

California schoolnews

Weekly Update

July 21, 2021

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COVID-19 update: CSBA statement on updated CDPH guidance for K-12 schools



The **California Department of Public Health** on **July 12** released **updated COVID-19 guidance for K-12 schools** requiring **universal masking** while indoors in all K-12 schools. While CDPH officials have left enforcement of the mandate to local educational agencies, the **guidance states that students who decline to wear masks must be provided an educational**

alternative, such as independent study. While CSBA recognizes that the state's attempt to mitigate the spread of COVID-19 includes a multi-layered approach requiring that masks be worn in schools, **the intersection of the masking law with the new independent study requirements in Assembly Bill 130 may result in keeping some students out of the classroom without another viable educational option.**

Under AB 130, if students who are in independent study because they did not want to wear a mask in school fail to meet the attendance or engagement standards, the law requires that they return to in-person instruction, which makes little sense if they were barred from the classroom for their refusal to wear masks in the first place. The law also fails to provide an instructional alternative for students in school districts and county offices that receive a waiver due to their inability to offer independent study because of fiscal, logistical or technological limitations. In addition, the legislation does not account for students who are placed in independent study but lack an adequate internet connection. **The state needs to consider all the implications of its legislation and guidance and address these issues in a way that allows LEAs to achieve the shared goal of returning all students to the classroom safely.** [Read CSBA's full statement »](#)

In other COVID-19 developments:

- Gov. Gavin Newsom signed [Senate Bill 156](#) on July 20, committing **\$6 billion over the next three years to expand broadband access throughout the state, prioritizing areas without sufficient high-bandwidth connectivity, such as elementary and secondary schools**, higher education, healthcare institutions, libraries and tribal lands, both rural and urban. **About \$3.25 billion will go toward increasing middle-mile infrastructure, which links major internet providers to a local access point such as schools and hospitals.** Doing so **will bring internet services to rural areas and create competition in urban communities that will lower prices.** [Learn more »](#)

- The U.S. Department of Education on July 14 released [Frequently Asked Questions: Using American Rescue Plan Funding to Support Full-Service Community Schools & Related Strategies](#) to help inform state and local efforts in **effectively using American Rescue Plan Elementary and Secondary School Emergency Relief funds to support evidence-based, full-service community schools** and related approaches. Full-service community school approaches can leverage community resources to bring needed support for students and families into public schools, such as well-rounded educational opportunities and comprehensive services that meet the social, emotional, physical, mental health and academic needs of students. **All of the strategies described in the FAQs can be supported by funding under the ARP, regardless of whether a school is a full-service community school**, the department said in a [statement](#).
- On July 15, an official with the U.S. Food and Drug Administration [told NBC News](#) that **emergency use authorization for COVID-19 vaccines for those under age 12 could come as soon as early- to mid-winter**. While those aged 12 and over are currently eligible for the vaccine, many parents have expressed concern over returning their unvaccinated children to school campuses.

State Board approves plan for remaining federal relief funds



Among the most significant actions taken during the State Board of Education's July 14 meeting was the **approval of the draft California State Plan for the American Rescue Plan Elementary and Secondary School Emergency Relief Fund for submission to the U.S. Department of Education**. The ARP Act created the Elementary and Secondary School Emergency

Relief III fund, of which California was allocated approximately \$15.07 billion. Two-thirds of each state's allocation was released in March with state education officials required to submit a plan to the federal education department for approval to receive the remaining one-third of their ARP ESSER allocations. **Local educational agencies are also required by Oct. 29, 2021, to develop a Safe Return to In-Person Instruction and Continuity of Services Plan and an ESSER III Expenditure Plan** detailing their proposed use of ARP ESSER funds to address opportunity gaps, and students' academic, social-emotional and mental health needs. **These plans must be developed with meaningful stakeholder engagement.**

The board **did not adopt a new state math framework** during its July 14 meeting — members simply **approved a proposal from the California Department of Education to move the start of the second field review to December and extend the final action by the SBE on the framework to its May 2022 meeting**. Doing so will ensure that the writing team has sufficient time to implement changes approved by the Instructional Quality Commission, and that the SBE has sufficient time to fully evaluate the feedback from the second 60-day public comment and review period prior to taking final action. Typically, such a mundane action would not drum up much public interest, but proposed changes to California's K-12 mathematics framework is both highly anticipated and controversial. [Read more on the CSBA blog »](#)

Legislative update: Implementation of pandemic grading bill begins now



While the Legislature is away on summer recess until mid-August, one key piece of legislation school leaders should be aware of has already gone into effect: **Assembly Bill 104** (Gonzalez, D-San Diego), **which was signed into law and took immediate effect on July 1**. Aimed at helping students recover from the pandemic, AB 104 **requires local educational agencies to implement a**

supplemental retention policy in 2021–22 to allow students who failed at least half of their coursework in 2020–21 to request to repeat their grade. Schools will also be required to allow high school students to apply to change their 2020–21 letter grades to Pass/No Pass. The law requires CSUs and encourages UCs to accept changed transcripts for admission. Finally, schools are required to exempt students who were juniors and seniors in 2020–21 and who are not on track to graduate in four years from local coursework and graduation requirements that are in addition to state coursework and graduation requirements. To assist in meeting state coursework and graduation requirements, the bill also requires LEAs to offer students opportunities to help meet those requirements.

In implementing AB 104, schools will need to conduct a retention consultation within 30 calendar days of receiving a written request and notify the requesting parent of the decision within 10 days of the consultation. The California Department of Education will be developing a grade change request application and providing LEAs with assistance in complying with this requirement. **LEAs will also need to amend transcripts to Pass/No Pass and notify students of the change within 15 calendar days of receiving an application.** CSBA initially took an Oppose position on AB 104, but moved to Neutral after working with the author to remove some of the most problematic timeline and implementation provisions that would have required LEAs to develop a retention policy and notify parents by early summer and provide parents with a decision on a pupil's retention application by July 15.

Summer issue of *California Schools* available



The **summer 2021 issue of *California Schools* available online now features in-depth looks at evidence-based strategies for addressing learning disrupted by the pandemic, the ways in which declining enrollment — especially among kindergarteners — is affecting districts, and how schools are addressing student physical and mental health.** The issue also

includes a Q&A with Heather Calomese, director of California Department of Education's Special Education Division, as well as spotlights on several local educational agencies' efforts to improve student outcomes. [Read it here »](#)

Federal judge blocks new DACA applicants



On July 16, 2021, a **federal district court judge in Texas ruled against the Deferred Action for Childhood Arrivals (DACA) program**, finding that President Obama exceeded his authority when he created the program by executive action in 2012. The decision creates uncertainty for undocumented students in California. Texas and eight other states filed the lawsuit against the United

States in 2018, arguing that DACA was improperly adopted under the Administrative Procedures Act, which governs how U.S. administrative agencies may establish regulations. The court found that the DACA program violated the Administrative Procedure Act and is, thus, invalid.

The court's ruling stops the government from approving new DACA applications, so undocumented high school and college students who are not yet DACA recipients are at least temporarily unable to obtain work permits and protection from deportation. However, importantly for students and teachers who are DACA recipients, **the ruling allows for immigrants currently in the DACA program to keep and renew their status while the case is appealed. The Biden administration is expected to appeal the ruling.** If Congress does not create a legislative remedy for DACA, the case is likely to eventually end up before the Supreme Court. [Read more on the CSBA blog »](#)

Eligible candidates determined for CSBA office



Pursuant to Bylaws, Article V, Section 2, and Standing Rule 223 (A)(3), the Declaration of Candidacy Packet submitted on July 12, 2021, was deemed complete and **the following candidate is eligible for candidacy. Office of President-elect: Susan Markarian, Pacific Union Elementary School District.** There were no candidacy packets reviewed for the office of Vice President. [Learn more »](#)

Have you started your 2021 GASB report?



The Governmental Accounting Standards Board (GASB) establishes accounting reporting standards. **GASB 68 reports are required for pensions that are provided to the employees of state and local governmental employers** through pension plans that are administered through trusts. **GASB 75 reports are required for other postemployment benefits** that are provided

to the employees of state and local governmental employers. CSBA offers actuarial services through our partner DFA, LLC. **DFA, LLC provides GASB compliant reports to state and local governmental employers with under 100 participants.** By teaming up with DFA, LLC, we are able to provide the full actuarial valuation for a flat fee of \$2,500 and interim year reports, commonly referred to as disclosure or roll forward reports, for \$1,500. [Learn more »](#)

COVID-19 resources

Stay up to date with the latest news and resources related to COVID-19 on [CSBA's dedicated webpage](#) and with articles frequently posted on the newly redesigned [CSBA blog](#).

Virtual events

MIG Course 3: School Finance
August 6-7 | [Register here](#)

Student Board Member Summer Training Session
August 11 | [Register here](#)

MIG COE Course 1: Foundations of Effective Governance/Setting Direction
August 19 and 21 | [Register here](#)

MIG Course 2: Student Learning & Achievement/Policy & Judicial Review
August 23 and 25 | [Register here](#)

The Brown Act
August 27 | [Register here](#)

MIG Course 1: Foundations of Effective Governance/Setting Direction
August 27-28 | [Register here](#)

[View complete calendar](#)

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