



COVID-19 SAFE SCHOOL RE-OPENING PLAN

Approved by the Empower Board of Trustees on September 10, 2020

Empower Language Academy COVID-19 Safe School Re-Opening Plan

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SECTION ONE: EMPLOYEE AND STUDENT PROTOCOLS

EMPLOYEE SCREENING

To help prevent the spread of COVID-19 and reduce the potential risk of exposure to our employees, we will be requiring employees to complete a daily self-screening which includes:

1. Temperature check for fever over 100 F (update on guidance from local public health)
2. Assess COVID-19 related symptoms:
 - Cough
 - Shortness of breath or difficulty breathing
 - Chills
 - Repeated shaking with chills
 - Muscle pain
 - Headache
 - Sore throat
 - Loss of taste or smell
 - Diarrhea
 - Known close contact with a person who is confirmed to have COVID-19
 - Known close contact with a person who is suspected to have COVID-19
 - Currently waiting on results of a COVID-19 test
 - List subject to change according to CDC or public health guidelines

If you answer “yes” to any of the above questions, you will be sent home and may be expected to telework if available and appropriate. It is strongly encouraged that you ask these questions BEFORE coming to work to save everyone time and potential exposure. By answering “no” to these questions, combined with an appropriate temperature check, you are affirming that you believe yourself to be non-symptomatic and free from infection to the best extent possible.

All screening information will be kept confidential by administration.

EMPLOYEE PROTOCOLS

In accordance with CDPH guidelines, masks should be worn at all times by all employees while on school property. During phase one, staff are assigned to one room at a time, and can remove masks while alone in their designated room.

STUDENT SCREENING

Students are required to utilize established entry points onto campus and participate in temperature screening. After temperature screening, each student will be asked the following questions:

- Do you have a new cough, nasal congestion, or runny nose?
- Are you experiencing shortness of breath or difficulty breathing?
- Are you having new muscle pain or fatigue?
- Do you have a headache (that is not normal for you)?
- Do you have a sore throat?
- Are you experiencing a new loss of taste or smell?
- Are you experiencing nausea, vomiting, abdominal pain, or diarrhea?
- Do you have a new rash?
- Have you been exposed to anyone who has been tested positive for COVID-19 in the last two weeks?

A temperature of 100 F or greater or a “yes” answer to any of the questions above identifies the student as potentially positive for COVID-19. Students will be asked to return home and recommended for follow-up testing.

STUDENT PROTOCOLS

In accordance with CDPH guidelines and local protocols, face coverings should be worn at all times by all students, grades TK-6 while on school property.

Handwashing

Students should wash their hands or use hand sanitizer frequently and in the following situations:

- After using the restroom
- Before eating
- When entering a classroom
- After taking off or putting on their facemask
- If their hands are visibly soiled
- If the student encountered chemicals during cleaning the school environment

Students will be taught:

- Proper hand-washing and hand-sanitation procedures
 - wash their hands for 20 seconds with soap, rubbing thoroughly after application.
- To use a tissue to wipe their nose and to cough/sneeze inside a tissue or their elbow

Students will receive instructional videos on these procedures during the transition from remote instruction to onsite instruction. Parents will also receive videos to support them in teaching their students hygiene and hand-washing procedures. Students will also receive instruction in class about these procedures. Signs with helpful visuals posted around the campus will also serve as visual reminders.

When soap and water are not available and hands are not visibly soiled, CDC guidance adds that alcohol-based, waterless disposable hand wipes or gel sanitizers may be used in place of handwashing on most occasions.

Empower students and staff will use fragrance-free hand sanitizer when hand washing is not practicable.

- a. Ethyl alcohol-based hand sanitizers are preferred and should be used when there is the potential of unsupervised use by children. Isopropyl hand sanitizers are more toxic when ingested or absorbed in skin.
- b. Do not use hand sanitizers that may contain methanol, which can be hazardous when ingested or absorbed.
- c. Children under age 9 should use hand sanitizer under adult supervision. Call Poison Control if consumed: 1-800-222-1222.

ACCOMMODATIONS

Empower will meet with parents/guardians to develop a plan for any students that need further support with access and functional needs. This meeting will be documented following the school's established Student Success Team process, or as applicable in the student's Individualized Education Plan (IEP) or 504 plan.

HEALTH PROTOCOL

If an employee or student becomes ill at work or if another person is exhibiting symptoms of COVID-19 at work:

- Require that the employee or student wear a face covering
- Anyone attending to the suspected infected person should also wear a protective mask and gloves.
- Health technicians or administrative staff must complete the appropriate form.
- Send the employee home immediately or to the nearest health center or call the parent of the student to be picked up and go home.
- If the employee was assigned to a classroom, consider moving the class to another room
- Disinfect the workspace/classroom used by the employee or student.
- The administration must identify persons who may have come in contact with the suspected infected person.

- Advise employees that they may have been in contact with a suspected infected person to carry out self-screening every morning, and based on the results, contact their supervisor.
- Transition to online learning in response to an order by public health or school administration in accordance with public health guidelines.

Employees returning to work from an approved medical leave should contact the Executive Director or designee. You may be asked to submit a healthcare provider's note before returning to work.

GUIDANCE IF EXPOSED

While we all hope to avoid exposure to illness from COVID-19, we need to be prepared for that possibility. If you or someone you've been in contact with has been exposed to the virus, our first concern is for your health and safety and those around you. In this rapidly changing situation, healthcare providers should have the most up-to-date information from the CDC.

Please do the following:

1. Quarantine yourself in a specific room away from others in your home
2. Contact the following (in order of priority), let them know you have been exposed to COVID-19, then follow their instructions.
 - a. Your healthcare provider
 - b. Empower's Executive Director or designee
3. The Executive Director will determine appropriate next steps.
4. In case of an emergency, call 911 and let them know you have been exposed to COVID-19, then follow their instructions.

GUIDANCE IF DIAGNOSED

If you have been diagnosed with COVID-19, you may return to work when all 3 criteria are met:

1. At least 3 days (72 hours) have passed since recovery (no fever without the use of fever-reducing medications); and
2. You have improved in respiratory symptoms (cough, shortness of breath, etc); and
3. At least 10 days have passed since symptoms first occurred

If you have symptoms that could be COVID-19 and do not get evaluated by a medical professional or tested for COVID-19, it is assumed that you have COVID-19 and may not return to work until the three criteria listed above have been met.

Current guidelines are further illustrated in the [decision tree](#) on the next page. These guidelines are subject to change following updates to local guidelines and protocols.

Fever / COVID-19 Symptom Decision Tree

(Version: 07/31/2020c)



At school, student or staff member develops any one of the following signs or symptoms:

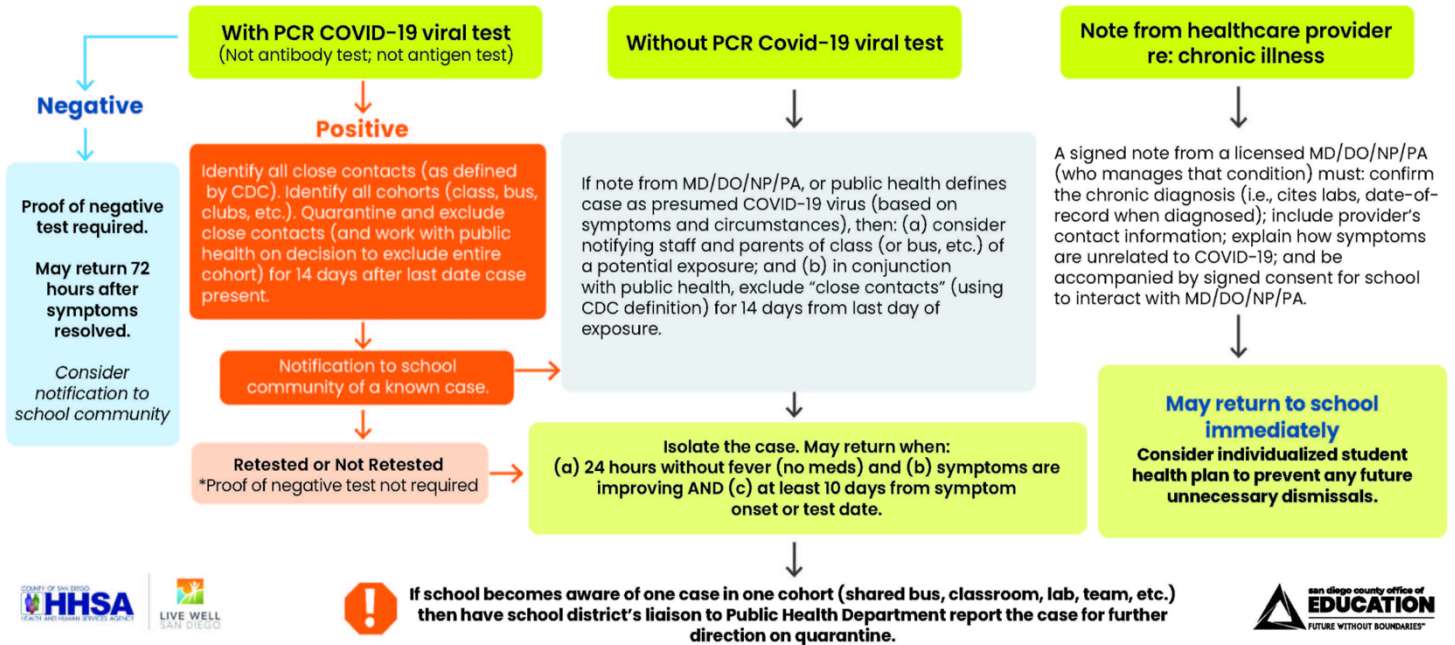
- Fever with or without chills/rigors (fever defined as $T > 100.0$ that does not resolve within 30 min. without medication);
- Cough*
- Shortness of breath
- Nasal congestion/rhinorrhea (runny nose)*
- Sore throat
- Nausea, vomiting, or diarrhea*
- Fatigue*
- New loss of taste/smell
- Headache*
- Muscle or body aches*
- Poor feeding or poor appetite*

* Disregard this symptom if school personnel already aware of a chronic, pre-existing condition that causes the symptom. The nature of the presenting symptom (e.g., duration, intensity) must be consistent with the underlying chronic condition.

ACTION: Apply appropriate PPE; isolate student/staff member until sent home; recommend they reach health care provider for instructions.
Note: Other infections can cause same symptoms (e.g., flu, strep, etc.) but these do not rule out COVID-19 as co-occurring



STUDENT / STAFF TO STAY HOME UNTIL...



If school becomes aware of one case in one cohort (shared bus, classroom, lab, team, etc.) then have school district's liaison to Public Health Department report the case for further direction on quarantine.



STAFF TRAINING

Train all staff and provide educational materials to families in the following safety actions:

- Enhanced sanitation practices
- Physical distancing guidelines and their importance
- Use of face coverings
- Screening practices
- COVID-19 specific symptom identification
- Information should be provided to all staff and families on proper use, removal and washing of cloth face coverings

PERSONAL PROTECTIVE EQUIPMENT (PPE)

In order to minimize exposure to COVID-19, PPE may be needed to prevent certain exposures. PPE can include:

- **Masks:** Face masks are an important part of employee and student protection, as well as personal hygiene, physical distancing, and frequent cleaning efforts. Staff must wear a cloth face mask or disposable 3 ply mask must be worn in shared spaces on campus at all times. A cloth mask will be supplied to each employee. Employees may wear any purchased mask or make their own mask from closely woven, heavy cotton fabric.
 - Masks may be removed while an employee is alone in an isolated office or other enclosed space with the door closed.
 - Masks may be removed briefly to drink or eat, as long as physical distancing is followed.

Cloth masks and/or disposable 3 ply masks will be available to students as needed.

- **Face Shields:** A reusable face shield should be used in place of a washable face covering under the following circumstances:
 - When a person is likely to interact with a person who has a hearing impairment
 - When providing or participating in a form of therapy that requires the student/client and/or therapist to see the other person's face
 - By students with certain special needs or medical needs. Such exceptions must be documented and approved by school administration.
 - When necessary as protection from possible contact with bodily fluids

- **Gloves:** Touching your face with contaminated hands, whether gloved or not, poses a significant risk of infection. Wearing gloves does not diminish the need to wash your hands. Please remember to wash your hands properly as it is the number-one defense against any virus. Additionally, the proper removal of gloves reduces the risk of being exposed to contamination.

Please note that physical distancing should still be practiced even with the use of gloves and masks.

In addition to using PPE, please remember to:

- Wash your hands often with soap and water for at least 20 seconds. Use hand sanitizer with at least 60% alcohol if soap and water are not available
- Avoid touching your eyes, nose, and mouth
- Cover your mouth and nose with a tissue when you cough or sneeze or use the inside of your elbow

VISITORS ON CAMPUS

The safety of our staff and students remains Empower’s primary concern. To help prevent the spread of the virus and reduce the risk of exposure to our staff and students, Empower will not allow normal visitation to our campuses. Only Empower staff or contracted service providers are allowed on campus.

Permitted external community organizations will have limited use of school facilities in Phases 3 and 4 and will comply with all school facilities guidance and protocol.

PHYSICAL DISTANCING

Physical distancing is an effective way to prevent potential infection. Empower employees, students, parents, and visitors should practice staying approximately 6 feet away from others and eliminating contact with others.

ENTRANCE AND EGRESS

- All persons entering school facilities required to submit to symptom screening that consists of:
 - A series of questions to determine if the person experienced any symptoms associated with COVID-19 (update questions based on guidance from local Public Health)
 - Temperature check for fever over 100 F (update on guidance from local public health)

- Screening takes place in the school parking lot, next to family car (walking families have designated check-in point before entering campus)
- Stagger arrival times to reduce the number of students waiting for screening to a manageable number (Example, by grade level, by last name, etc)
 - Arrange the class school schedule to create staggered start and end times
 - To limit mixing of class cohorts, schedule specific classes to arrive at specific entry points
- Classified staff will be assigned to screen students. School administration may also be needed.

WALKING ON CAMPUS

- Place markers to designate spacing for lines on blacktop areas
- Require students and staff to maintain physical distancing while moving on campus
- Discourage people from stopping to talk where they will block/slow foot traffic

RESTROOM USAGE

- Student Restrooms
 - Post “stand here” signs or marker at each restroom
 - Limit the modified capacity of each restroom to one or two students depending on the size
 - Post the modified capacity of each restroom and physical distancing rules outside
 - Due to the reduced capacity of each restroom
 - Students may be unable to use the restroom during passing periods, recess, and lunch
 - Students may need greater access during class than in a normal year
 - Student trips to the restroom may take longer (if there is a line)
- Staff Restrooms
 - All staff restrooms are single occupancy restrooms
 - Create a queuing area outside with “stand here” markers
 - Post the occupancy and physical distancing rules

Establish maximum capacity for the facility that allows for physical distancing. Post the maximum capacity sign on the door. Provide supplies for employees to clean up after themselves in staff only restrooms. Bathrooms have touchless paper towel dispensers and touchless soap dispensers.

SECTION 2: FACILITIES

PERSONAL WORKSPACE/CLASSROOM

All teachers and students are asked to minimize visits to another classroom outside of their cohort. Employees are encouraged to disinfect their own personal workspace (teacher desk, phone, etc) throughout the day, giving special attention to commonly touched surfaces.

SHARED WORKSPACE

Employees are encouraged to disinfect their own workspace multiple times throughout the day, giving special attention to commonly touched surfaces. The Empower Custodial Team will clean all workspaces at their designated cleaning time.

Please note that proper equipment such as acceptable disinfectant and PPE should be used when cleaning individual workspaces.

There will be limited access to certain workspaces to reduce exposure to risks and ensure employee safety. Workspace usage is as follows:

Capacity: Empower will be monitoring the number of employees in the offices while the risk of infection exists and begins to diminish.

Conference Rooms/Meetings: Meeting rooms (i.e. teacher lounge) will be closed until further notice. All meetings are required to use Zoom as a virtual option even for employees in the office or school while in Phase 1.

Breakrooms or Teacher Lounge/Multipurpose Room: During Phases 1-2, these spaces will be closed for use. This includes the use of shared appliances such as coffee machines, refrigerators, and microwaves. Areas may open for limited use during Phases 3-5.

Copy Room: There will be limited access to the copy room. Signage indicating restrictions will be posted as each phase is implemented.

Offices:

- Layout office and waiting area seating to maintain physical distancing
- Post the modified capacity of each office and waiting area near the door to the office
- Develop systems to avoid using waiting areas when possible
 - When possible use telephone or virtual meetings
 - When in-person conversations are necessary, use outdoor spaces whenever possible
- Add plexiglass barriers to maintain physical distancing

FACILITIES CLEANING

The safety of our employees and students are our first priority. Our school been completely cleaned and disinfected and we will continue to adhere to all necessary safety precautions. The cleaning steps outlined below are to be taken to disinfect workplace surfaces, chairs, tables, etc. to protect employees and reduce the risk of spread of infection. We will require employees to maintain this safety standard by continuously cleaning and disinfecting high use items on a daily basis.

Empower will intensify our cleaning, disinfection and ventilation practices to combat COVID-19

- Suspend the use of traditional water fountains. We will encourage the use of reusable water bottles
- Limit the use of playground equipment
- Limit sharing of equipment and supplies
- Field trips and assemblies will be suspended
- Visitors to campus are not permitted

CLEANING AND DISINFECTING

Janitorial staff will follow cleaning procedures and guidelines as provided by Empower. Deep cleaning is triggered when an active employee or student is identified as positive for COVID 19 based on testing.

Additional steps will be followed to mitigate the spread of COVID-19:

- Ensure proper ventilation during cleaning and disinfecting.
- Introduce fresh outdoor air as much as possible, for example, by opening windows where practicable.

- 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.
- Maximize central air filtration for HVAC systems
- When possible place doors in open position to limit physical contact with door handles.

TEACHING AND STUDENT CLEANING ROUTINES

Keeping students in a single cohort or class grouping that does not mix with other classes is a proven method of reducing the possibility of disease transmission. When this is not possible, classroom surfaces (particularly student desktops) should be cleaned before the next group of students is seated.

- Repeated application of disinfectant requiring personal protective equipment (PPE), such as gloves or respirators, to student workspaces is not prudent given the possibility of respiratory or skin irritation and personnel constraints.
- Students should not be allowed to use disinfecting chemical products as this violates both state and federal laws.
- An alternative as a reasonable and effective solution for student and teacher cleaning is providing a mild multi-surface cleaning detergent (requiring no PPE) for each individual to wash their respective work area immediately upon entering the classroom or workspace.
- Teachers or other individuals would apply via spray and students would wipe down their individual space.

STUDENT MATERIALS

To decrease the spread of germs, teachers should limit the use of shared objects and equipment amongst students and teachers.

- Keep each child's belongings separated and in individually labeled storage containers, cubbies, desks, or areas.
- Belongings are taken home each day to be cleaned.
- If this is unavoidable shared items should be cleaned and disinfected between uses.

Frequently shared objects include but are not limited to toys, games, art supplies, learning aids, books, electronic equipment, and playground equipment.

SIGNAGE

Signage will be placed throughout the offices and school to inform staff and students of:

- Foot traffic flow
- Safe distancing protocols
- Max capacity limits
- Mask protocols
- Handwashing protocols

CAFETERIA AND MEAL PERIODS

- On campus meals options may be limited to Phase 3 and up.
- Limit menu options to grab and go options that can be distributed easily
- Students remain together as a class cohort during meals, eating in an outdoor area designated exclusively for their use or in their classrooms during inclement weather
- Students should be prompted to wash their hands or use hand sanitizer before eating
- If multiple distribution points are used
 - Schedule individual pick-up times to prevent contact between students in different class cohorts
 - Place markers at 6-foot intervals where students are required to wait

RECESS

- Designate specific areas for each classroom group that allow for physical distancing.
- Maintain physical distancing during play
- Recreation activities that allow for physical distancing.
- If possible, balls and play equipment should not be shared.
 - If sharing is necessary, disinfect the equipment before use by the next group

CLASSROOMS

The prevention measures needed to control the spread of COVID-19 will severely constrain the number of students who can be on campus at one time during Phases 2, 3 and 4.

Entering

Create routines to reinforce physical distancing and hand sanitation during arrival to class:

- Teachers should begin admitting students as soon as they arrive, metering the flow into the room to ensure physical distancing is maintained
- Teach students to use hand sanitizer immediately when they enter any room
 - Place hand sanitizer dispensers near the door of each classroom and office
- Teach students to go directly to their seat after using hand sanitizer
- Post bell-work and instructions for students to begin as soon as they are seated

Classroom Layout and Barriers

Following guidelines from state and local authorities, including the California Department of Health, Phase 2, 3, and 4 classrooms will be set up to maximize space between students. When needed, partitions may be used to separate students to add additional protection. To the extent practicable, each classroom will have a portable sink and touchless water bottle dispenser.

Cleaning Desktops

In schools where it is not possible for students to remain in the same classroom all day, student

desktops should be cleaned before the next group of students enters. Create a classroom routine in which each student cleans their desktop with soapy water.

- Stock each classroom with spray bottles containing a soap and water solution and paper towels
 - Disinfectants cannot be use by students or while students are present
- Have each student wipe down their desktop, throw away their towels, and stand next to their desks
- As students finish, ask each to step into the hall and stand in the classroom waiting area (line)
- Dismiss students from the line at the end of the period

FOOD DELIVERY

Bringing or sharing refreshments during meetings is prohibited in order to limit the risk of contamination. We ask that there be no food delivered on campus and that food be kept at your assigned space. Any delivery of food would take place in the parking lot only. Personal deliveries such as packages should not be delivered to Empower.

SECTION 3: PHASED RE-OPENING AND ONLINE LEARNING

COMMUNICATION METHODS

Empower has created a leadership team to continually monitor weekly COVID-19 data and guidance from the California Department of Public Health (CDPH), California Department of Education (CDE), San Diego County Health and Human Services Agencies, Public Health Services (PHS) and San Diego County Office of Education (SDCOE). The leadership team will disseminate pertinent information via the Empower website, email, and texts using Remind.

Regular communication with families and staff will include:

- Updates about the status of COVID-19 in the school and community
- Notification if there are COVID-19 cases in the school (Empower will take care to avoid disclosing personally identifiable information).

To stay updated on the most up-to-date information:

- Staff, students, and parents need to check their email often
- Check messages in Google Classroom and/or in Class Dojo

Empower will have template letters and communications prepared prior to re-opening.

Empower has developed a Phased Reopening plan for the 2020-2021 school year. Empower will reopen in Phase 1 and continue to subsequent phases when criterions are reached.

PHASED REOPENING PLAN

	Campus	Class Size	Criteria
Phase 1	All students are learning online from their homes		If indicators of the COVID pandemic are high and/or trend upward.
Phase 2	Students are on campus by appointments only for individual needs.	1:1 Groups no larger than 4-6	County health department allows for schools to be open.
Phase 3	Students are on campus 1 day a week Online learning 4 days a week	Class sizes/cohorts are limited to 50%	If indicators of the COVID pandemic trend downward and there is confirmation that the risk of infection has decreased.
Phase 4	Students are on campus 2 days a week Online learning 3 days a week	Class sizes/cohorts are limited to 50%	When Phase 2 is successfully implemented and If indicators of the COVID pandemic continue to trend downward
Phase 5	All students on campus 5 days a week, minimum days	Class sizes/cohorts are at 100%	When Phase 3 is successfully implemented and there has been significant improvement and the COVID risk is minimal.
Phase 6	All students on campus for 5 full days per week.	Class sizes/cohorts are at 100%	COVID precautions are no longer necessary.

ONLINE LEARNING

During Online Learning, Empower will provide:

- Access to devices and connectivity for all students with identified needs
- Daily live interaction with teachers and other students
- A weekly learning plan with assignments equivalent to a minimum instructional day
- Adapted lessons for English language learners and special education students

ATTENDANCE AND GRADING

Daily attendance will be taken during all phases of opening. Any pupil who does not participate in remote learning on a school day shall be documented as absent for that school day. Students are encouraged to stay home without fear of reprisal if they suspect they have contracted or are diagnosed with the COVID-19 virus.

Students will be expected to complete all assignments, whether online or in-person. Student work will be graded and be reflected on report cards.

SPECIAL EDUCATION

The IEP team will:

- Work with each family and student to determine what Free and Appropriate Public Education “FAPE” looks like for each student and family during the re-opening phases. It may be different from the individualized education program (IEP) developed pre-COVID-19.
- Use the school’s model(s) for all students as the basis for establishing FAPE.
- Ensure children with disabilities are included in all offerings of school education models by using the IEP process to customize educational opportunities and provide support when necessary.

SOCIAL-EMOTIONAL WELL-BEING OF STUDENTS AND STAFF

Empower will develop videos and resources for parents and teachers to access. A counselor will work with students individually. Due to confidentiality, small group counseling online or in person will only take place when deemed absolutely necessary. Groups cannot mix between cohorts.

Classroom meetings will be held regularly with social emotional check-in's. Mindfulness practices takes place during both online and onsite learning. A Parent Liaison will support and guide all stakeholders in forming a cohesive school culture and learning environment.

SECTION 4: HUMAN RESOURCES POLICIES

TELEWORK PROTOCOLS

Telework Procedures

Telework is the practice of working at home or at a site near the home instead of physically traveling to a central workplace. During Phase one, all staff have the option to work onsite. Staff will be assigned onsite work schedules that are purposeful to their roles.

While employees are teleworking, this is not considered vacation time. All employees will be expected to perform a full day's work.

- Your compensation, benefits, and work status will not change if you telework.
- Non-exempt staff will be required to log their daily hours worked.
- Your at-home work hours will conform to a schedule agreed upon by you and the Executive Director. Any changes to your schedule must be approved by your supervisor.
- ALL STAFF are expected to:
 - Remain available to perform tasks as they arise, including:
 - Checking and responding to email regularly during the course of the day, including before they begin and end their work day.
 - Performing all requested tasks, including required training, webinars, surveys, and/or other supportive assignments.
- Be able to perform job duties to the extent the position requires.
- Supplies may be requested as needed following the Empower purchasing procedures.
- Be able to maintain School records with the requisite degree of privacy and confidentiality.

If for any reason you become unable or unwilling to complete your telework job duties through illness, care for an ill family member, or change in circumstance, you are required to notify the Executive Director immediately to receive further instructions on leave with or without pay.

All employees and visitors will be required to answer questions regarding COVID-19 symptoms before entering our buildings. Individuals who refuse to answer health screening questions will not be permitted entry onto the campus. Employees will be marked as an absence in these circumstances and may be subject to disciplinary action.

Empower cannot guarantee a workplace completely free from risk, given the potential asymptomatic spread of COVID-19 and other infectious diseases. If you think you may have contracted the Coronavirus at work, please notify the Executive Director or designee for information about filing a claim with Workers Compensation.

What should I do if I feel sick?

Employees who feel ill should notify the Executive Director or designee and NOT report to work. Staff are encouraged to stay home without fear of reprisal if they suspect they have contracted or are diagnosed with the COVID-19 virus. If you are already at work and begin feeling sick, you should notify the Executive Director or designee and go home immediately. Employees can utilize any available paid leave.

How will positive cases of COVID-19 be handled in the workplace?

Should an employee contract COVID-19 and expose others in our workplace, we will immediately inform all employees of the possible exposure, while keeping the employee's identity confidential to the extent possible. Employees who have been potentially exposed will be sent home and asked to telework for 14 days. Testing may also be recommended. A thorough cleaning of the workspace used by the infected individual will be conducted after the area has been closed off for at least 24 hours. The State of California has also established guidelines for the closure of classrooms, school campuses, and districts according to the level of infection.

COVID-19 RELATED EMPLOYMENT POLICIES

Emergency Family and Medical Leave Expansion Act ("E-FMLA")

Until no longer required by Federal law, Empower Charter School (the "School") will provide an eligible employee with up to 12 weeks of leave to care for their children because of a COVID-19 related school or child care related closure.

Eligible Employee: Eligible employee means an employee who has been employed by the School for at least 30 calendar days and is unable to work (or telework) due to a need for leave to care for that employee's son or daughter if the child's school or place of care has been closed, or the child care provider of such son or daughter is unavailable, due to a public health emergency. A public health emergency for purposes of E-FMLA means an emergency with respect to COVID-19 declared by a Federal, State, or local authority.

Rehired Employees: Employees who were laid off by the School not earlier than March 1, 2020 and rehired on or before December 31, 2020, are eligible for leave upon reinstatement if they had worked for the School for not less than 30 of the last 60 calendar days prior to the employee's layoff.

Paid/Unpaid Leave: For the first 10 days for which an employee takes E-FMLA leave, it will be unpaid unless the employee elects to substitute any accrued Paid Time Off (as set forth in the Employee Handbook) or COVID-PSL (as described below) for unpaid leave.

After the first 10 days of leave, the leave shall be paid by the School in accordance with the following calculations:

- No less than two-thirds of an employee's regular rate of pay, subject to a daily cap of \$200 and an aggregate cap of \$10,000; and

- The number of hours the employee would otherwise be normally scheduled to work.

For those employees with a varying schedule each week, the School will determine the number of hours an employee is entitled to take under E-FMLA.

Such leave may be taken intermittently if requested by the employee and approved by the School. Notice: In any case where the necessity for E-FMLA leave is foreseeable, an employee shall provide the School with such notice of leave as is practicable.

Restoration to Position: Generally, an employee who takes E-FMLA leave shall be entitled, upon return from such leave, to be restored either (A) to the position of employment held by the employee when the leave commenced; or (B) to an equivalent position with equivalent employment benefits, pay and other terms and conditions of employment. In accordance with applicable law, restoration to a position may not be possible if certain conditions exist which include, but are not limited to, economic conditions or other changes in operating conditions of the School that affect employment and are caused by a public health emergency.

Under certain circumstances, the School may be exempt from the requirements of E-FMLA.

For more information on E-FMLA, please contact the Executive Director.

The School reserves the right to amend this policy based on additional guidance from the Department of Labor and/or in accordance with the law.

Emergency Paid Sick Leave (“COVID-PSL”)

This policy supersedes and replaces the School’s Temporary COVID-19 Paid Sick Leave Policy.

The School will provide to each employee employed by the School COVID-PSL to the extent that the employee is unable to work (or telework) due to a need for leave because of any of the following:

- (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 due to concerns related to COVID-19 (this includes situations in which the employee has been advised to self-quarantine because the employee has COVID-19, it is believed the employee may have COVID-19 due to known exposure or symptoms or the employee is deemed particularly vulnerable to COVID-19);
- (3) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis;
- (4) The employee is caring for an individual who is subject to an order as described in the first bullet or has been advised as described in the second bullet;
- (5) The employee is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, or the child care provider of such son or daughter is unavailable, due to COVID-19 precautions;
- (6) The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

“Seeking a medical diagnosis” for COVID-19 is limited to time the employee is unable to work or telework because the employee is experiencing symptoms such as a fever, dry cough, shortness of

breath or any other symptoms identified by the U.S. Centers for Disease Control and Prevention and the employee is taking affirmative steps to obtain a medical diagnosis, such as making, waiting for, or attending an appointment for a test for COVID-19.

All employees, regardless of how long the employee has been employed by the School, are eligible for COVID-PSL.

For full-time employees, the School will grant the employee 80 hours of COVID-PSL. For part-time employees, the number of hours granted will be equal to the number of hours that such employee works, on average, over a 2-week period. For those employees with a varying schedule each week, the School will determine the number of hours an employee is entitled to take each week under COVID-PSL.

COVID-PSL is in addition to the School's Mandatory Paid Sick Leave, Supplemental Sick Leave and Paid Time Off policies identified in the Employee Handbook and employees may elect to use available accrued unused time off under such policies to supplement the employee's wages up to the employee's normal earnings.

Under certain circumstances, an employee may take COVID-PSL intermittently if approved by the School.

Unused COVID-PSL does not carry over from one year to the next and is not paid out on termination. The School shall not require, as a condition of providing COVID-PSL, that the employee search for or find a replacement employee to cover the hours during which the employee is using COVID-PSL.

COVID-PSL is calculated based on the employee's regular compensation and the number of hours the employee would otherwise be normally scheduled to work, except that an employee shall not receive more than \$511 per day and \$5,110 in the aggregate when an employee uses COVID-PSL for that employee's own COVID-19 related needs (COVID-19 reasons 1-3 above), and \$200 per day and \$2,000 in the aggregate when an employee uses COVID-PSL for COVID-19 reasons 4-6 above. If an otherwise eligible employee received COVID-PSL from a prior employer, the employee may not be entitled to COVID-PSL under this policy.

In addition, once an employee exhausts all available COVID-PSL under COVID-19 reasons 1-4, Mandatory Paid Sick Leave and Supplemental Sick Leave, the employee may be provided with additional time off in the sole discretion of the Executive Director if the employee continues to need time off for the following COVID-19 reasons: (a) the employee is experiencing symptoms of COVID-19, is subject to a Federal, State or local quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine due to concerns related to COVID-19, or (b) the employee is caring for an immediate family member (spouse, domestic partner or child) who is subject to a Federal, State or local quarantine or isolation order related to COVID-19 or who has been has been advised by a health care provider to self-quarantine due to concerns related to COVID-19. Empower may require appropriate documentation from a healthcare provider. Such additional time may be paid (up to a certain percentage of the employee's regular rate of pay) or unpaid in the sole discretion of the Executive Director. Whether such time is granted and/or whether such time is paid or unpaid is in the sole discretion of the Executive Director and may be based upon

such factors, which include, but are not limited to, budgetary considerations, the number of employees requesting such time off and operational needs of the School. The decision is made at the time of the employee's request and will be made on a case-by-case basis. If such time is granted, the School will attempt to reinstate the employee to their position when the additional approved time off has expired, however, reinstatement is not guaranteed.

For more information on COVID-PSL or any request for additional time off for COVID-19 related reasons once COVID-PSL has exhausted, please contact the Executive Director.

The School reserves the right to amend this policy based on additional guidance from the Department of Labor and/or in accordance with the law.

This re-opening plan was adapted with permission from King Chavez Neighborhood of Schools.