
SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2019 - 2020 Regular

Bill No: AB 2126 **Hearing Date:** July 29, 2020
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Urgency: No **Fiscal:** Yes
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Subject: Temporary school closures: notification: survey

SUMMARY

This bill requires the California Department of Education (CDE) to develop and implement a website, app, and survey to collect temporary school closure information from local educational agencies (LEAs), including whether an LEA has a plan to provide meals and instruction during school closures lasting longer than five school days.

BACKGROUND

Existing law:

- 1) Requires, for purposes of the 2020–21 school year only, the governing board of a school district, a county board of education, and the governing body of a charter school to adopt a learning continuity and attendance plan by September 30, 2020. (Education Code § 43509)
- 2) Requires an adopted learning continuity and attendance plan to address continuity of learning and include, for the school district, county office of education, or charter school and each school within the school district, county office of education, or charter school, all of the information specified in the template developed by the State Superintendent of Public Instruction (SPI). (EC § 43509)
- 3) Requires the developed template to include, among other things, a description of how LEAs will provide continuity of learning and address the impact of COVID-19 on pupils, staff, and the community in the following areas, and the specific actions and expenditures the LEA anticipates taking to support its ability to address the impacts of COVID-19:
 - a) In-person instructional offerings.
 - b) Plans for distance learning, including, among other things, a plan for ensuring access to devices and connectivity for all pupils to support distance learning whenever it occurs.
 - c) How the LEA will address pupil learning loss that results from COVID-19 during the 2019–20 and 2020–21 school years.

- d) How the LEA will monitor and support the mental health and social and emotional well-being of pupils and staff during the school year.
- e) Pupil engagement and outreach.
- f) School nutrition, including how the LEA will provide meals for pupils who are eligible for free or reduced-price meals, for pupils participating in both in-person instruction and distance learning. (EC § 43509)

ANALYSIS

This bill requires the CDE to develop and implement a website, app, and survey to collect temporary school closure information from LEAs, including whether an LEA has a plan to provide meals and instruction during school closures lasting longer than five school days. Specifically, this bill:

- 1) Requires the CDE to develop and implement an internet website and a web-based application for the purpose of collecting information from LEAs about temporary school closures.
- 2) Requires the information to include, but not be limited to, all of the following:
 - a) The name of each closed school.
 - b) The duration of the school closure.
 - c) The reason for the school closure, and specifies that the reasons for temporary closure do not include nonschool days on the school calendar, such as weekends, holidays, and interim breaks.
- 3) Requires the internet website and web-based application to be operative no later than July 1, 2021.
- 4) Requires a county superintendent of schools, superintendent of a school district, or charter school administrator, or their designee, to notify the CDE through the internet website or web-based application of all temporary school closures each day the school is closed.
- 5) Authorizes a county superintendent of schools to assume the responsibility of fulfilling notification requirement on behalf of all school districts and charter schools under the jurisdiction of that county superintendent of schools.
- 6) Authorizes a scheduled temporary school closure to be reported to the CDE through the internet website or web-based application in advance of the temporary school closure.
- 7) Requires the CDE to make the information reported publicly available on its internet website.

- 8) Requires the CDE to develop a survey for the purpose of collecting information from LEAs with school closures of longer than five school days. The information collected by the survey must include, but need not be limited to, both of the following:
 - a) Whether the LEA has a plan to deliver instruction to pupils during the school closure of longer than five school days, and if so, a description of the plan, including how the LEA will assess whether all pupils have access to connectivity and devices adequate to participate in the educational program and complete assigned work.
 - b) Whether the LEA has a plan to deliver nutrition services to pupils during the school closure of longer than five days, and if so, a description of the plan.
- 9) Requires the survey to be automatically distributed to an LEA that reports a school closure of longer than five school days using the internet website or web-based application developed by the CDE.
- 10) Requires a county superintendent of schools, superintendent of a school district, or charter school administrator, or their designee, to submit a response to the survey to the CDE within a timeframe established by the CDE.
- 11) Authorizes a county superintendent of schools to assume the responsibility of fulfilling the requirement to respond to the survey on behalf of all school districts and charter schools under the jurisdiction of that county superintendent of schools.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "The primary goal of AB 2126 is to provide the CDE with up-to-date information on whether public schools are open, and how they plan to serve students during extended closures. The frequency and duration of temporary school closures in California has increased significantly in recent years due to wildfires, power-shutoffs, and now, at an unprecedented scale, due to the COVID-19 pandemic. By implementing a streamlined system for reporting school closures, this bill removes barriers to effective emergency response and ensures the safety and well-being of students and school employees in crisis situations and in the uncertain future ahead."
- 2) ***Increasing frequency and duration of school closures.*** The number of temporary school closures in California has increased in recent years, due in large part to the increased incidence of climate-fueled wildfires. Nearly two-thirds of the 34,000 school closure days recorded in California since 2002 have been due to wildfires. Of these, more than half have occurred since 2015, highlighting a trend in increasing wildfire-related closures, including those due to poor air quality, fire damage, and power outages caused by wildfires.
- 3) ***COVID-19 and schools.*** COVID-19, also known as "coronavirus", is a respiratory illness caused by a novel virus that has spread worldwide. As of July

1, 2020, over 230,000 cases have been confirmed in California and over 6,000 individuals have died in the state. To mitigate the spread of the pandemic, virtually all schools in California closed their campuses in mid-March 2020, and those campuses remained closed through the end of the 2019-20 school year. In response, the vast majority of schools transitioned “distance learning.” However, decisions of whether to close schools, offer meals, and how to provide distance learning were made locally by local educational agencies. Additionally, epidemiological models of COVID-19 predict recurrent outbreaks that may necessitate prolonged or intermittent social distance measures into at least 2021, and schools will likely repeatedly face the decision of whether to close schools to protect student and employee safety throughout the 2020-21 school year.

- 4) ***Distance learning and the digital divide.*** In response to school closures, LEAs have transitioned to providing “distance learning,” and while each LEA can choose how to best provide distance learning, the vast majority provide distance learning primarily online. This transition exacerbates the issue known as “the digital divide.” According to the Public Policy Institute of California, almost 16% of California’s school-aged children lacked internet connection at home in 2017 and 27% did not have broadband connections. Additionally, those figures do not account for shared devices among a family, an issue further exacerbated by COVID-19, as many parents and guardians now must work from home. Today, according to the CDE, which has established a Closing the Digital Divide Task Force, it estimates more than 700,000 computing devices and more than 300,000 hotspots are still necessary to meet students’ needs moving forward.
- 5) ***Learning Continuity and Attendance Plans.*** In light of the COVID-19 pandemic and its impact on the school system, Senate Bill 98 (Committee on Budget and Fiscal Review, Ch. 24, Stats. 2020) has suspended the Local Control and Accountability Plan (LCAP) and an annual update to the LCAP for the 2020–21 school year, and directed the CDE to not publish the California School Dashboard in December 2020 based on performance data on the state and local indicators. SB 98 supersedes the requirement to develop and adopt an LCAP by December 15, 2020, which was established by Executive Order N-56-20, which was published in April 2020.

Instead, SB 98 requires LEAs to develop and adopt a Learning Continuity and Attendance Plan (Learning Continuity Plan) for the 2020–21 school year. In essence, the Learning Continuity Plan replaces the LCAP for the 2020-21 school year and must be adopted by September 30, 2020. According to the CDE, the Learning Continuity Plan template memorializes the planning process already underway for the 2020-21 school year and includes descriptions of the following: addressing gaps in learning; conducting meaningful stakeholder engagement; maintaining transparency; addressing the needs of unduplicated pupils, students with unique needs, and students experiencing homelessness; providing access to necessary devices and connectivity for distance learning; providing resources and supports to address student and staff mental health and social emotional well-being; and continuing to provide school meals for students.”

Importantly, Learning Continuity Plans are only submitted to an LEA’s county office of education (COE) or charter authorizer, or in the case of a COE, the

State Superintendent of Public Instruction. This means that the state will not be collecting statewide data on the vast majority of LEAs' activities in response to COVID-19. This bill would create a mechanism for state to collect similar data during future school closures of longer than five school days.

SUPPORT

California Teachers Association

OPPOSITION

None received.

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