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California schoolnews

Weekly Update

September 22, 2021

Opt in to receive texts about important education events and COVID-19 developments by texting CSBA4Kids to 52886.

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Legislative update: AB 361 signed into law; no action yet on AB 438



Just under three weeks remain for Gov. Gavin Newsom to sign or veto any legislation that has reached his desk before the signing deadline of Oct. 10. There has been relatively little action on education bills so far, with just one CSBA-monitored bill signed by the Governor since the legislative session ended on Sept. 10.

Assembly Bill 361 — which amends the **Brown Act to allow boards to hold remote meetings during a proclaimed state of emergency without following the Brown Act's teleconferencing rules through Jan. 1, 2024** — was signed by Newsom on Sept. 16. Although it took effect immediately as an urgency bill, the Governor issued a temporary Executive Order on Sept. 20 temporarily waiving the requirements of the bill until Oct. 1. This effectively allows the Governor's original Executive Order No. N-29-20 suspending certain parts of the Brown Act to allow teleconferenced meetings during the COVID-19 pandemic to continue until its expiration on Sept. 30.

A key bill **still awaiting action is AB 438, which strikes at the heart of locally informed decision making.** CSBA urges school leaders to reach out and ask the Governor to veto the bill. **Make your voice heard and send a message to the Governor.**

CSBA strongly opposes this measure as it **would delete the existing 60-day layoff notice requirements for classified staff and instead require school districts to issue classified staff layoff notices by March 15**, which is the same layoff notice date for certificated employees. It would also provide that any future layoff notice or hearing rights provided to certificated staff in future years would automatically extend to classified staff.

COVID-19 update: State launches new tools to track in-person learning



Gov. Gavin Newsom on Sept. 15 announced that most school districts in California are reporting that 95 to 100 percent of students are back in classrooms. **These and other reopening statistics can be found on the newly launched Student Supports & In-Person Dashboard, which displays data collected from local educational agencies on how many students are in classrooms as well as expanded learning opportunities and**

wellness services that are available. Also available is the new [District 2021–22 Instruction Status Map](#), which gives a regional breakdown of student in-person rates, expanded educational opportunities and in-school outbreak-associated cases, according to the Governor. [Read more on the CSBA blog »](#)

Clarity on piggyback contracting

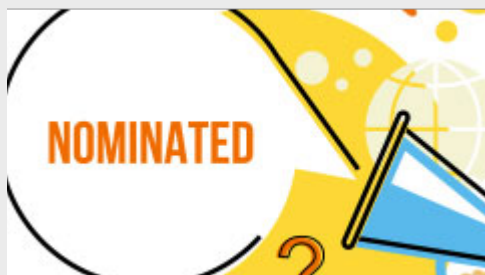


On July 7, California's Office of Public School Construction (OPSC) sent an email blast to school districts and county offices of education regarding the use of "piggyback contracting" in school construction projects. The email reportedly caused confusion, but members should be aware that there has not been a change in law or policy affecting school districts or county

offices of education on this issue.

As described in CSBA's model Board Policy and Administrative Regulation 3311, pursuant to Public Contract Code 20118, school districts may "piggyback" onto the contract of another public agency to lease or purchase any "personal property." OPSC's email blast was intended to remind local educational agencies of a 2006 [California Attorney General Opinion](#) that found that a district may not rely on the piggyback exception to contract for the acquisition and installation of factory-built modular building components (i.e., roofs and walls) for installation on a permanent foundation. The restrictions under this opinion do not apply to typical portable or relocatable single-classroom buildings, though, because they lack a permanent foundation and building mobility. Portable or relocatable buildings may be purchased through a piggyback contract that has gone through the competitive bidding process, but site and installation work must still comply with the competitive bidding requirements. [Read more on the CSBA blog »](#)

2022 CSBA officer candidates



CSBA's Nominating Committee met on Sept. 18, 2021, via Zoom virtual meeting to interview the candidate for President-elect, Susan Markarian, Pacific Union Elementary School District. Following the candidate interview and the committee's deliberation, the committee nominated Susan Markarian as candidate for President-elect.

Qualified individuals interested in being nominated from the floor of the Delegate Assembly for either President-elect or Vice President must submit a complete Declaration of Candidacy packet, along with their written intention to run, on or before Monday, Nov. 1, 2021. Intentions to run from the floor and the packet must be submitted to CSBA President Susan Heredia by [email here](#) and the Nominating Committee Chair Daniel Babshoff by [email here](#). [Learn more »](#)

Webinar on student off-campus speech



The National School Boards Association and the National Association of Secondary School Principals will host a webinar discussing the Supreme Court's ruling in [Mahanoy Area School District v. B. L.](#) and what it means for student discipline policies going forward. Schools still have a legitimate interest in regulating some off-campus online speech, but the Court did not draw a bright

line. "Blurred Lines: A New View of Student Off-Campus Speech" will take place on Sept. 30 at 3 p.m. [Register here »](#)

Convert property ownership into an active asset

Property Planning Solutions



Property Planning Solutions by DCG Strategies aims to **help school leaders explore the ways in which their real estate assets can be leveraged to secure additional funding for district initiatives, equip students with the education and experiences they need to be successful, invest in deferred facilities maintenance and capital improvements, reduce cost and**

liability from holding closed or grossly underutilized sites, bolster general fund reserves and even attract new staff. School leaders and board members can gain access to real estate experts that work to align a local educational agency's priorities with the realities of the real estate market. Services include real estate consulting, property planning, strategic asset management, educator housing development and real property brokerage services. [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 1: Foundations of Effective Governance | Setting Direction
Sept. 24 | [Register](#)

MIG 2: Student Learning & Achievement/Policy & Judicial Review
Sept. 25 | [Register](#)

Governance with an Equity Lens – 2021
Sept. 25-Nov. 6 | [Register](#)

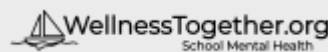
MIG Course 3: School Finance
Oct. 1-2 | [Register](#)

MIG COE Course 3: Finance
Oct. 7 & 9 | [Register](#)

MIG Course 3: School Finance
Oct. 8 | [Register](#)

[View complete calendar](#)

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