

AGENDA

ASSEMBLY BUDGET SUBCOMMITTEE No. 2 ON EDUCATION FINANCE

ASSEMBLYMEMBER KEVIN MCCARTY, CHAIR

TUESDAY, OCTOBER 27, 2020
10:00 A.M. – STATE CAPITOL, ROOM 4202

We encourage the public to provide written testimony before the hearing. Please send your written testimony to: BudgetSub2@asm.ca.gov. Please note that any written testimony submitted to the committee is considered public comment and may be read in the record or reprinted.

Due to the statewide stay-at-home order and guidance on physical distancing, seating for this hearing will be very limited for press and for the public. All are encouraged to watch the hearing from its live stream on the Assembly's website at: <https://www.assembly.ca.gov/todaysevents>.

The Capitol will be open for attendance of this hearing, but the public is strongly encouraged to participate via the web portal, or one of the Remote Testimony Stations (RTS) available for testimony outside of the Capitol (see locations below).

1. Sacramento – State Capitol Park, North Steps
2. San Francisco – State Office (455 Golden Gate Ave., San Francisco, CA 94102)
3. Fresno – Hugh Burns State Building (2550 Mariposa Street, Fresno, CA 93721)
4. Santa Cruz – Santa Cruz County Building (701 Ocean Street, 318-E)
5. Los Angeles – Ronald Reagan State Building (300 South Spring Street, Los Angeles, CA 90013)
6. San Diego – State Building (1350 Front Street, San Diego, CA 92101)

We encourage the public to monitor the committee's website for updates at <https://abqt.assembly.ca.gov/sub2hearingagendas>.

THE SAFE REOPENING OF SCHOOLS: WHAT IS THE STATE'S ROLE?

The COVID-19 pandemic forced the closure of most public schools beginning in March 2020, and this hearing will cover how the 2020-21 Budget provided resources to support the safe reopening of schools, and how to anticipate the further role of state leadership and resource.

PANELISTS

- Amy Li, Legislative Analyst's Office
- Jessica Holmes, Department of Finance
- Dr. Stephanie Gregson, Chief Deputy Superintendent of Public Instruction, California Department of Education
- Representative, California Department of Public Health (invited)
- Dr. Paul Gothold, County Superintendent, San Diego County Office of Education
- Bill Simmons, President, San Juan Teachers Association
- Dr. Jacques Corriveau, American Academy of Pediatrics, California (invited)
- Rachel Ruffalo, Ed Trust West

BACKGROUND

2019-20 School Year's COVID-19 Closures

In March 2020, in response to the budding COVID-19 pandemic, nearly all public schools in California closed their campuses. The Legislature passed SB 117 (Committee on Budget and Fiscal Review, Chapter 3, Statutes of 2020) prior to adjourning for an emergency break, with the intent of holding LEA employees and contractors harmless and making the education system infrastructure stable during the COVID-19 pandemic closure period. SB 117 also appropriated \$100 million in anticipation of LEA reopening costs for PPE and cleaning.

As it became clear that school closures would be prolonged and potentially through the entire 2019-20 school year, the Administration released multiple Executive Orders (EOs), including Executive Order N-26-20, which provided that even if schools close temporarily because of COVID-19, school districts must: 1) Continue delivering high-quality educational opportunities to students through other options, including distance learning and independent study; 2) Safely provide school meals through the Summer Food Service Program and Seamless Summer Option, consistent with the requirements of the California Department of Education (CDE) and U.S. Department of Agriculture; 3) To the extent practicable, arrange for supervision for students during ordinary school hours; and 4) Continue to pay employees.

The full Executive Order is available here: <https://www.gov.ca.gov/wpcontent/uploads/2020/03/3.13.20-EO-N-26-20-Schools.pdf> . The CDE released numerous EO-relevant guidance posts on assessment, accountability, and reporting waivers and flexibility during this closure period, all available on the CDE website: <https://www.cde.ca.gov/ls/he/hn/coronavirus.asp>.

2020-21 Budget Act

Despite a significant drop in the Proposition 98 guarantee, the Final Budget for 2020-21 and the two education trailer bills, SB 98 and SB 820 appropriated approximately \$100 billion for public school funding, holding all LEAs harmless from cuts, and providing cost savings and one-time COVID relief funds for all schools. Additionally, significant policy was included in the Budget deal to support short-term distance learning and the safe re-opening of school campuses for small student cohorts, hybrid instructional models (a combination of in-person and distance learning), and comprehensive in-person instruction.

The major, pandemic-related items included:

- \$5.53 billion in one-time discretionary federal funds and General Fund for one-time COVID closure impacts on schools and children:
 - \$1.5B to all LEAs, based on Special Education enrollment for Learning Loss
 - \$2.9B to all LEAs, based on LCFF Supplemental and Concentration grant formulas for Learning Loss
 - \$980 million to all LEAs, based on the total LCFF formula
 - \$45m for existing Community School models
 - \$6m for professional development via the UC Subject Matter projects.
- \$1.4B in one-time federal ESSER funds directly to LEAs based on mandatory Title I allocation.
- \$2.3 billion (\$1 billion in Budget Year) one-time funding relief for Local Education Agency (LEA) statutory contributions to the STRS and PERS retirement systems.
- \$192.2m in one-time federal and state funds for LEA school meal reimbursements during summer and COVID closures, through August 2020.
- On-going increase of \$645 million Proposition 98 funding for special education services and supports: \$545m to base rate increases, \$100m for low-incidence pool.
- Extended the 2019-20 ADA Hold Harmless to the 2020-21 School Year, contingent on student participation reporting and local Continuity of Learning and Attendance plan elements.

- For the 2020-21 school year, allowed all LEAs to apply for either planned increases or actual planned growth to classroom-based student attendance, whichever is less, in lieu of the 2019-20 average daily attendance hold-harmless guarantee adopted in the Budget Act of 2020-21 for all LEAs, under certain conditions.
- Maintained instructional day requirements but allowed flexibility for instructional minutes in 2020-21 School Year, including a minimum day standard for instructional minutes.
- Defined Distance Learning and created 2020-21 Continuity of Learning and Attendance plans, as part of annual Local Control Accountability Plan process.
- Prohibited lay-offs for specified certificated and classified employees in 2020-21.
- Adopted short-term fiscal flexibilities, including: increased LEA inter-fund borrowing allowances, sale of surplus LEA property for one-time spending purposes, exclusion of on-behalf pension payments from the Routine Restricted Maintenance Account requirements, and extended audit timelines.
- Adopted education system flexibilities for 2020-21, including: Delayed development of observation protocol for Teachers of English Learners, extended the teacher credential exam validity period and the credential fee validity period, and extended Executive Order N-66-20 assessment requirements, reduced clinical practice requirement to one school setting, extended the project performance period for the Bilingual Teacher Professional Development grant, clarified Williams inspection requirements, aligned California High School Proficiency Exam to public health needs, and allowed alternatives for the State Seal of Biliteracy.

The Office of Emergency Services, in partnership with the Department of Education and the California County Superintendents Educational Services Association, launched a county-by-county distribution of approximately 60-day supplies of personal protective equipment and public health supplies for all LEAs.

While the final Budget Act declared that public education was to be conducted “in-person to the greatest extent possible,” the decision about when and how in-person instruction would be conducted was left up to the local School Board, under the guidance of their county Public Health officer.

Public Health Guidance to Schools

On July 17, 2020, Governor Gavin Newsom announced a new state-wide Public Health metric that would guide school re-opening decisions at the local level. The guidance makes it clear that all public and private schools located in counties on the COVID-19 “monitoring list” are not allowed to re-open for in-person instruction for the 20-21 school year until either 1) their county is off the COVID-19 monitoring list for 14 consecutive days, or 2) if an elementary school obtains a waiver from their county public health department to re-open. The guidance also provides parameters for masks, distancing, and when COVID-19 cases cause student quarantine and school or LEA closure. Comprehensive and updated guidance is available on the California Department of Public Health (CDPH) website at: <https://files.covid19.ca.gov/pdf/guidance-schools.pdf>.

As of the October 19, 2020 update, 40 out of 58 counties have been placed by CDPH in the “may reopen” category.

Staff Recommendation: Information Only
