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California schoolnews

Weekly Update

June 23, 2021

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COVID-19 update: Cal/OSHA again revises Emergency Temporary Standards



Cal/OSHA's Occupational Safety and Health Standards Board on June 17, adopted **revised Emergency Temporary Standards (ETS)**. While the new standards more closely align with face-covering guidance regarding vaccinated individuals released by the Centers for Disease Control and Prevention and the California Department of Public Health, **they do not affect requirements for using face**

coverings indoors for K-12 schools, child care, and other youth settings. Local educational agency employees working with pupils will continue to be required to wear face coverings unless and until the CDPH issues a revised guidance, which is expected whenever the CDC issues its revised guidance for K-12 education.

As reported in the [June 9 CSBA Weekly Update](#), the Cal/OSHA Board initially adopted the revised ETS on June 3; but on June 11, the board withdrew them. The newly revised ETS provide, among other things, that fully vaccinated employees in many workplaces are not required to wear face coverings and that employers will not need to require physical distancing by fully vaccinated employees except in the case of a "major" outbreak (20 or more COVID-19 cases in an exposed group of employees). Typically, these ETS would be sent to the Office of Administrative Law for review and approval, which takes up to 10 days, but **Gov. Gavin Newsom made the new ETS effective immediately, on June 17, 2021, through Executive Order N-09-21. Thus, LEAs must begin immediately implementing these requirements (discussed in detail in the blog post), including revised employee policies. [Learn more on the CSBA blog](#) »**

Legislative update: COVID-19 student impact urgency measure heads to Governor



Assembly Bill 104 (Gonzalez, D-San Diego), an urgency measure aimed at helping students recover from the impacts of the COVID-19 pandemic, has been sent to Gov. Gavin Newsom for his signature. **In the 2021–22 school year, AB 104 would require local educational agencies to implement a supplemental retention policy to allow parents of students who received failing**

grades for at least half of their coursework in 2020–21 to request to repeat the grade. Schools would 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 bill would also allow high school students to apply to change their letter grades from the 2020–21 school year to a Pass/No Pass designation on their transcript and would require the CSU system, and encourage the UC system, to accept changed transcripts for admission. The state Department of Education will develop a grade change request application and provide LEAs with assistance in complying with this requirement, and LEAs will need to change transcripts and notify students of the change within 15 calendar days of receiving an application.

Finally, AB 104 would require LEAs to exempt students who were juniors and seniors in 2020–21 and are not on track to graduate in four years from local coursework and graduation requirements that exceed the state graduation requirements. For those students, LEAs would also need to provide opportunities to complete the statewide coursework required for graduation, including a fifth year of instruction.

CSBA initially took an Oppose position on AB 104 but moved to a Neutral position after working successfully with the author to resolve some of the most problematic timeline and implementation issues. Provisions were removed from the bill that would have required an LEA to develop a retention policy and notify parents of the policy by early summer, and provided parents with a decision on a pupil's retention application by July 15.

Gov. Newsom now has 12 days to sign or veto the bill. As an urgency measure, if signed AB 104 will take effect immediately.

Broadband infrastructure grants available



The California Department of Education announced there is **still grant funding available under the Broadband Infrastructure Improvement Grant program**, part of the 2015–16 state budget. Funding can be used to **support improvements to school and district network infrastructure for online computer-based testing in California.**

According to the 2015–16 budget trailer bill language, first priority will go to local educational agencies that are unable to administer computer-based assessments at the school and will experience the greatest benefit in terms of the number of students able to be assessed at the school as a result of the grant. Second priority will go to LEAs that have to shut down essential operations to administer computer-based assessments at the school, including, but not limited to, business services, email and access to other critical online activities. [Learn more and apply »](#)

June newsletter available online



The June issue of *California School News* lays out **CSBA's advocacy regarding the proposed 2021–22 state budget**, focusing largely on ensuring all deferrals are paid off and raising concerns about the amount of one-time funds. Also featured is a **report and resource guide from CSBA's May Delegate Assembly discussing challenges and best practices in the return to full-time, in-**

person instruction; a pair of **CSBA briefs examining learning loss and recovery**; and the latest from the State Board of Education, including the **adoption of the long-awaited student growth model.** [Read the issue »](#)

Federal education department confirms Title IX protects LGBTQ+ students from discrimination



The U.S. Department of Education on June 16 issued a [legal memo](#) explaining that it will enforce Title IX's prohibition on discrimination on the basis of sex to include discrimination based on sexual orientation and discrimination based on gender identity. Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in any education program

or activity offered by a recipient of federal financial assistance. The Department's interpretation stems from the landmark U.S. Supreme Court decision in [Bostock v. Clayton County](#), in which the court recognized that it is impossible to discriminate against a person based on their sexual orientation or gender identity without discriminating against that person based on sex. [Read more »](#)

CSforCA featured on CSBA blog



The CSBA blog has partnered with [CSforCA](#) (Computer Science for California) for a series of blog posts about the importance of computer science education, the prevalent need for more computer science courses in California's schools, and best practices in implementation. CSforCA is a coalition of educators, industry leaders, nonprofits and higher education institutions advocating for

high-quality computer science teaching and learning opportunities in K-12 public schools. In the first post, CSforCA Co-Directors Julie Flapan and Allison Scott share how COVID relief funding and proposed funding in the 2021–22 state budget can be used for a variety of purposes that support computer science education, from teacher professional development to purchasing devices. [Read the blog post »](#)

CSBA business partner webinar: How to sustain indoor air quality and keep schools open



The air we breathe has become increasingly important, especially in schools and workplaces. Recent air sampling studies have proven the importance of air handling and ventilation systems in reducing exposure and infection risks. Join CSBA and industry expert LifeWings Peak Performance LLC to discuss the new Safer Air Initiative and how this program provides the medical,

engineering and administrative action steps to reduce student and teacher illness/absences and improve classroom and building air quality. [Learn more »](#)

Raise funds needed for real property acquisitions and capital improvements

CERTIFICATES OF PARTICIPATION
Program

CSBA's Certificates of Participation program assists California school districts, county offices of education and community college districts in their efforts to raise funds for capital equipment or real property acquisitions and improvements, and allows capital project finance or loan refinancing without voter approval. Finance construction, renovations, equipment, energy projects and

more with fast and efficient financing. [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 Alumni Association Summer Book Club Series

July 10 | [Register here](#)

MIG Course 2: Student Learning & Achievement/Policy & Judicial Review

July 16-17 | [Register here](#)

MIG Course 1: Foundations of Effective Governance/Setting Direction

July 26 and 28 | [Register here](#)

MIG Course 3: School Finance

August 6-7 | [Register here](#)

MIG COE Course 1: Foundations of Effective Governance/Setting Direction

August 19 and 21 | [Register here](#)

MIG Course 4: Human Resources/Collective Bargaining

August 20-21 | [Register here](#)

[View complete calendar](#)

Business Services

