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OFFICE OF THE DIRECTOR

August 4, 2020

Dear Superintendent, Charter or Private School Principal/Head of School/Executive Director:

RE: School Waiver Process

On June 29, 2020, the California Department of Public Health (CDPH) placed Orange County on its COVID-19 monitoring list due to elevated disease activity in the county. On July 17, 2020, Governor Gavin Newsom announced that if a county has been on the monitoring list within the prior 14 days, a school must conduct distance learning only, until the county has been off the monitoring list for at least 14 days.

For counties on the monitoring list, CDPH guidance allows a district superintendent, private school principal/head of school, or executive director of a charter school (hereinafter superintendent) to apply for a waiver from the local health officer to open an elementary school for in-person instruction. This waiver is applicable only for grades TK-6, even if the grade configuration at the school includes additional grades. Additional information about the waiver process is available here: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Guidance.aspx>.

When applying for the waiver, the superintendent must submit to the Orange County Health Officer (OC HO) evidence of (1) consultation with labor and parent organizations and (2) publication of the elementary school reopening plans on their website.

OC HO will then review the application and reopening plan along with local community epidemiological data, and consults with CDPH when making the determination on whether to grant or deny the waiver. The OC HO will initiate a consultation with CDPH only if the County's case rate is less than 200 cases per 100,000 population. Since Orange County has been on the monitoring list within the prior 14 days, elementary schools in our county may not open for in-person instruction until they have received approval of a submitted waiver from OC HO.

In order to apply for a waiver, please complete and submit the attached Application Cover Form. An application must contain:

- Attestation that the superintendent (equivalent or designated staff) has consulted with all parent and labor organizations at each school site for which an application is being submitted. If no labor organization represents the school site staff, then consultation with school site staff is sufficient.

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- Confirmation that both the elementary school reopening plans AND waiver application have been published on the website of the local educational agency (or equivalent). Reopening plans must address the components in the CDPH guidance for schools and school-based programs (which are also listed in the attached Application Cover Form).

Questions about the process, applications and all supporting documents should be submitted to TK-6Waiver@ochca.com at least 14 days prior to the desired reopening date.

We anticipate the review process to take approximately 14 days after receipt of a waiver package that includes all required elements.

Thank you for your patience.

Sincerely,

A handwritten signature in blue ink that reads "Clayton Chau MD PhD". The signature is written in a cursive style with a horizontal line underneath.

Clayton Chau, MD PhD
Director

CC:EC
20-088 School Waiver Process School Districts 080420