

California schoolnews

Weekly Update

August 11, 2021

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COVID-19 update: California requires school staff to be vaccinated or tested regularly



Amid growing concerns over the spread of the COVID-19 delta variant, **Gov. Gavin Newsom announced Aug. 11 that all public and private school teachers and employees must show proof of vaccination or submit to weekly rapid COVID testing by Oct. 15. Robust and free testing resources are available to local educational agencies through the [CA K-12 schools testing](#)**

[program](#). CSBA is also making testing and related resources available to members through a partnership with [AMI Expeditionary Healthcare](#). According to the [new order](#), "unvaccinated or incompletely vaccinated workers must also observe all other infection control requirements, and are not exempted from the testing requirement even if they have a medical contraindication to vaccination, since they are still potentially able to spread the illness." **Schools must also have a plan in place for tracking verified worker vaccination status.**

"We support a safe return to school and one that hopefully allows students to experience full-time, in-person instruction for the duration of the 2021–22 school year. Yet, as we've seen with the new independent study regulations as well as the masking guidance, issuing mandates is only part of the equation, particularly when the state's orders must be implemented on a tight timeline while navigating many outstanding logistical questions," said CSBA CEO & Executive Director Vernon M. Billy. **"It's imperative that, in addition to financial resources, the state offer the support needed to carry out the mandate and provide clarity on enforcement so parents, board members and local communities understand exactly what the state intends for compliance to look like across the California."**

The first such requirement in the nation — supported by California Teachers Association, the California Federation of Teachers and SEIU Local 99 — follows recent announcements of similar requirements by districts in San Jose, San Francisco, Long Beach, Oakland and Sacramento. [Learn more](#) »

In other COVID-19 developments:

- California's Safe Schools for All Team **updated its [K-12 Schools FAQs](#) on Aug. 6 to address a question about doctor's notes and parental or self-attestation for mask exemptions.** As per the California Department of Public Health [guidance on face coverings](#), "persons with a medical condition, mental health condition, or disability that prevents wearing a mask" as well as "persons who are hearing

impaired" are exempt from mask requirements. According to the FAQ, **assessing for an exemption due to a medical condition, mental health condition, disability that prevents wearing a mask or hearing impairment is considered a medical determination and therefore must be made by a physician, nurse practitioner or other licensed medical professional** practicing under the license of a physician. **Self-attestation and parental attestation for mask exemptions due to any of these conditions do not constitute medical determinations.** Additionally, CDPH [K-12 Guidance](#) states that **those exempted from wearing a face covering due to a medical condition "must wear a non-restrictive alternative, such as a face shield with a drape on the bottom edge, as long as their condition permits it."**

- Local educational agencies must consider how to strategically invest federal relief aid in staff, plan for sustainability and transformational change, and ensure that funds are allocated equitably to support students who faced the highest barriers to learning during the pandemic. In support of this work, **WestEd published three briefs to aid LEAs in planning for both short-term investments and long-term structural changes.** [Read the briefs »](#)
- **National Immunization Awareness Month** provides the opportunity to **review student vaccination records at "check-point" grades, as required by state law, and promote increased utilization of the COVID-19 vaccines among those eligible.** The Biden Administration kicked off **new efforts to encourage COVID-19 vaccinations among youth ages 12 and older — one of the surest mitigation strategies to battle the virus and keep middle and high schools open safely.** According to the Centers for Disease Control and Prevention, all vaccination dose orders in the United States significantly declined from the beginning of the emergency declaration due to the COVID-19 pandemic. Complete **vaccination coverage declined in all children, and measles vaccination coverage worsened in young children since the pandemic began,** markedly increasing the risk of vaccine-preventable diseases. [Read more on the CSBA blog »](#)

Commission on State Mandates finalizes decision completing CSBA's legal challenge to protect school funding and autonomy



The **Commission on State Mandates adopted its [Decision and Parameters and Guidelines Amendment regarding Graduation Requirements](#) on July 23, 2021, partially approving the Department of Finance's request to use existing funding as offsetting revenue to pay for state mandates on local educational agencies.**

The commission's decision follows the California Supreme Court's decision in *California School Boards Association v. State of California*, where the Court allowed the Legislature to avoid appropriating new funding to cover the cost of state-mandated programs by pointing to existing, unrestricted state funding.

Following the Supreme Court's decision, **CSBA and its LEA partners fought to ensure that the state could not simply determine that all state funding was offsetting revenue to pay for its mandate obligations.** CSBA and the LEAs entered into a stipulation with the state agreeing that Education Protection Account funding from Proposition 30 could not be used as offsetting revenue under the relevant Education Code provisions. **The commission's decision adopts this limitation on the state.** [Read more on the CSBA blog »](#)

Legislative update: Bills to watch



The state Legislature will return on Aug. 16 for the final stretch of the 2021 legislative year. As legislators make their way back to Sacramento, movement is expected on several key bills, including:

Assembly Bill 101 (Medina, D-Riverside) would add the completion of a one-semester course in ethnic studies to state high school graduation requirements beginning with the

graduating class of 2029–30. The bill would also require local educational agencies, including charter schools, to offer an ethnic studies course beginning with the 2025–26 school year. **CSBA Position: Support if amended**

- **AB 388** (Medina) would expand permanent status for certificated employees after a two-year probationary period for all small school districts and regional occupational programs. **CSBA Position: Oppose**
- **AB 438** (Reyes, D-San Bernardino) would provide the same layoff notices and rights as those afforded to certificated employees to classified staff. Specifically, it would require school districts to issue a layoff notice to classified staff every March 15 and provide that any future layoff notice or hearing rights adopted by statute to certificated staff in future years would automatically extend to classified staff. **CSBA Position: Oppose**

CSBA will be closely monitoring and advocating on these measures and others as the session continues. The appropriations committees in both houses will meet from Aug. 16–27 to consider bills with significant price tags, after which both houses will transition to holding full votes on the Senate and Assembly floors until the session concludes on Sept. 10. **Gov. Gavin Newsom will then have until Oct. 10 to sign or veto legislation.**

August newsletter available online



The August issue of *California School News* available online now includes **California's school masking requirements**, the **vital role schools play in boosting immunization rates**, an **update on the State Board of Education and independent study provisions** for the 2021–22 academic year. Additionally, **CSBA President Dr. Susan Heredia writes about the importance of**

community schools in the wake of the pandemic, and the CSBA legal team breaks down the **implications of the recent superior court decision in *Cayla J. v. State of California***. [Read the newsletter »](#)

CPAG application open to board members



Recruitment is open for the **California Practitioners Advisory Group (CPAG)**, which **provides input to the State Board of Education on ongoing efforts to establish a single coherent local, state and federal accountability system**. **The state is seeking a school board member for CPAG for 2022.**

The advisory committee will also serve as the state's committee of practitioners under **Title I requirements of the Elementary and Secondary Education Act** and **provide input to the SBE** on practical implications of decisions before the board, which may include providing input **on the design of the Local Control Funding Formula evaluation rubrics and other decisions related to implementing LCFF**. [Learn more and apply »](#)

CSBA's new business partners can help your LEA with COVID-19 mitigation



CSBA has partnered with the **COVID Trakker; Crisp Imaging; LifeWings Peak Performance LLC (LWPP); The Maclean Group and R-Zero** to provide a Back-to-School Package for districts and county offices of education to address COVID-19 mitigation strategies. Services include **COVID-19 Tracing and Updates** by COVID Trakker; Crisp Imaging's **PPE and Document**

Scanning program, which provides custom-designed products like protective acrylic barriers, infographics and masks, as well as document scanning and management; the **Safer Air Initiative** by LWPP, which combines aerosol studies, ventilation, engineering and medical management to offer HVAC strategies for COVID-19 mitigation; the Maclean Group's **Air Purification and Safety Supplies** program, consisting of Delos ventilation and air purification equipment, N95 and surgical masks and sanitizing products; and R-Zero's **Hospital-Grade UV-C Disinfection** program, which uses a germ-killing UV-C light at a fraction of the cost of comparable products sold in hospitals. [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 2: Student Learning & Achievement/Policy & Judicial Review
August 23 and 25 | [Register here](#)

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

2021 CCBE Annual Conference
September 10-12 | [Register here](#)

MIG Course 3: School Finance
September 13 and 15 | [Register here](#)

MIG Course 2: Student Learning & Achievement/Policy & Judicial Review
September 17-18 | [Register here](#)

[View complete calendar](#)

Business Services

