-19 or had a test confirming they have the virus? Close contact is less than 6 feet for 15 minutes or more.	
Yes – STAY HOME and seek medical care and testing.	
3. a. Have you had any one or more of these symptoms today or within the past 3 days?	
<ul style="list-style-type: none">• Fever or chills• Cough• Loss of taste or smell	<ul style="list-style-type: none">• Shortness of breath or difficulty breathing
Yes – STAY HOME and seek medical care and testing.	

b. Have you had any one or more of these symptoms today or within the past 3 days and that are new or not explained by another reason?

- Fatigue
- Muscle or body aches
- Headache
- Sore throat
- Nausea, vomiting, or diarrhea

Yes – STAY HOME and seek medical care and testing.

B. COVID-19 Testing and Reporting

Requirements

- Require students and staff to get tested as soon as possible after they develop one or more COVID-19 symptoms or if one of their household members or non-household close contacts tested positive for COVID-19.¹
- Positive test results:
 - Require that parents/guardians and staff notify school administration immediately if the student or staff tested positive for COVID-19 or if one of their household members or non-household close contacts tested positive for COVID-19.
 - Upon receiving notification that staff or a student has tested positive for COVID-19 or been in close contact with a COVID-19 case, take actions as required in Section 3 below.
- Negative test results:
 - Symptomatic students or staff who test negative for COVID-19 should remain home until at least 72 hours after resolution of fever (if any) and improvement in other symptoms.
 - Asymptomatic non-household close contacts to a COVID-19 case should remain at home for a total of 14 days from date of last exposure even if they test negative.
 - Asymptomatic household contacts should remain at home until 14 days after the COVID-19 positive household member completes their isolation.
 - Documentation of negative test results must be provided to school administration.

Recommendations

- In lieu of a negative test result, allow symptomatic students and staff to return to work/school with a medical note by a physician that provides alternative explanation for symptoms and reason for not ordering COVID-19 testing.

- Encourage routine monthly testing of all staff. Testing is now widely available at testing sites and through healthcare providers throughout the community.

Considerations

- Provide parents and staff with information regarding nearby testing sites, which is available through www.sccfreetest.org.

Section 3: Response to Suspected or Confirmed Cases and Close Contacts

Requirements

Suspected COVID-19 Case(s) Response:

- Work with school administrators, nurses, and other healthcare providers to identify an isolation room or area to separate anyone who exhibits COVID-19 symptoms.
- Any students or staff exhibiting symptoms should immediately be required to wear a face covering and wait in an isolation area until they can be transported home or to a healthcare facility, as soon as practicable. For serious illness, call 9-1-1 without delay.

Confirmed COVID-19 Case(s) Response:

- School administrators should notify the County of Santa Clara Public Health Department immediately of any positive COVID-19 case by emailing coronavirus@phd.sccgov.org and calling (408) 885-4214. Notify all staff and families in the school community of any positive COVID-19 case while maintaining confidentiality as required by state and federal laws. (Information concerning confidentiality can be found [here](#).)
- Close off areas used by any sick person and do not use before cleaning and disinfection. To reduce risk of exposure, wait 24 hours before you [clean and disinfect](#). If it is not possible to wait 24 hours, wait as long as practicable. Ensure a [safe and correct application](#) of disinfectants using personal protective equipment and ventilation as recommended in Section 1.C.
- For elementary schools and other settings in which stable classroom cohorts have been maintained: All students and staff within the same classroom cohort as the confirmed COVID-19 case should be instructed to get COVID-19 testing around 7 days after the last exposure to the case and remain quarantined at home for 14 days.
- For middle schools/junior high schools, high schools, and any settings in which stable classroom cohorts have NOT been maintained: Utilize class seating rosters and consultation with teachers/staff to identify close contacts to the confirmed COVID-19 case in all classrooms and on-campus activities. A close contact is someone who has been within six feet of the case for a prolonged period of time (at least 15 minutes) regardless of face covering use. Close contacts should be instructed to get COVID-19 testing around 7 days after the last exposure to the case and should remain quarantined at home for 14 days.
- For all settings: Provide information regarding close contacts to the County of Santa Clara Public Health Department via secure fax or email.
- No actions need to be taken for persons who have not had close contact with a confirmed COVID-19 case, and instead have had close contact with persons who were in direct contact.

Return to Campus after Testing:

Positive test results

- Symptomatic individuals who test positive for COVID-19 can return at least 10 days since symptoms first appeared AND at least 3 days with no fever AND improvement in other symptoms.
- Asymptomatic individuals who test positive for COVID-19 can return 10 days after their positive test result.

Negative test results

- Symptomatic individuals, who are not close-contacts and who test negative for COVID-19 can return 72 hours after resolution of fever (if any) and improvement in symptoms.
 - Documentation of a negative test result should be provided to school administrators.
 - In lieu of a negative test result, allow students and staff to return to work with a medical note by a physician that provides alternative explanation for symptoms and reason for not ordering COVID-19 testing.
- Individuals who are close contacts to confirmed COVID-19 cases, who test negative at least 7 days after exposure, and remain asymptomatic, can return 14 days after the date of last exposure to the case. If a close contact continues to be exposed to a case during their isolation (e.g. household member), quarantine ends 14 days after the case's isolation period ends.

Table 1. Steps to Take in Response to Confirmed or Suspected COVID-19 Cases and Close Contacts

Scenario	Immediate Actions	Communication
Scenario 1: A student or staff member either exhibits COVID-19 symptoms or has a temperature of 100.00 or above.	<ul style="list-style-type: none"> • Student/staff sent home • School administration notified • Student/staff instructed to get tested • Classroom remains open 	No action is needed
Scenario 2: A family member or someone in close contact with a student or staff member (outside the school community) tests positive for COVID-19	<ul style="list-style-type: none"> • Student/staff sent home • School administration notified • Student/staff instructed to get tested • Student/staff instructed to quarantine, even if they test negative, for a full 14 days after date of last exposure to COVID-19 case • Classroom remains open • If student/staff tests positive during quarantine, see Scenario 3 below 	Template Letters: Letter to Student/Staff Member who is a Close Contact of a COVID-19 Case AND Letter to Cohort Members (in Cohort Settings)
Scenario 3: A student or staff member tests positive for COVID-19.	<ul style="list-style-type: none"> • Student/staff sent home if not already quarantined • School administration notified • Public Health Department notified • Student/staff instructed to isolate for at least 10 days after symptom onset AND at least 3 days after resolution of fever AND improvement in symptoms (If never symptomatic, isolate for 10 days after date of positive test.) • School-based close contacts identified and instructed to test & quarantine for 14 days <ul style="list-style-type: none"> ○ In stable elementary classroom cohorts: entire cohort. ○ In other settings: use seating chart, consult with teacher/staff • In cohort settings, classroom closes. 	Template Letters: <u>For Cohort Settings</u> Letter to the Student/Staff Member Who is a COVID-19 Case AND Letter to Cohort Members <u>For Non-Cohort Settings</u> Letter to the Student/Staff Member Who is a COVID-19 Case AND Letter to Close Contacts

		AND
		Letter to All Other Community Members

Table 2. Steps to Take in Response to Negative Test Result

Scenario	Immediate Actions	Communication
A student or staff member tests negative for COVID-19 after Scenario 1 (symptomatic)	<ul style="list-style-type: none"> Student/staff may return to school 72 hours after resolution of fever and improvement in other symptoms 	Student family/staff to bring evidence of negative COVID-19 test or medical note if testing not performed
A student or staff member tests negative after Scenario 2 (close contact)	<ul style="list-style-type: none"> Student/staff must remain in quarantine for a full 14 days after date of last exposure to COVID-19 case If a close contact continues to be exposed to a case during their isolation (e.g. household member), quarantine ends 14 days after the case's isolation period ends. 	No action is needed
A student or staff member tests negative after routine surveillance testing (no symptoms and no close contact to a confirmed COVID-19 case)	<ul style="list-style-type: none"> Can return to school/work immediately 	No action is needed

Section 4: Distance/Remote Learning for Particular Students

Education Code sections 43503 and 43504 address distance/remote learning for the 2020-2021 school year. Education Code section 43504 states that schools in California “shall offer in-person instruction to the greatest extent possible.” Education Code section 43503 states, “Distance learning may be offered under either of the following circumstances: (A) On a local educational agency or schoolwide level as a result of an order or guidance from a state public health officer or a local public health officer. (B) For pupils who are medically fragile or would be put at risk by in-person instruction, or who are self-quarantining because of exposure to COVID-19.”

Considerations

- Regardless of on-site school conditions, distance/remote learning should be made available for the following students:
 - Students who are medically fragile or would be put at risk by in-person instruction, or who are isolating or quarantining because of exposure to COVID-19
 - Students who live in a household with anybody who is medically fragile

EXHIBIT B



Pathway to the Future

BUSD Employee Return to Work COVID-19 Safety Guidelines 2020 - 2021

July 31, 2020

Dear BUSD Staff,

I want to personally welcome everyone back to the 2020-2021 school year!

As we prepare for the 2020-2021 school year, we are experiencing many “firsts” in public education. Starting the school year in a Distance Learning format in the middle of a pandemic has brought new challenges for all of us. As we all work towards reopening, specific safety guidelines have been put in place to adhere to the safety recommendations established by the Center for Disease Control (CDC), California Department of Public Health, (CDPH), Santa Clara County Public Health (SCCPH), CalOSHA, and Santa Clara County Office of Education. It is our goal to provide an environment that is as safe as possible for all staff members as you return to your work location.

The combined effort of the above agencies to provide safety guidelines have been presented in this memo. The District is committed to implementing the safety guidelines and as more staff members return to work, every effort is being made to share the guidelines and available information.

Please review all of the information contained in this memo. The live links contain further written explanations and video demonstrations of the various safety protocols. We all depend on each other to adhere to the information provided to support a safe and healthy work environment as we return to our work locations. Please Sign and Return to the BUSD Human Resources Department by the end of your first report to work day (either in-person or remote).

I am excited for the new school year. Time and time again, the Berryessa Union School District staff and community has shown its resilience and determination to provide an unwavering superior education for its students. This situation is no different.

I thank you for your excellence and your commitment to students.

Darrien Johnson
Assistant Superintendent, HR

Berryessa Union School District Safety Guidelines

As we safely reopen the District Office, other district facilities, and our school locations, BUSD employees are reminded of the following ***BUSD Employee Return to Work COVID-19 Safety Guidelines for 2020- 2021:***

Information on COVID-19

- Get the facts about COVID-19 from the CDC [here](#).
- **Protective Personal Equipment (PPE) is available at all school sites and district facilities. Please see your direct supervisor.**

Screening

- It is important that all staff members conduct daily self-monitoring for symptoms. The CDC has provided the following guidance on the Coronavirus symptoms [here](#).
- Staff will conduct symptom screening at-home, prior to arrival.
- Staff will also conduct a temperature check at home. If you have a fever, you are to stay home and contact your doctor.
- Non-contact thermometers will be available at each work location to assist in monitoring symptoms that may occur during the work day.
- Employees are encouraged to get tested for COVID-19 at one of the [free testing sites](#) if they develop symptoms or if they have reason to believe they may have been exposed.
- [CDC Symptoms of COVID-19 Video](#)
- [SCCPH Poster of COVID-19 Symptoms](#)

Stay Home, When Appropriate

- Employees must stay home if they have a frequent cough, fever, difficulty breathing, chills, muscle pain, headache, sore throat, recent loss of taste or smell or any other symptoms.
- Employees must stay home if diagnosed with COVID-19.
- Employees must stay home if someone you live with has been diagnosed with COVID-19.
- Employees must stay home if you had close contact with someone diagnosed with COVID-19.
- Contact your health provider if you have any of the symptoms described by the [CDC](#).
- Notify your direct supervisor if you are unable to come to work due symptoms and/or the Human Resources Department at (408) 923-1850.

Return to Work, When Appropriate

- BUSD follows the Santa Clara County Department of Health (SCCDH) guidelines when employees are able to return to work after testing positive for COVID-19 or have had close contact with someone who has tested positive for COVID-19.
- [Reopening of Santa Clara County Schools K-12 Schools 2020-2021 School Year](#)

Use Hand and Respiratory Hygiene

- Upon reporting to work, employees are encouraged to wash hands for at least 20 seconds or use sanitizer and to repeat this process multiple times throughout the work day.
- CDC guidelines on hand washing and video [here](#).
- Avoid touching eyes, nose, and mouth.
- Cover any coughs or sneezes with a tissue. If a tissue is not available, sneeze into the elbow and shirt sleeve, but NOT into the hands. Tissues are to be discarded into a lined garbage bin and hands washed immediately with soap and water or sanitized after each cough or sneeze.

Wear Face Covering

- Wear a face covering upon entering the building. Reusable cloth masks or any other face covering is acceptable. PPE is available for employees. Please see your supervisor.
- A face covering is to be worn whenever an employee walks into or around the building.
- An employee may remove the mask whenever seated at the workstation and they are alone.
- A face covering should be worn even at the workstation if another employee is within a 6-10 ft radius and there are no other barriers between them.
- CDPH guidelines on face coverings [here](#).
- CDC guidelines on face coverings [here](#) and/or watch CDC [video](#).

Social Distancing/Avoid Congregating

- Employees will enter the building from an entrance closest to their department which requires least travel within the building.
- Employees will remain primarily at their workstation for the workday.
- Travel within the building is restricted to essential movement only. Employees will use a digital platform or telephone to communicate with other departments instead of walking and engaging in face-to-face meetings, when all possible.
- Employees will maintain a distance of at least 6 feet from other employees, whenever feasible, and will use common sense to remain distant from one another when using common areas such as the bathroom and hallways.
- Gatherings or meetings of any type should primarily be conducted virtually with very limited in-person meetings.
- Congregation of any kind is to be avoided, especially in indoor environments.
- If absolutely necessary because a virtual meeting cannot accomplish the task, for any meeting of 2 or more employees, meetings are encouraged to be held outdoors, employees are reminded to wear their face covering, and maintain a 6 ft distance.
- [CDC guidelines on Social Distancing Video](#).
- [SCCPH Social Distancing Poster](#).

Covid-19 Testing

- Employees are encouraged to get tested for COVID-19 at one of the [free testing sites](#).
- Check with your healthcare provider for their process and procedure for COVID-19 testing.

Clean/Disinfect Frequently

- Although the coronavirus is transmitted primarily via face-to-face contact with an infected individual, a guideline from CDC is to also be aware of high touch surfaces in the workplace (copier, touch pads, office equipment, door knobs, sink handles, shared staplers, etc) and to sanitize or wash hands after touching these surfaces and to avoid touching eyes, nose, and mouth.
- Paper towels and disinfecting spray will be provided in multiple locations throughout the work locations for employees to clean and disinfect high use surfaces frequently or before/after each use.
- All work locations that are in operation are disinfected nightly.

COVID-19 Signage

- Signs will be posted at all facility entrances reminding employees and the public of COVID-19 workplace expectations.

Training

- Human Resources will send out a training video provided by Keenan Safeschools, "Coronavirus Awareness" reinforcing safe practices in the workplace to avoid the spread of the coronavirus.
- **All staff are required to complete the eight (8) minute video training.**

Employees Unable to Return to Work

- Employees who believe COVID-19 impacts their ability to work, please contact your direct supervisor or any staff member in the HR department at (408) 923-1850.
- The Families First Coronavirus Response Act (FFCRA or Act) requires certain employers to provide employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19. The Department of Labor's (Department) Wage and Hour Division (WHD) administers and enforces the new law's paid leave requirements. These provisions will apply from the effective date through December 31, 2020.
- Description of Families First Coronavirus Response Act (HR 6201) [here](#).

Report Concerns

- Contact your direct supervisor with safety concerns.
- Contact Maintenance and Operations with safety concerns at (408) 923-1893
- Contact Human Resources with health and safety concerns at (408) 923-1850.
- Contact the County Office of Labor Standards Enforcement to report any deficiencies in compliance with Social Distancing Protocol requirements [here](#) or by calling the Office of Labor Standards Enforcement Advice Line a 866-870-7725.



Pathway to the Future

BUSD Employee Return to Work COVID-19 Safety Guidelines for 2020 - 2021

Please Sign and Return to the BUSD Human Resources Department by the end of your first report to work day (either in-person or remote).

I have read and reviewed the above safety guidelines, resources, and videos for all employees reporting to their physical work location. I understand and agree to abide by the BUSD Employee Return to Work COVID-19 Safety Guidelines 2020 - 2021.

Employee's Name (please print)

Position

Work Site

Employee's Signature

Date

EXHIBIT C



Pathway to the Future

Families First Coronavirus Response Act: Employee Paid Leave Rights

Due to the passage of the Families First Coronavirus Response Act (HR 6201), you may be entitled to one or more of the emergency leave benefits listed below - either emergency FMLA leave or emergency paid sick leave. These provisions will be effective only from April 1, 2020 through December 31, 2020.

Below is a summary of the new leave benefits but please refer to the DOL Notice for more detailed information. If you have questions regarding your eligibility or benefits, for Classified Staff, please contact Heidi Perry (hperry@busd.net) or Rafael Medina (rmedina@busd.net). For Certificated Staff, please contact Nelson Estupin (nestupin@busd.net).

EFFECTIVE APRIL 1, 2020

Emergency Family and Medical Leave (EFML) (leave for childcare purposes to care for minor children related to school or daycare closures)

- Employee has been employed for at least 30 days to be eligible.
- Employee needs to care for a minor child due to a school or childcare closure caused by the COVID-19 public health emergency and is unable to work or telework.

BENEFIT: Up to 12 weeks of leave. First two weeks unpaid, unless other leave is utilized such as emergency paid sick leave, then 10 weeks at 2/3 of regular pay up to a maximum of \$200/day and \$10,000 total.

Emergency Paid Sick Leave

1) Emergency Paid Sick Leave (self)

- (i) Employee **is unable to work or telework** due to a federal, state, or local quarantine or isolation order related to COVID-19.
- (ii) Employee has been advised to self-quarantine by a healthcare provider due to COVID-19 concerns and is unable to work or telework.
- (iii) Employee is experiencing symptoms of COVID-19, is seeking a medical diagnosis, and is unable to work or telework.
- (iv) Employee is experiencing "a substantially similar condition" to COVID-19 as specified by certain federal agencies and is unable to work or telework.

BENEFIT: Up to 2 weeks leave at regular pay, up to a maximum of \$511 per day and \$5,110 total for

reasons (i-iii). Up to 2 weeks leave at 2/3 of regular pay, up to a maximum of \$200 per day and \$2,000 total for reason (iv).

2) Emergency Paid Sick Leave (care of others)

- Employee is caring for an individual who is subject to a government-issued quarantine or isolation order related to COVID-19 or is caring for an individual who has been advised to self-quarantine by a healthcare provider due to COVID-19 concerns and is unable to work or telework.
- Employee is caring for their child whose school or childcare is closed or unavailable due to COVID-19 precautions and is unable to work or telework.

BENEFIT: Up to 2 weeks leave at 2/3 of regular pay, up to a maximum of \$200 per day and \$2,000 total. May be used to provide pay during the first 2 weeks of unpaid EFML.

IMPORTANT NOTES:

- Emergency Paid Sick leave (self) and Emergency Paid Sick Leave (others) combined may not exceed 2 weeks total.
- Employees will need to provide notice of the request to use leave as soon as practicable once they know of the need to take leave and will need to provide documentation to support the leave request.
- The 12 weeks of EMFL Leave is subject to the FMLA limits of 12 workweeks annually. These laws do not entitle you to an additional 12 workweeks of leave if you have already exhausted your leave for this year. Similarly, if you utilize this leave now, it will reduce your available leave for the next 12 months. However, even if you have exhausted your FMLA leave, you will be entitled to utilize Emergency Paid Sick Leave for qualifying reasons.



Pathway to the Future

FAQS REGARDING THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

What is the Families First Coronavirus Response Act?

The Families First Coronavirus Response Act (FFCRA) is part of the federal government's response to the COVID-19 pandemic. It has two main components that both provide paid time off to employees for qualifying reasons:

- The Emergency Family and Medical Leave Act (EFMLA); and
- The Emergency Paid Sick Leave Law (EPSL)

When does the FFCRA go into effect?

The FFCRA is effective on April 1, 2020, and applies to leave taken between April 1, 2020, and December 31, 2020.

EMERGENCY PAID SICK LEAVE

What are the reasons I can use emergency paid sick leave?

The EPSL allows employees to use paid sick time if the employee is unable to work or telework for the following reasons:

1. The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19;
2. The employee has been advised by a health care provider to self-quarantine because of COVID-19;
3. The employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis;
4. The employee is caring for an individual subject or advised to quarantine or self-isolate;
5. The employee is caring for a son or daughter whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 precautions; or
6. The employee is experiencing substantially similar conditions as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

How much emergency paid sick leave am I entitled to use?

Full-time employees are eligible to use up to 80 hours of EPSL. Part-time employees will be provided a number of EPSL hours equal to the number of hours that the employee works, on average, over a two-week period.

Are there any eligibility requirements?

No, there is no requirement for you to have been employed for a certain amount of time or worked a certain amount of hours before being able to take EPSL.

How much will I be paid when I take emergency paid sick leave?

Employees who use EPSL for a use described in (1), (2), or (3) above will receive their regular rate of pay up to a maximum of \$511 per day and \$5,110 total. This means, if an employee makes \$25/hour and works 8 hours/day, the employee will receive \$200/day. If an employee

makes \$600/day, they will receive \$511/day.

Employees who use EPSL for a use described in (4), (5), or (6) above will be paid 2/3 of their regular rate of pay up to a maximum of \$200 per day and \$2,000 total.

Do I need to provide notice of my intention to take emergency paid sick leave?

Yes, notice is required. Where leave is foreseeable, an employee should provide notice to the Human Resources Office as soon as is practicable after the need for leave arises. Employees need to contact Human Resources to provide notice of your request to take leave under the FFCRA. Employees will also be asked to provide appropriate documentation to support their leave request.

Can I receive more leave under the emergency paid sick leave law once I've used my allotment?

No. As of now, the federal government has made this a one-time change and once the time has been exhausted there is no additional time off that an employee will be able to receive.

Can I use emergency paid sick leave in 2021?

No. Any emergency paid sick leave needs to be used between April 1, 2020 and December 31, 2020. Any unused time will not carry-over into 2021. Employees are not entitled to reimbursement for unused leave upon termination, resignation, retirement, or other separation from employment.

EMERGENCY FAMILY AND MEDICAL LEAVE

What are the reasons I can use EFMLA?

The EFMLA allows employees to take time off where an employee is unable to work (or telework) due to a need to care for a minor child if the child's school or place of child care has been closed or is unavailable due to a public health emergency.

How much EMFLA am I entitled to use?

Employees are eligible to take up to 12-weeks of time for a qualifying reason.

Are there any eligibility requirements

Yes, to be eligible to take EFMLA, an employee must have been on the Berryessa Union School District's payroll for 30 calendar days or more.

How much will I be paid when I take leave under the EFMLA?

While the EMFLA says that the first two weeks (10 days) of EFMLA are unpaid, employees may choose to use their EPSL or accrued sick time during this first two-week period.

The remaining 10 weeks of EFMLA are paid at 2/3 of an employee's regular rate of pay for the number of hours the employee would otherwise be scheduled to work, up to a maximum of \$200/day and \$10,000 in total.

Do I need to provide notice of my intention to take EFMLA?

Yes, notice is required. Where leave is foreseeable, an employee should provide notice to the Human Resources Office as soon as is practicable after the need for leave arises. Employees need to contact Human Resources to provide notice of your request to take leave under the FFCRA. Employees will also be asked to provide appropriate documentation to support their leave request. Appropriate documentation may include a notice of closure or unavailability from

the school or child care provider.

Can I receive more leave under the EFMLA once I've used my allotment?

No. As of now, the federal government has made this a one-time change and once the time has been exhausted there is no additional time off that an employee will be able to receive.

Can I use EFMLA in 2021?

No. Any EFMLA needs to be used between April 1, 2020 and December 31, 2020. Any unused time will not carry-over into 2021. Employees are not entitled to reimbursement for unused leave upon termination, resignation, retirement, or other separation from employment.

Department of Labor's FAQs - <https://www.dol.gov/agencies/whd/pandemic/ffera-questions>

EXHIBIT D

BERRYESSA UNION SCHOOL DISTRICT

HR-04

Human Resources Department

LEAVE OF ABSENCE REQUEST

INSTRUCTIONS: Please prepare one copy and submit through your principal/supervisor to the Human Resources Dept. Employees requesting an unpaid leave of absence should refer to the Collective Bargaining Agreement for terms governing availability, eligibility, and permissible lengths for each type of leave.

TO BE COMPLETED BY EMPLOYEE (I certify under penalty of perjury that the foregoing, including all attachments, is true and correct.)

Employee Name (last, first, middle)		Employee ID#	<input type="checkbox"/> Certificated	<input type="checkbox"/> Classified
Location Number	School or Department	Subject, Grade or Position Assigned		
Permanent Address While on Leave (No. and Street)		City	State	Zip Code
Employee Signature	Date Submitted	Home Telephone	E-mail Address	

Please apply any other applicable leave(s) (example sick leave, personal necessity, and/or vacation) to the FMLA/CFRA/PDL per negotiated agreement. Yes ☐ No ☐

CHECK TYPE OF LEAVE OF ABSENCE REQUEST BELOW:

FMLA/CFRA/Pregnancy Disability Leave (PDL) <input type="checkbox"/> Pregnancy Disability Leave (Doctor's certification required, including expected delivery date). <input type="checkbox"/> Care of child after birth (Must provide certification of child's birthdate or medical statements as appropriate) <input type="checkbox"/> Adoption/Foster Care (Must provide certification of child's custody or adoption requirements; or medical statements as appropriate) <input type="checkbox"/> Unit Member's Own Serious Health Condition (Doctor's certification required) <input type="checkbox"/> Serious Health Condition of Family Member (Doctor's certification required) Indicate which family member: <input type="checkbox"/> Spouse, <input type="checkbox"/> Domestic Partner (CFRA), <input type="checkbox"/> Child, or <input type="checkbox"/> Parent • If leave requested to care for a child, relationship to employee is: <input type="checkbox"/> Biological child, <input type="checkbox"/> Adopted child, <input type="checkbox"/> Foster child, <input type="checkbox"/> Stepchild, <input type="checkbox"/> Legal ward, <input type="checkbox"/> or Child in loco parentis based, e.g. day to day care or financial support. • Child's age: <input type="checkbox"/> (Under 18 or over 18 and unable to provide self care due to disability.) <input type="checkbox"/> Military Caregiver Leave (FMLA/Doctor's certification required) Covered service member or veteran is: <input type="checkbox"/> Spouse, <input type="checkbox"/> Child, <input type="checkbox"/> Parent, or <input type="checkbox"/> Next of Kin <input type="checkbox"/> Military Exigency Leave (FMLA) Leave for any qualifying exigency arising out of the fact that the employee's: <input type="checkbox"/> Spouse, <input type="checkbox"/> Parent, or <input type="checkbox"/> Child is on or has been notified of an impending call to covered active duty in the Armed Forces.	ADDITIONAL TYPES OF LEAVES <input type="checkbox"/> Unpaid Leave: _____ <input type="checkbox"/> Other: Refer to Collective Bargaining Agreement - Leave Policies State reason: _____ * I understand that at the conclusion of my leave of absence excepting FMLA, CFRA, PDL, or military leaves, it is possible that I may not be returned to a position comparable to my current assignment and, furthermore, that I may be assigned to a non-management position, within my teaching credential(s), and consistent with tenure rights afforded me by the Education Code. Initial Here: _____ For CSBA Unit Members Requesting Leave for Vacation: I understand that if the requested leave of absence for vacation exceeds the number of vacation days that I have currently accrued, that the District is authorized under Labor Code section 224 to make a corresponding per-diem deduction of each vacation day taken exceeding accrual from a subsequent paycheck. Date: _____ Signature: _____
FORM OF LEAVE REQUESTED: <input type="checkbox"/> Consecutive: First Date of Absence: _____ To Last Date of Absence: _____ <input type="checkbox"/> Intermittent schedule requested: _____ <input type="checkbox"/> Reduce schedule requested: _____	

<input type="radio"/> Approve	Comments	Signature - Site/Dept. Supervisor	Date
<input type="radio"/> Deny			

HUMAN RESOURCES DEPARTMENT FOR FINAL APPROVAL AS APPROPRIATE

<input type="radio"/> Approve	Comments	Signature - Asst. Supt. of H.R.	Date
<input type="radio"/> Deny			