

LEA Plan for Safe Return to In-Person Instruction and Continuity of Services

Section 2001(i)(1) of the ARP Act requires each local educational agency (LEA) that receives ARP ESSER funds to develop and make publicly available on the LEA's website, no later than 30 days after receiving ARP ESSER funds, a plan for Safe Return to In-Person Instruction and Continuity of Services. In New Mexico, districts and state-chartered charter schools are LEAs.

This is a federal requirement and is not the same as the past state requirement for LEAs to submit Reentry Plans.

Pursuant to ARP requirements, LEAs must post on their website a fully compliant Plan for Safe Return to In-person Instruction and Continuity of Services by **December 24, 2021**.

This is the template we are providing for you to complete the ARP ESSER Plan for Safe Return to In-Person Instruction and Continuity of Services. The template incorporates the federally-required components of this plan.

This template incorporates the federally-required components of the LEA Plan for Safe Return to In-Person Instruction and Continuity of Services.

PED hopes this template will allow LEAs to efficiently and effectively plan and to easily post their LEA Plan for Safe Return to In-Person Instruction and Continuity of Services on their websites as required by the ARP Act.

The LEA must **regularly, but no less frequently than every six months** (taking into consideration the timing of significant changes to CDC guidance on reopening schools), **review and, as appropriate, revise its Plan for Safe Return to In-person Instruction and Continuity of Services through September 30, 2023**

Date of Revision	August 2021
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District ID	County	LEA NAME
501001	Bernalillo	Media Arts Collaborative Charter School

How the LEA will **maintain the health and safety of students, educators, and other staff** and the **extent to which** it has **adopted policies**, and a **description of any such policies**, on each of the following **safety recommendations established by the Centers for Disease Control and Prevention (CDC)**

<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html>

CDC Safety Recommendations	Has the LEA Adopted a Policy? (Y/N)	Describe LEA Policy:
Universal and correct wearing of masks	Y	<i>Who must wear one?</i> Any person (including but not limited to students, staff, parents, contractors, volunteers, visitors) entering the

	<p>MACCS indoor premises, who uses MACCS transportation, or who participates in or attends an indoor MACCS-sponsored activity must wear a face mask or similar protective face covering, at all times, except while eating or drinking during allowed times. Masking is required indoors regardless of whether an individual has been fully vaccinated against COVID-19 or otherwise claims to be “immune.” Masking outdoors is optional, but social distancing is not optional.</p> <p><i>How to wear one?</i> Face masks must cover the mouth and nose and fit snugly against the sides of the face in order to contain respiratory droplets.</p> <p><i>What masks are acceptable?</i> The types of allowable face masks include: (1) face masks made of two or more layers of cloth; (2) face masks with a clear plastic window; or (3) surgical, procedural, N95 or KN95 face masks that are approved by the federal Food & Drug Administration for use by staff performing medical duties or similar close contact assignments. The following face coverings are NOT substitutes for face masks: (a) masks with exhalation valves or vents; (b) scarves; (c) bandanas; (d) neck gaiters/ neck fleeces; (e) face shields. If you have questions about acceptable masking practices, please contact a School staff member or the School’s administration.</p> <p><i>How to care for one.</i> MACCS requests that cloth face masks be washed and dried after each day of use at school, and that masks not be reused without washing.</p> <p><i>Request a mask.</i> Students who cannot bring their own face coverings for use at MACCS should notify Principal Jonathan Dooley, who will arrange for face coverings to be provided. MACCS will have a sufficient quantity of masks, as well as Personal Protective Equipment (PPE) (for staff in close contact assignments: any staffing assignment in which a staff member</p>
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		must be within six feet of distance from a student in order to fulfill their duties) on hand.
Modifying facilities to allow for physical distancing (e.g., use of cohorts/podding)	Y	<p><i>Social Distancing.</i> Students are scheduled in cohorts throughout the instructional day. While classes may collaborate, at such times social distancing and mask-wearing will be enforced. Classes are asked to meet outside as much as possible, weather permitting.</p> <p>Students and visitors are required to follow the instructions of MACCS staff regarding social distancing. Unvaccinated adults must maintain 6 feet of social distance to the extent possible from other adults and from students. Unvaccinated students are to maintain 3 feet of social distance from other students to the extent possible, except when eating, exercising, taking mask breaks, playing wind instruments, and singing or shouting, in which case 6 feet of social distance is required. Students who repeatedly fail or refuse to social distance may be subject to discipline.</p> <p><i>School Directives.</i> Students/ staff/ essential visitors must follow signs and instructions regarding entering/ exiting buildings, and flow paths. Teachers shall develop and maintain seating charts that ensure social distancing requirements are maintained and that limit the number of student interactions.</p> <p><i>Class Transitioning.</i> MACCS staff shall supervise class transitions to ensure students are wearing masks and maintaining social distancing requirements, and students/ staff will be trained on safe transitions.</p> <p>Passing periods will constitute moving in an eastwardly direction through the halls in groups larger than five (5), or the maximum number of people allowed to congregate as defined by then-current DOH or Executive Order applicable to the MACCS area. The furthest classrooms to the east will leave/ enter the building first. The west staircase will move in an upwardly direction; the east staircase will move in a downwardly direction.</p>

		<p>In the CTE Wing, for groups larger than five (5), students and staff will wait until the hallway/ staircase is clear before leaving/ entering in one direction. In the event fewer than five (5) students and staff are in the hallway/ staircase, people will stay to the right like vehicles on the highway.</p> <p>Restroom breaks will not be reduced or eliminated. Only one student from each classroom at a time will take a restroom break. MACCS employee will documents the student taking the restroom break. Students taking the restroom break will use their face coverings.</p> <p>Where possible/ practical, meetings/ conferences shall be held virtually or in small groups with maximum social distancing. Staff shall closely monitor and enforce social distancing requirements.</p> <p><i>Virtual Conferencing/ Meeting.</i> Where possible/ practical, meetings/ conferences shall be held virtually or in small groups with maximum social distancing.</p> <p><i>Student pickup/ drop-off.</i> To the extent possible, MACCS will stagger entry and release periods and mark spacing for pickup/ drop-off to facilitate social distancing.</p>
Handwashing and respiratory etiquette	Y	<p>As a precaution against transmitting the COVID-19 virus through shared texts, students and staff should wash and/ or sanitize their hands before and after using shared textbooks, school equipment, or other educational materials.</p> <p>As much as possible, MACCS students will submit work electronically. When not electronically submitted, work will be submitted directly into a receptacle, where papers would sit for three (3) hours before being touched.</p>

<p>Cleaning and maintaining healthy facilities, including improving ventilation</p>	<p>Y</p>	<p>Jani-King cleans and disinfects the Main Building daily. The MACCS facilities manager maintains the CTE Wing and disinfects classrooms/ offices with a UV sterilizer. Travers Mechanical has installed MERV 13 filters for all classrooms. Portable air purifiers are placed in all classrooms/ offices as well.</p> <p><i>Cleaning.</i> All MACCS facilities and buildings operated by MACCS are maintained in accordance with the guidelines issued by the New Mexico Department of Health and CDC for the cleaning and disinfection of public facilities and schools during the current public health emergency. Staff complies with any/ all cleaning/ maintenance requirements that may be issued by the NM Public School Insurance Authority (NMPSIA), NMENV, and/ or OSHA (https://www.osha.gov/coronavirus/safework).</p> <p><i>Closure of Impacted Areas.</i> MACCS site areas impacted by a confirmed COVID-19 positive case shall be closed, cleaned and disinfected in accordance with state official guidelines. In consultation and partnership with the PED and NMED, the school will determine when it is safe to reopen the portions of the school facilities impacted by the initial closure. Decisions to reopen those facilities will be based upon appropriate completion of required action steps related to the positive case.</p>
<p>Contact tracing in combination with isolation and quarantine, in collaboration with the State, local, territorial, or Tribal health departments</p>	<p>Y</p>	<p>Students are kept in cohorts throughout the instructional day. The school maintains a record of students in quarantine and self-isolation. Online learning is available for students in the remote setting.</p>
<p>Diagnostic and screening testing</p>	<p>Y</p>	<p>According to the PED Response Toolkit, 25% of unvaccinated students are asked to test each month. Likewise, 100% unvaccinated staff are required to test weekly. Visitors are asked about vaccination status, and temperature-screened if not.</p>

Efforts to provide vaccinations to school communities	Y	October 12, 2021. A second clinic is pending.
Appropriate accommodations for children with disabilities with respect to health and safety policies	Y	<p><i>General Exceptions.</i> The MACCS masking requirement does not apply to children under age two or to anyone who has trouble breathing, is unconscious, incapacitated or is otherwise unable to remove the mask without assistance. When wearing a mask would obstruct breathing or aggravate another medical condition for a student, the student should be seen by a healthcare provider to discuss whether it is safe for the student to be in school during the public health emergency. If it is determined by the student’s medical care provider that the student cannot safely wear a mask, that information must be provided to MACCS and reasonable accommodations for the student will be considered and documented in the student’s IEP or in a 504 Plan.</p> <p><i>Students with IEPs/ 504 Plans.</i> For students who cannot wear a face mask as determined by a medical care provider and who have an IEP or 504 Plan as applicable, the IEP or 504 Team shall meet, to decide about possible accommodations based on the totality of needs, that is, the student’s needs and the school community’s public health needs.</p> <p><i>Possible Accommodations.</i> In most cases, the IEP/ 504 Team will consider fully remote learning as the appropriate accommodation, per PED guidance. Appropriate school staff shall be convened to explore all options to include the student in whatever activities are feasible, including the feasibility of outdoor learning, in a safe manner to the greatest extent possible while minimizing and mitigating risks and making other possible accommodations. If medical documentation is provided, the IEP/ 504 Team may determine whether a face shield could be substituted for a face mask. In the event the IEP/ 504 team allows a face shield to be substituted for a mask, the face shield must be hooded, or start at the forehead, and wrap around the face from ear to ear and extend to the chin.</p>

	<p>Additional PPE equipment for the student and the staff serving the student shall also be considered. When a student with an IEP/ 504 Plan cannot wear a face mask due to a behavioral issue, then the IEP/ 504 team will convene to consider a fully remote learning option or outdoor learning, if feasible, and to develop a plan for teaching the student to wear a face covering so that the student may return to in-person learning as soon as possible. Again, staff shall convene to explore all options to include the student in whatever activities are feasible in a safe manner.</p> <p><i>Staff working with Students.</i> Staff who work with students under an IEP/ 504 Plan wearing a face shield instead of a face mask should wear a face shield in addition to a mask; the school will provide staff in this situation with a medical mask and/ or other PPE. The use of a mask is not required by a MACCS employee when in that person's private, fully-enclosed office or workspace with no one else present and the door(s) closed.</p> <p><i>School Employees/ Contractors.</i> The face mask requirement is considered a lawful condition of employment and doing business with MACCS during the public health emergency. Employees who refuse to wear a mask as required by this policy or applicable public health order shall be subject to disciplinary action, up to and including termination/ discharge. Contractors will be required to leave MACCS. When wearing a face mask would exacerbate a breathing obstruction or another severe medical condition for an employee, he/ she must provide medical documentation to the appropriate administrative personnel along with a request for a reasonable accommodation as defined by the Americans with Disabilities Act (ADA) and school policies. Such requests shall be treated pursuant to the process for staff requests for a workplace accommodation. MACCS is not required to make reasonable accommodations to contractors or their employees.</p>
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	<p><i>Masking and the Americans With Disabilities Act.</i> Please note that a reasonable accommodation under the ADA may not be required when it would pose a “direct threat” to the MACCS community, or when it presents an “undue burden” involving a “significant difficulty or expense,” as defined by the ADA. During the public health emergency, all people’s health and safety must be considered.</p> <p><i>Refusal to Wear a Mask/ Discipline – Students.</i> If a student removes the face mask and refuses to wear a mask during required times and in required places, then the student will be taken to an isolation room and parents/ guardians will be called to pick up the student. Students who take off their masks outside of permitted times shall be given a disciplinary warning. After three (3) such warnings, the student shall be subject to further disciplinary measures as defined by the school’s disciplinary policies and procedures and may include outdoor learning (if available and provided), remote learning (if available and provided), or other alternative instruction, depending on the circumstances. Consequences will be supportive and instructional where possible. The MACCS administrator has sole discretion to determine what disciplinary measures provide the appropriate consequence under the circumstances.</p> <p><i>Refusal to Wear a Mask/ Discipline – Employees.</i> Employees who refuse to wear a face mask or follow the MACCS CSP and who are not entitled to a reasonable accommodation as contemplated herein, must vacate MACCS indoor premises, and will be subject to disciplinary measures for insubordination up to and including discharge or termination from employment.</p> <p><i>Refusal to Wear a Mask/ Discipline – Contractors & Visitors.</i> Other persons refusing to wear a mask as required shall be required to leave the MACCS indoor premises and may be required to leave the MACCS campus.</p>
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Coordination with State and local health officials	Y	MACCS stays in contact with and seeks advice from Charter School Nursing Services.
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How the LEA will ensure continuity of services, including but not limited to services to address students' academic needs and students' and staff social, emotional, mental health, and other needs, which may include student health and food services

How the LEA will Ensure Continuity of Services?

Due to the declared health emergency in New Mexico related to the Novel Coronavirus (COVID-19), MACCS will abide by all current federal and state public health orders applicable to schools and school-related activities. See <https://cv.nmhealth.org/public-health-orders-and-executiveorders/>. To the extent any policy conflicts with a public health or executive order or adopted regulation, the public health/ executive order shall control. Likewise, this school complies with PED guidance relating to operations during the public health emergency, which guidance may change from time to time. To the extent that any policy conflicts with PED guidance, as amended, the PED's most recent guidance shall control.

How will the LEA address Students':

Academic Needs?	MACCS has hired a STEM Coach and a Humanities Coach to address student learning loss. The coaches co-teach with teachers, and document work with students. Teachers and staff meet weekly to chart interventions and next-steps in helping to ensure student academic success.
Social, Emotional and Mental Health Needs?	MACCS Support Staff meets weekly with teachers to chart interventions and student SEL needs. Support Staff co-teaches with teachers regarding SEL needs. Once a month, Support Staff offers PD to teachers regarding SEL needs. Support Staff also offers online support and education to parents and families.
Other Needs (which may include student health and food services)?	MACCS maintains an open-door policy for parent and family concerns. Admin responds within 48 hours.

How will the LEA address Staff:

Social, Emotional and Mental Health Needs?	Admin celebrates teacher and staff success at monthly staff meetings. Walkthroughs and Observations are times to support student learning. Teachers and staff gather weekly to chart student interventions and to support one another. Social events for teachers and staff include pay day potlucks and seasonal gatherings.
Other Needs?	Admin meets with teachers and staff regularly to discuss the school's mission and reimagining process.

Public Input	
Describe the process used to seek public input, and how that input was taken into account in the revision of the plan.	Admin facilitates a monthly Town Hall Q&A in accordance with the Parent Advisory Committee meeting. Admin charts concerns and corresponds weekly with the community via an electronic newsletter.
Understandable and Uniform Format	
Describe the process by which the LEA will, to the extent practicable, present the plan written in a language that parents can understand. Or, if it is not practicable to provide written translations to a parent with limited English proficiency, describe the process for orally translating the plan for such parents.	At the monthly Town Hall Q&A, Admin shares with parents and families an update on policies and school news. Through the weekly newsletter, teachers and staff also share classroom information and elicit support.
Describe the process by which a parent who is an individual with a disability as defined by the ADA, will be provided a version of the plan in an alternative format accessible to that parent.	MACCS maintains an open-door policy for parent and family concerns. Admin responds within 48 hours.

U.S. Department of Education Interim Final Rule (IFR)

LEA Plan for Safe Return to In-Person Instruction and Continuity of Services

An LEA must describe in its plan under section 2001(i)(1) of the ARP Act for the safe return to in-person instruction and continuity of services –

1. How it will maintain the health and safety of students, educators, and other staff and the extent to which it has adopted policies, and a description of any such policies, on each of the following safety recommendations established by the CDC:
 - (A) Universal and correct wearing of masks.
 - (B) Modifying facilities to allow for physical distancing (e.g., use of cohorts/podding).
 - (C) Handwashing and respiratory etiquette.
 - (D) Cleaning and maintaining healthy facilities, including improving ventilation.
 - (E) Contact tracing in combination with isolation and quarantine, in collaboration with the State, local, territorial, or Tribal health departments.
 - (F) Diagnostic and screening testing.
 - (G) Efforts to provide vaccinations to school communities.
 - (H) Appropriate accommodations for children with disabilities with respect to health and safety policies.
 - (I) Coordination with State and local health officials.
2. How it will ensure continuity of services, including but not limited to services to address students' academic needs and students' and staff social, emotional, mental health, and other needs, which may include student health and food services.
3. During the period of the ARP ESSER award established in section 2001(a) of the ARP Act, an LEA must
 - a. regularly, but no less frequently than every six months (taking into consideration the timing of significant changes to CDC guidance on reopening schools), review and, as appropriate, revise its plan for the safe return to in-person instruction and continuity of services.
 - b. In determining whether revisions are necessary, and in making any revisions, the LEA must seek public input and take such input into account.
 - c. If at the time the LEA revises its plan the CDC has updated its guidance on reopening schools, the revised plan must address the extent to which the LEA has adopted policies, and describe any such policies, for each of the updated safety recommendations.
4. If an LEA developed a plan prior to enactment of the ARP Act that meets the statutory requirements of section 2001(i)(1) and (2) of the ARP Act but does not address all the requirements in paragraph (a), the LEA must, pursuant to paragraph (b), revise and post its plan no later than six months after receiving its ARP ESSER funds to meet the requirements in paragraph (a).
5. An LEA's plan under section 2001(i)(1) of the ARP Act for the safe return to in-person instruction and continuity of services must be—
 - a. In an understandable and uniform format;

- b. To the extent practicable, written in a language that parents can understand or, if it is not practicable to provide written translations to a parent with limited English proficiency, be orally translated for such parent; and
- c. Upon request by a parent who is an individual with a disability as defined by the ADA, provided in an alternative format accessible to that parent.

The IFR and ARP statute, along with other helpful resources, are located here:

April 2021 IFR: <https://www.govinfo.gov/content/pkg/FR-2021-04-22/pdf/2021-08359.pdf>

ARP Act text: <https://www.congress.gov/117/bills/hr1319/BILLS-117hr1319enr.pdf>

ED COVID-19 Handbook Volume I: <https://www2.ed.gov/documents/coronavirus/reopening.pdf>

ED COVID-19 Handbook Volume II: <https://www2.ed.gov/documents/coronavirus/reopening-2.pdf>

ESEA Evidence-Based Guidance: <https://oese.ed.gov/files/2020/07/guidanceeusesinvestment.pdf>

ED FAQs for ESSER and Governor's Emergency Education Relief (GEER):

https://oese.ed.gov/files/2021/05/ESSER.GEER_FAQs_5.26.21_745AM_FINALb0cd6833f6f46e03ba2d97d30aff953260028045f9ef3b18ea602db4b32b1d99.pdf