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In this Issue

- COVID-19 update: CDPH introduces group tracing guidance for K-12 schools
- March 15 layoff notices: What boards should know
- Legislative update: Musical chairs in the state Legislature
- Supreme Court puts hold on OSHA standards requiring vaccination or testing
- State Board approves changes to assessment presentation data; focuses on community schools
- Guidance on using federal funds to support Afghan and other newcomer students
- Comprehensive performance audits for your district's bond funds

COVID-19 update: CDPH introduces group tracing guidance for K-12 schools



The California Department of Public Health on Jan. 12 updated [its COVID-19 Public Health Guidance for K-12 Schools](#) to include a group contact tracing approach that can be used by local educational agencies in place of modified quarantine. According to the press release, [the Group-Tracing Approach to Students Exposed to COVID-19 in a K-12 setting framework](#)

“allows for a quicker and broader response to cases identified in school settings, accomplishable through prompt notification, testing, and isolation protocols.” Group contact tracing is applicable to students who were in the same indoor air space as someone with COVID-19 for a cumulative total of 15 minutes (within a 24 hour period.) Key changes in contact tracing include that **notification should occur to "groups" of exposed students** (e.g., classmates, teammates, cohorts, etc.) rather than contact tracing to identify individual "close contacts" (e.g., those within 6 feet); and that **exposed students, regardless of COVID-19 vaccination status or prior infection, should get tested with at least one diagnostic test within three to five days** after last exposure. [Learn more »](#)

In other COVID-19 developments:

- On Jan. 5, 2022, Gov. Gavin Newsom issued [Executive Order N-1-22](#) regarding Assembly Bill 361 provisions around virtual meetings that extended certain deadlines in the bill. **Executive Order N-1-22 does not apply to school districts or county offices of education. The provisions in AB 361 that apply to school districts and county offices of education, part of the Brown Act, do not sunset until Jan. 1, 2024.** Some confusion has arisen because the executive order extends two other provisions in AB 361 that apply to state legislative bodies and certain legislative bodies of the California State University system. The provisions only applicable to those legislative bodies were set to sunset on Jan. 31, 2022, which created the need for the executive order to apply AB 361 to those agencies until March 31, 2022.
- The U.S. Treasury Department adopted the [final rule](#) for the American Rescue Plan Act’s Coronavirus State and Local Fiscal Recovery Fund, which takes effect on April 1, 2022, and **includes several improvements for child care, early learning and schools.** The Treasury Department’s [summary of the final rule](#) provides additional information about eligible child care, early learning, school and broadband uses. According to the summary, **the final rule has a broader set of uses for communities disproportionately impacted by the pandemic**, “including making affordable housing, child care, early learning, and services to address learning loss during the pandemic eligible in all impacted communities and making certain community development and neighborhood revitalization activities eligible for disproportionately impacted communities.”

March 15 layoff notices: What boards should know



As a member of a school board governance team, few situations are more sensitive than a district delivering March 15 layoff notices. **The March 15 notice is a formal, written announcement from a school district to employees informing them that they may be released for the following school year beginning July 1.** It is essential for governing board members to be familiar with information about the March 15 notice, its implementation process and the strict legal requirements attached to the process.

Board members should note that **effective Jan. 1, 2022, Assembly Bill 438 modified the Education Code's classified layoff statues**, creating additional protections for classified employees and changing how school districts can conduct classified layoffs. **The process for laying off permanent classified employees now mirrors the process for certificated employees.** [Learn more about these procedures and requirements for layoff notices »](#)

Legislative update: Musical chairs in the state Legislature



Just a few weeks into 2021, it seems the Great Resignation has come for California's state legislature. **A growing and bipartisan group of Senators and Assemblymembers have announced they are resigning or choosing not to seek re-election. As of today, four senators and 16 assemblymembers have decided not to run for re-election or seek a different political office. Another seven additional members will**

reach the end of their term limits this year. The reasons vary — challenges and opportunities opened up by redistricting, new jobs and looming term limits chief among them — but for the time being, a minimum of 27 members so far will not be returning in 2023.

This makes up nearly one-quarter of the entire Legislature, which will likely increase as the June primary approaches. Changes of this magnitude will continue to impact how the Legislature responds to the Governor's budget and addresses legislation in the coming year.

Among the most significant departures are the chairs of both houses' education committees, Sen. Connie Leyva (D-Chino) and Assemblymember Patrick O'Donnell (D-Long Beach), as well as Assembly Appropriations chair Lorena Gonzalez (D-San Diego). With so many power players exiting the Capitol building, the resulting changing dynamics could have an effect on education policy. CSBA will keep members apprised as the situation develops and continue to advocate for schools amid the shifting tides in Sacramento.

Supreme Court puts hold on OSHA standards requiring vaccination or testing



Last week the **United States Supreme Court put on hold the emergency temporary standards issued by the Occupational Safety and Health Administration (OSHA) that would have required private employers, with at least 100 employees, to adopt policies and procedures that required their employees to either receive the COVID-19 vaccine or, at their own expense, test weekly and wear a mask at work.** These

emergency temporary standards (ETS) that covered over 80 million workers was stayed by a 6-3 majority of the court until the merits of the two lawsuits brought by nearly 60 petitioners, including 27 states and businesses, is decided.

A stay may be granted when the parties applying for the stay establish that they are likely to succeed in the underlying lawsuit. **Here, the majority found that OSHA had overstepped its statutory authority by imposing a blanket COVID-19 vaccination or testing requirement for what the court called a “universal risk” to public health, and not risk limited to the health and safety of employees in the workplace.** The court pointed out that in some instances, like crowded and cramped work environments, protecting against the risk of infection could be subject to ETS, but here OSHA attempted “to regulate the hazards of daily life.” The majority wrote that although “Congress has indisputably given OSHA the power to regulate occupational dangers, it has not given that agency the power to regulate public health more broadly.”

The federal agency defendants in *National Federation of Independent Business, et al., Ohio, et al. v. Department of Labor*, 595 U. S. ____ (2022), will now have to decide whether to engage in settlement negotiations or to move forward in the face of a certain defeat at the Supreme Court.

State Board approves changes to assessment presentation data; focuses on community schools



In a packed **one-day meeting on Jan. 12**, the State Board of Education said **goodbye to long-time members Ting Sun, Patricia Rucker, Sue Burr and Ilene W. Straus**, who were thanked for their service by former Gov. Jerry Brown, Board President Linda Darling-Hammond and others. The board discussed the implications of the **2020–21 assessment data**, which included student outcomes on the California Assessment of

Student Performance and Progress and English Language Proficiency Assessments and a slew of other tests. **CDE staff reported that the low participation rate makes it impossible to meaningfully measure growth or compare results during a year when most of California’s classrooms were closed to students and the board approved revisions** to the 2021–22 CAASPP and ELPAC student score reports to reflect the most recent updates to test administration and ensure that crucial information regarding student performance is communicated clearly to parents.

Taking the next step toward expanding the community school model statewide, **the board approved the proposed California Community Schools Partnership Program Framework**, which details the key roles and responsibilities of local, county, regional and state partners; best practices; four cornerstone commitments and more. **Read more on the CSBA blog »**

Guidance on using federal funds to support Afghan and other newcomer students



The U.S. Department of Education issued a [Dear Colleague letter](#) to chief state school officers detailing information about federal funds and resources available to support Afghan children and their families who have recently arrived or may be arriving soon to states and school districts across the country. **The letter explains several sources of federal funding available to state educational agencies and local educational**

agencies, including funds under the Elementary and Secondary School Emergency Relief Fund and the Governor's Emergency Education Relief Fund to **address the impact of the COVID-19 pandemic on recently arrived children, including leveraging these funds to develop culturally and linguistically relevant instructional materials as well as materials and assessments in other languages.** In addition, federal education funds from the Elementary and Secondary Education Act of 1965 can be used to support recently arrived children. [Read the letter »](#)

Comprehensive performance audits for your district's bond funds

Annual Proposition 39 **PERFORMANCE AUDITS**

CSBA believes that a performance audit of bond funds should be comprehensive enough to assess the **best use of taxpayer money and provide recommendations for improvements based on best practices in procurement and construction.** CSBA partners with Total School Solutions in providing **comprehensive performance audits to assist our members** in improving their bond-funded facilities programs.

Please contact Susan Lendway at 707-422-6393 to request a proposal for your performance audit. [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 [CSBA blog](#).

In-person events

2022 CCBE County Board Governance Workshop
March 11-12 | Sacramento | [Register](#)

2022 Leadership Institute

July 22-23 | Los Angeles | [Register](#)

Virtual events

Institute for New and First-Term Board Members

Feb. 1-2 | [Register](#)

Feb. 4-5 | [Register](#)

Equity Network Training: Governance with an Equity Lens

Feb. 12-May 7 | [Register](#)

Executive Assistants Certification Program

Feb. 4-May 13 | [Register](#)