

## Lewis Center for Educational Research

**BP 3500: BUSINESS AND NON-INSTRUCTIONAL OPERATIONS  
HEALTH AND SAFETY POLICY FOR COVID-19**

**Adopted: July 16, 2020      Revised: October 17, 2022**

It is the policy of the Lewis Center for Educational Research (“LCER”) to take all reasonable measures to prevent the spread of the novel coronavirus disease (“COVID-19”) among students, employees and visitors at all of its campuses. In accordance with this Health and Safety Policy for COVID-19 (“Policy”), LCER temporarily implements health and safety measures to mitigate the spread of COVID-19. This Policy recognizes that these measures are each designed to provide some protection against COVID-19. While there may be times when one measure may not be feasible, implementing the other measures can make up for the absence of another. This Policy includes both mandatory measures (using terms “shall” or “will”) as well as recommended measures intended to guide decisions in light of practical limitations.

This Policy is based on guidance provided by the Centers for Disease Control (“CDC”), the California Department of Education (“CDE”), California Department of Public Health (“CDPH”), California Division of Occupational Safety and Health (Cal/OSHA), San Bernardino County Department of Public Health (“SBCDPH”) and several county public health officials. The Governor and each county public health official is vested with the authority to impose health and safety standards, which may vary by locality in response to different local conditions. In collaboration with the county health officer or designee, who are best positioned to monitor and provide advice on local conditions, each LCER school must individually determine whether more or less stringent measures are necessary to align with the applicable public health order.

### **1. Health Screenings:**

- *Home Screening (Employees, Students and Volunteers).* Employees, students and volunteers should screen/be screened for COVID-19 symptoms before leaving the house for school. LCER will provide employees/families with a list of the following potential COVID-19 symptoms and shall confirm that they have not experienced any of the symptoms in the prior 24 hours:
  - Fever or chills
  - Cough
  - Shortness of breath or difficulty breathing
  - Fatigue
  - Muscle or body aches
  - Headache
  - New loss of taste or smell
  - Sore throat
  - Congestion or runny nose
  - Nausea, vomiting or diarrhea
- Any employee/student/volunteer with COVID-19 symptoms, should isolate at home pursuant to CDPH guidance, and should not return for in-person work/instruction until they have met CDPH criteria to return to school as described in Section three (3) below.
- If symptoms are secondary to an underlying condition (i.e., allergies or asthma) and have not worsened, then the employee/student/volunteer may report to school and follow hygiene practices.
- To prevent stigma and discrimination, health screenings should be kept as private as possible to maintain the confidentiality of the individuals. Race, nationality and country of origin shall never be used as a basis for particularized health screening.

## **2. COVID-19 Testing and Reporting:**

- Consistent with CDPH and CalOSHA Guidance, LCER offers free on-site rapid COVID-19 antigen testing of employees and students. Additional levels of COVID-19 testing may be implemented in response to local disease trends, an outbreak, as determined by the SBCDPH or CDPH, where required by Cal/OSHA regulations, or where otherwise required bylaw or public health guidance.
- LCER's liaison must be made aware of the test results and report those results to SBCDPH as required by law.
- Employees or students who refuse to take a test or to report the test results to LCER may not be allowed to return to in-person instruction or otherwise enter LCER campus. Both the testing and the reporting may be required under applicable public health guidance and legal authority.
- LCER does not retaliate against an employee or student for disclosure of a positive test, diagnosis or order to self-quarantine or isolate. Any employee or student who believes thatLCER has violated this Policy may file a complaint under LCER's Uniform Complaint Procedures.
- LCER must maintain confidentiality of test results, other than reporting the results to SBCDPH as required by law. All medical information about any employee must be stored separately from the employee's personnel file in order to limit access to this confidential information. LCER must have a separate confidential medical file for each employee where LCER stores employee medical information. Medical information includes COVID-19 test results, an employee's statement via any symptom screening that they have symptoms or COVID-19, medical certifications showing an employee needs time off due to COVID-19, etc. For students, LCER will take similar precautions to safeguard the students' privacy and confidentiality, consistent with FERPA and all relevant legal requirements.
- In the event of a positive test result :
  - LCER requires that parents/guardians notify school health office immediately if the student tested positive for COVID-19.
  - LCER requires that employees notify the human resources office immediately if the employee tested positive for COVID-19.
  - Upon receiving notification that an employee or a student has tested positive for COVID-19, LCER will take actions as required and set forth in Section three (3) below.

## **3. Response to Suspected or Confirmed Cases and Close Contacts:**

- **Suspected COVID-19 Case:** In the event of a suspected COVID-19 case(s), LCER will follow CDPH and CalOSHA Guidance including implementation of the following practices:
  - All individuals with COVID-19 symptoms, regardless of vaccination status or previous infections, should self-isolate as soon as possible to determine infectious status and should not return to campus while awaiting test results. If not tested, they should continue isolating for 10 days after the day of symptom onset. They should follow the CDPH recommendations for retesting and/or isolating. If test is positive, they shall isolate and follow CDPH recommendations, described in Section three (3) below, for retesting and/or isolating if results are positive.
  - If the results are negative, they may return to campus when symptoms are improving and 24 hours have passed since resolution of fever without the use of fever-reducing medications.
  - Students or employees exhibiting symptoms should immediately be required to wait in a separate 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.
  - If symptoms are secondary to an underlying condition (i.e., allergies or asthma) and have not worsened, then the employee/student may remain at school and follow hygiene practices.

- **Confirmed COVID-19 Case:** In the event of one or more confirmed COVID-19 case(s), LCER will follow CDPH and CalOSHA Guidance, including implementation of the following practices:
  - **Isolation period for positive cases:** Employees/students diagnosed with COVID-19, regardless of vaccination status or previous infection must stay home for at least five (5) days after start of symptoms (or after date of first positive test if no symptoms).
    - Isolation can end after day five (5) if symptoms are not present or are resolving and a they test negative (antigen test preferred) on or after day five (5) or later.
    - If unable to test, choosing not to test, or testing positive on day five (5) or later, isolation can end after day 10 if fever-free for 24 hours without the use of fever-reducing medications.
    - If fever is present, isolation should be continued until 24 hours after fever resolves. If symptoms, other than fever, or not resolving, continue isolation until symptoms are resolving or until after day 10.
    - Infected persons should wear a well-fitted mask around others for a total of 10 days, especially in indoor settings.
  - **Notification procedures:** In the event of notice of potential exposure, LCER will take the following actions within one (1) business day of the notice of potential exposure:
    - Provide a written notice to all employees who were on the premises in the same worksite as the positive case within the infectious period that they may have been exposed to COVID-19.
    - Provide all employees who may have been exposed, if any, with information regarding COVID-19-related benefits to which employees may be entitled to under applicable federal, state, or local laws.
    - Information regarding COVID-19-related benefits includes, but is not limited to, workers' compensation, and options for exposed employees, including COVID-19-related leave, LCER sick leave, state-mandated leave, supplemental sick leave, as well as anti-retaliation and antidiscrimination protections applicable to employees.
  - Notify SBCDPH and CDPH of COVID-19 cases among students or employees who were present on LCER campus during their infectious period, whenever required by law. The notification to SBCDPH/CDPH may include:
    - The full name, address, telephone number, and date of birth of the individual who tested positive.
    - The date the individual tested positive, the school(s) at which the individual was present on-site during the infectious period, and the date the individual was last on-site at any relevant school(s), and
    - The full name, address, and telephone number of the person making the report.
  - Notify exposed families as relevant while maintaining confidentiality as required by state and federal laws.
  - As practical, close off areas used by any sick person and do not use before cleaning and disinfection. Follow cleaning and ventilation procedures in Section six (6) and seven (7).
  - Investigate the COVID-19 illness and exposures and determine if any work-related factors could have contributed to risk of infection.
  - Update protocols as needed to prevent further cases in accordance with CDPH Guidelines.
  - Implement communication plans for exposure at school and potential school closures to include outreach to students, parents, teachers, employees and the community.
  - LCER offers short-term independent study for students who are required to isolate due to being infected with COVID-19.
  - Include information for employees regarding labor laws, information regarding Disability Insurance, Paid Family Leave and Unemployment Insurance, as applicable to schools.
  - Maintain regular communications with the local public health department.

- LCER will follow all records retention requirements as required by law.
- **Close contacts to confirmed COVID-19 case:** In accordance with CDPH, close contacts are described as someone sharing the same indoor airspace, e.g. classroom, airplane, home, etc., for a cumulative total of 15 minutes or more over a 24-hour period (for example, three individual five (5)-minute exposures for a total of 15 minutes) during an infected person's infectious period.
  - Asymptomatic employees/students, regardless of vaccination status, who are exposed to someone with COVID-19 on or off campus, are not required to quarantine.
  - Exposed employees/students should test within three (3) – five (5) days of last exposure.
  - Exposed employees/students should wear a well-fitting mask around others for a total of 10 days, especially in indoor settings and when near those at higher risk for severe COVID-19 disease.
  - If symptoms develop, test and stay home (see Suspected COVID-19 Case section above) AND
  - If test result is positive, follow isolation recommendations above (Confirmed COVID-19 Case)
- **COVID-19 outbreaks:** LCER follows CDPH, CalOSHA and SBCDPH outbreak reporting requirements for K-12 schools and workplace settings.
  - In the event of an outbreak amongst employees and/or students, (at least three or more COVID-19 cases within a 14-day period among epidemiologically linked in the setting, and are not known to be close contacts of each other in any other case investigation), LCER will report to SBCDPH officials within 48 hours, as necessary, and work closely with such officials when further investigation is warranted.
  - The report to SBCDPH will include the names, number, occupation, and worksite of employees who meet the definition of a qualifying individual. LCER shall also report the address and North American Industry Classification System (“NAICS”) code of the worksite where the qualifying individuals work. Additional notice will be provided of any subsequent confirmed cases of COVID-19 at the school site.
  - LCER shall report positive employee cases to their claims administrator, within three (3) business days, in accordance with the reporting criteria as set forth in SB1159.
  - For employees in the exposed outbreak group, in addition to the requirements for non-outbreak settings and the requirements above, LCER will:
    - Exclude COVID-19 employee cases as well as employees who had close contacts but do not take a COVID-19 test.
    - Immediately make COVID-19 testing available to its employees within the exposed group, and then again one week later; and continue to make tests available to employees at least weekly until the exposed setting no longer qualifies as an outbreak, i.e. there are no new COVID-19 cases detected in the exposed group for a 14-day period.
    - Ensure all employees who had close contacts and remain at work take a COVID-19 test within three (3) to five (5) days after the close contact until the return to work requirements for COVID-19 cases are met.
    - All employees in the exposed group regardless of vaccination status must wear facemasks when indoors, or when outdoors and less than six feet from another person, unless an exception applies.
    - During an outbreak, LCER is required to evaluate whether physical distancing is necessary to control the transmission of COVID-19.
  - For employees in the exposed major outbreak setting (20 or more employees in an “exposed group”) within a 30-day period, in addition to the above requirements, LCER will:
    - Exclude COVID-19 cases as well as employees in the exposed group who do not take a COVID-19 test.
    - Immediately ensure that all employees in the exposed group who remain at work are tested for COVID-19 at least twice weekly until there are fewer than three

COVID-19 cases in the exposed group for a 14-day period. Then make tests available to employees within the exposed group at least weekly, until there are no new COVID-19 cases detected in the exposed group for a 14-day period.

- Exclude all employees in the exposed group who do not take a COVID-19 test until the return to work requirements for COVID-19 cases are met.
- Provide respirators to all employees in the exposed group, regardless of vaccination status, to use on a voluntary basis. Employees who do not use a respirator voluntarily must continue to use a facemasks.
- Where respirators are not worn, separate employees in the exposed group from other persons by at least six feet except where it is not feasible and except for momentary exposure while persons are in movement.
- Determine the need for respiratory protection program (non-voluntary, with fit testing and medical evaluation requirements), or for changes to an existing respiratory protection program, to address COVID-19 hazards.
- Physical distancing must be used in a major outbreak for all employees, regardless of vaccination status except when LCER demonstrates that maintaining six (6) feet of distance is not feasible. When it is not feasible to maintain six (6) feet of distance, persons must be as far apart as feasible.
- Evaluate whether to halt all or part of school operations to control the virus.
- Perform a review of potentially relevant COVID-19 policies, procedures, and controls and implement changes as needed to prevent further spread of COVID-19.
- Implement ventilation changes to mechanical ventilation systems including increasing filtration efficiency to at least MERV-13, or the highest efficiency compatible with the ventilation system. Evaluate whether HEPA air filtration units are needed.
- LCER will notify students, families, employees, and stakeholders that LCER and local public health department are investigating an outbreak. The notice will encourage all stakeholders to follow public health recommendations.
- Broad disruptions to in-person learning, such as temporary school or classroom closures, due to COVID-19 should remain a last resort and considered only after all available resources have been exhausted, and only after conferring with local health officials.

#### **4. Sanitizing/Hygiene Materials and Practices:**

- LCER will teach and reinforce proper handwashing to lower the risk of spreading viruses to include COVID-19. This includes ensuring that students and employees wash or sanitize hands frequently, including 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.
- Employees will teach and reinforce proper handwashing technique, avoiding contact with one's eyes, nose, and mouth, using a tissue to wipe the nose, and covering coughs and sneezes.
- LCER shall make soap, tissues, no-touch trashcans, water and paper towels or dryers for hand washing available. Students and employees should wash their hands for 20 seconds with soap, rubbing thoroughly after application.
- If soap and water are not readily available, LCER shall make available fragrance-free alcohol-based hand sanitizer that is at least sixty percent (60%) ethyl alcohol (Note: frequent handwashing is more effective than the use of hand sanitizers).
- Children under age nine (9) should only use hand sanitizer under adult supervision. Call Poison Control if consumed: 1-800-222-1222.
- LCER shall place posters conspicuously that encourage hand hygiene to help stop the spread of COVID-19.

#### **5. Routine Cleaning and Disinfecting:** LCER will incorporate CDPH and CalOSHA Guidance for Cleaning, Disinfection and Ventilation as appropriate to maintain a high level of cleanliness

throughout the year and reduce the risk of exposure to and the spread of COVID-19 at the school site.

- Custodial employees should perform thorough cleaning when students are not present. When cleaning, the space should be aired out before children arrive.
- To the extent possible, employees should wait twenty-four (24) hours before cleaning and disinfecting any area that was used by a person who was experiencing COVID-19 symptoms. If it is not possible to wait twenty-four (24) hours, then employees should wait as long as possible.
- LCER will ensure proper ventilation during cleaning and disinfecting. Employees are encouraged to introduce fresh outdoor air as much as possible, by opening windows where practicable.
- All frequently touched surfaces in the workplace, such as chairs, desks, tables, keyboards, telephones, handrails, light switches, sink handles, bathroom surfaces and door handles, shall be routinely cleaned to the extent possible.
- Employees will be trained as appropriate in the chemical hazards, manufacturer's directions, and Cal/OSHA requirements for safe and correct application of cleaning and disinfectant agents in accordance with the Healthy Schools Act guidance from the California Department of Pesticide Regulation and Cal/OSHA.
- When choosing disinfecting products, LCER will use those approved for use against COVID-19 on the Environment Protection Agency (EPA) approved list "N" and require employees to follow product instructions.
  - To reduce the risk of asthma and other health effects related to disinfecting, LCER will select disinfectant products on list N with asthma-safer ingredients (hydrogenperoxide, citric acid or lactic acid) as recommended by the US EPA Design for Environment program.
  - LCER will avoid products that contain peroxyacetic (paracetic) acid, sodium hypochlorite (bleach) or quaternary ammonium compounds, which can cause asthma.
  - Employees shall follow label directions for appropriate dilution rates and contact times.
  - LCER will establish a cleaning and disinfecting schedule in order to avoid both underand over use of cleaning products.
- Subject to available resources, disposable disinfecting wipes shall be made available so that employees can wipe down commonly used surfaces (e.g., doorknobs, keyboards, remote controls, desks, other work tools and equipment).

**6. Facility Measures:** LCER will incorporate CDPH and CalOSHA guidance for maintaining a healthy facility to include some or all of the following:

- Facilities employees will ensure that ventilation systems and fans operate properly and increase circulation of outdoor air as much as possible by opening windows and doors and other methods.
- Windows and doors should not be opened when EPA quality index is greater than 100 or if doing so poses a safety or health risk, for instance from excessive heat, cold or wildfire smoke.
- LCER will consider alternatives, such as increased central air filtration (targeted filtering of at least MERV 13) if opening windows poses a safety or health risk to persons using the facility.
- Facilities employees will ensure that all water systems and features (e.g., drinking fountains) are safe to use.
- Consider installing additional temporary handwashing stations at all school entrances and near classrooms.

**7. Use of Facemasks:** LCER will follow CDPH and CalOSHA guidance and local health orders on the use of masks, as well as masking guidance for specific situations referenced in section three (3) above (e.g., when having symptoms, being infected, or exposed).

- Facemasks are optional for students and employees regardless of vaccination status.
- No person can be prevented from wearing a facemask as a condition of participation in an activity

- or entry into a school, unless wearing a mask would pose a safety hazard (e.g. watersports).
- LCER will provide clean, undamaged facemasks for students, employees and visitors who request them.
- Respirators will be provided for voluntary use to employees who request them and who work indoors with other people.

**8. Use of Gloves and PPE:** LCER requires employees to wear gloves and other Personal Protective Equipment (“PPE”) in accordance with the following standards.

- LCER will provide facemasks, respirators, disposable gloves and other protective equipment for employees as needed or requested.
- Workers or other persons handling or serving food must use gloves.
- LCER will provide equipment and PPE to custodial employees for cleaning and disinfecting, including:
  - For regular surface cleaning, gloves appropriate for all cleaning and disinfecting.
  - For employees engaged in deep cleaning and disinfecting, proper PPE for COVID- 19 disinfection (disposable gowns, gloves, eye protection, and face masks or respirators) in addition to PPE as required by product instructions.
  - Cleaning and disinfecting products must be kept out of children’s reach and stored in a space with restricted access.
- As required by Cal/OSHA, LCER will provide training on the proper use of PPE to protect employees from the hazards of the cleaning products used.
- Employees must wash hands after removing gloves.

**9. Support for Students at Increased Risk of Becoming Infected or Unrecognized Illness:**

- LCER Registered Nurse will review student health plans, including 504 Plans, to identify students who may need additional accommodations to minimize potential exposure.
- LCER Registered Nurse will develop a process for engaging families for potentially unknown concerns that may need to be accommodated.
- LCER will identify additional preparations for classroom and non-classroom environments as needed to ensure the safety of students at increased risk of becoming infected or having unrecognized illness including the following:
  - Individuals who have limited mobility or require prolonged and close contact with others, such as direct support providers and family members;
  - Individuals who have trouble understanding information or practicing preventative measures, such as hand washing and physical distancing; and
  - Individuals who may not be able to communicate symptoms of illness.

**10. Maintaining Healthy Operations:** LCER will follow local public health orders, CDPH and CalOSHA Guidance for maintaining healthy operations, including the following practices:

- Monitor, on a weekly basis, COVID-19 Guidance from SBCDPH, CDPH and CalOSHA.
- Monitor employee/student absenteeism and have a roster of trained back-up employees where available.
- Monitor the types of illnesses and symptoms among students and employees to help isolate them promptly as needed.
- Designate an employee liaison or liaisons to be responsible for responding to COVID-19 concerns. Employees should know who they are and how to contact them. The liaison should be trained to coordinate the documentation and tracking of possible exposure, in order to notify local health officials, employees and families in a prompt and responsible manner.
- Maintain communication systems that allow employees and families to self-report symptoms and receive prompt notifications of potential exposures, while maintaining confidentiality, as

- required by FERPA/HIPPA and state law related to privacy of educational records.
- Implement COVID-19 testing of employees and students as directed by local county health officers, CDPH, and where required by law. Encourage students and families to receive testing (antigen preferred) before returning to school for in-person instruction and regularly while attending school in person.

## **11. Protection of Higher Risk Employees:**

- LCER recognizes that older adults and people of any age who have serious underlying medical conditions are at higher risk for severe illness from COVID-19.
- Consistent with operational needs, LCER shall engage in the interactive process with higher risk employees to help support reasonable alternative options and accommodations to support their medical condition.

## **12. COVID-19 Vaccinations:**

- According to CDPH, vaccination against COVID-19 is the most effective means of preventing serious infection with the COVID-19 virus, and subsequent transmission and outbreaks.
- CDPH strongly recommends that all eligible employees and students get vaccinated against COVID-19 and remain up-to-date to protect oneself and reduce transmission of the virus.
- LCER will ensure employees/students know how to access COVID-19 vaccination locations.

## **13. Communications to LCER Community:**

- LCER will provide information and training to employees, parents and guardians regarding this Policy and related guidance, along with the safety measures that will be in place in indoor and outdoor settings with which employees and students must comply.
- LCER will communicate to employees, students, and parents about COVID-19-related protocols, including
  - Enhanced sanitation practices.
  - Proper use, removal and storage of facemasks.
  - Proper hygiene, cleanliness and disinfection protocols.
  - Screening practices and isolation protocols.
  - How COVID-19 is spread to include but not limited to:
    - COVID-19 is an infectious disease that can spread through the air. COVID-19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose or mouth. An infectious person may have no symptoms.
    - Particles containing the virus can travel more than six (6) feet, especially indoors, so physical distancing, facemasks, increased ventilation indoors, and respiratory protection decrease the spread of COVID-19 and are most effective when used in combination.
  - Preventing the spread of COVID-19, including the importance of not coming to school if employees/students have symptoms.
  - Free, on-site testing options for employees, students and families and when to test.
  - How to access vaccinations and their importance in helping protect against serious illness or death.
  - Guidelines for employees/student regarding COVID-19 specific symptom identification and when to seek medical attention.
  - Guidelines for families about when to keep students home from school.
  - Systems for self-reporting symptoms.
- LCER will develop a communications plan for implementation if the school has a positive COVID-19 case in accordance with CDPH guidelines.

The President/CEO is authorized to implement changes or additions to this Policy in order to ensure

compliance or consistency with new or revised orders or guidance from local, county, state or federal authorities (“Agencies”), to take any and all actions consistent with orders and guidance from the Agencies that is not specifically addressed by this Policy, and to ensure compliance with LCER’s charter schools’ petitions. The President/CEO shall provide the Board with regular updates as to actionstaken pursuant to this section.

**Resources:**

- CDPH Safe Schools for All HUB
- CDPH COVID-19 Public Health Guidance for K-12 Schools to Support Safe In-Person Learning, 2022-23 School Year – *September 30, 2022*
- CDPH Guidance for Use of Face Masks – *September 20, 2022*
- CDPH Guidance for Individuals Infected with or Exposed to COVID-19 – *June 9, 2022*
- CDPH COVID-19 Outbreak Definitions – *June 8, 2022*
- CDPH Testing Framework for K-12 Schools for the 2022-23 School Year – *August 19, 2022*
- CDPH Vaccine Verification for Workers in Schools – *September 13, 2022*
- CalOSHA COVID-19 Prevention – Emergency Temporary Standards – *May 6, 2022*
- CalOSHA COVID-19 Model Prevention Program – *May 12, 2022*
- CalOSHA COVID-19 Emergency Temporary Standards FAQs – *September 22, 2022*
- CalOSHA COVID-19 Revisions to the COVID-19 Prevention ETS FAQ – *September 22, 2022*