



**YPI CHARTER SCHOOLS
EXECUTIVE DIRECTOR'S REPORT**

July 27, 2020

The mission of the YPI Charter Schools (YPICS) is to prepare students for academic success in high school, as well as post-secondary education; prepare students to be responsible and active participants in their community; and enable students to become life-long learners. Students at YPI Charter Schools will become active citizens who characterize the ideals of a diverse and democratic society. Students will provide service to their community, take responsibility for their own learning, and develop the habits of mind and body that will empower them to be successful in high school and beyond.

State:

From School Services of California –

“Governor Newsom Issues School Reopening Guidance”

posted July 17, 2020

As local educational agency (LEA) governing boards across the state begin to announce their plans for how they will begin the upcoming 2020–21 school year, Governor Gavin Newsom held a press conference today where he unveiled new guidance for schools that was characterized by the Governor as a “mandate” and is far more prescriptive than previous guidance issued by his Administration.

The new guidance states that any LEA that resides in a county that has been placed on the COVID-19 monitoring list would have to conduct distance learning instruction until that county sustains a 14-day decline in cases, which is required before a county can officially come off of the state’s watch list. This means that if any LEA that had planned to physically reopen their schools in the fall will not be able to if their county is on the monitoring list within 14 days of their intended start date. However, once the county comes off of the monitoring list, LEAs have the discretion to implement their reopening plans. If a county is placed on the monitoring list after an LEA physically reopens its doors, they would not be forced to close their schools but there would be an expectation for staff to be tested.

When schools do physically reopen their doors, the guidance lays out specific criteria for when a classroom cohort, school site, or entire district would be forced to shut down due to confirmed COVID-19 cases. A classroom cohort would need to go home if there is at least one confirmed case, which would be followed by a 14-day quarantine for everyone in that cohort. An entire school site would need to close its doors if multiple classroom cohorts have at least one confirmed case, or if the school has more than a 5% virus positivity rate, which would be followed by a 14-day quarantine for all students and staff. An entire district would be forced to shut down if 25% of their schools experienced a 5% positivity rate for students and staff.

The guidance recommends that surveillance testing be implemented based on local disease trends and that staff be tested at least once every two months and at least half of the staff be tested every month. Governor Newsom indicated that the new statewide testing strategy that has been recently implemented sets an expectation that health care plans and employers cover the costs of these tests. The guidance, however, does not provide a recommendation for how often students should be tested and maintains that the role of providing systemic testing is currently unclear.

The guidance also sets a masks requirement and reemphasizes physical distancing and other health guidelines. All students and staff in grades three and above are required to wear a mask, whereas all

students in second grade and below are encouraged, but not required, to wear masks or face shields. Schools are also required to ensure that staff (and students to the greatest extent possible) maintain at least six feet of physical distancing from their students and peers, implement daily symptom monitoring procedures, make handwashing stations available, have daily sanitation and disinfection procedures, and implement quarantine protocols if necessary.

There are currently 32 counties on the COVID-19 monitoring list, including the state's most populated regions, which means that this new guidance ensures that the overwhelming majority of LEAs and students will be starting the 2020–21 school year via distance learning unless conditions significantly change. Additional information is available from the California Department of Public Health framework for re-opening.

While there are undoubtedly a number of questions that remain unanswered, we will be sure to provide you with more information about this guidance in future *Fiscal Report* articles.

“The 2020–21 State Budget and Charter Schools—Part 1”

posted July 17, 2020

In large part, the 2020–21 Adopted State Budget included numerous changes that affect all local educational agencies (LEAs). From the hold harmless provision that provides for the use of 2019–20 average daily attendance (ADA) for 2020–21, to the almost \$12 billion in deferrals from fiscal year 2020–21 to 2021–22, school districts and charter schools are similarly impacted. However, Senate Bill (SB) 98 (Chapter 24/2020) includes a number of provisions that uniquely affect charter schools. We are providing a two-part *Fiscal Report* article as an overview of many, though not all, of the provisions and changes of which charter schools and charter school authorizers alike should be aware. In this article, we cover changes to the material revision and renewal process for charter schools as well as other miscellaneous issues.

Material Revisions

1. Assembly Bill 1505 added two new reasons for denial of a petition (Education Code Sections [EC §] 47605[c][7] and [8])—the charter school is demonstrably unlikely to serve the interests of the entire community and the school district is not positioned to absorb the fiscal impacts of the proposed charter school. Neither of these reasons can be used to deny renewal of an existing charter school, but may be used to deny expansion or other changes under a material revision. SB 98 makes clear that as it pertains to material revisions, the analysis required for these two new reasons is limited to consideration of only the impact of the proposed material revision. In other words, while the two new reasons can be used to deny the expansion or change that necessitates a material revision, they cannot be used to deny the continuing operations of an existing charter school (EC § 47607[a][4]).
2. Charter schools are not required to submit a material revision in order to offer distance learning as is allowed under the newly created provisions of SB 98. Additionally, SB 98 clarifies that existing classroom-based charter schools that offer distance learning, as defined in the bill, will retain that status in 2020–21 and will not be considered a nonclassroom-based charter school, as defined in EC § 47612.5
3. A charter school scheduled to open or add grade levels in the 2020–21 school year is allowed to delay opening or adding grade levels for one year without submitting a material revision. A charter school is required to notify its chartering authority, the California Department of Education, and the parents/guardians of students who have indicated an intent to enroll in the

charter school or the affected grade levels, in writing, of the decision to delay opening or adding grade levels. The deadline for this notification is today, July 17, 2020 (SB 98, Section 105).

Renewals

AB 1505 established new criteria for the approval and denial of renewal petitions. The criteria require the chartering authority to determine a charter school's performance on state and local indicators found on the California School Dashboard for the two consecutive years immediately preceding the renewal decision. However, due to the pandemic, the 2020 Dashboard will not be released, which would affect the ability of a chartering authority to determine the appropriate statute to follow when considering a renewal petition both in the 2020–21 and 2021–22 school years.

Therefore, SB 98 adds language noting that if the “two consecutive years immediately preceding the renewal decision” include the 2019–20 school year, a chartering authority should look at the performance in *two of the three years* immediately preceding the renewal decision (EC § 47607 [c][2][B] and 47607.2[a][2]).

Miscellaneous

- Prohibits the State Board of Education (SBE) from waiving transparency laws (e.g., Brown Act, California Public Records Act, etc.) enacted by SB 126 (Chapter 3/2019) (EC § 47604.1[g])
- Includes clean-up language in various sections to align existing law with changes made by AB 1505 and AB 1507 (Chapter 487/2019)
- Adjusts one of the definitions for sponsoring an LEA, as it pertains to the in-lieu of property tax transfer, as the SBE can no longer approve charter petitions, and instead references the SBE's ability to reverse the determination of an LEA (EC § 47632[i][3])

The second article in this series will cover changes to charter school definitions and related impacts to funding.

“Cash Deferrals and Apportionment Schedules”

posted July 17, 2020

There are myriad ongoing cash deferrals that should be embedded in the local planning options for local educational agencies (LEAs). We at School Services of California Inc. realize that you need to know how to implement these deferrals in your own cash planning, so we have estimated what impact the deferrals will have on LEAs based upon the apportionment schedules.

There are three different apportionment schedules, depending on the historical characteristics of your organization:

- The apportionment schedule in Education Code Section (EC §) 14041(a)(2)–(4), otherwise referred to as the “5-5-9 schedule,” applies to almost 90% of LEAs. This apportionment schedule, incorporating estimates of the deferral impact, is as follows:

Month	Apportionment Schedule for EC § 14041(a)(2)-(4)	Estimated Deferral Impact	Estimated Share of Annual State Aid Cash Net of Deferrals
July 2020	5%		5%
August 2020	5%		5%
September 2020	9%		9%
October 2020	9%		9%
November 2020	9%		9%
December 2020	9%		9%
January 2021	9%		9%
February 2021	9%	(4%)	5%
March 2021	9%	(6%)	3%
April 2021	9%	(6%)	3%
May 2021	9%	(6%)	3%
June 2021	Balance	(100%)	0%
New Fiscal Year			
July 2021		100%	100%
August 2021		6%	6%
September 2021		6%	6%
October 2021		6%	6%
November 2021		4%	4%

- The apportionment schedule in EC § 14041(a)(6) applies to approximately 270 LEAs. The apportionment schedule for these LEAs, incorporating estimates of the deferral impact, is as follows:

Month	Apportionment Schedule for EC § 14041(a)(6)	Estimated Deferral Impact	Estimated Share of Annual State Aid Cash Net of Deferrals
July 2020	15%		15%
August 2020	15%		15%
September 2020	15%		15%
October 2020	15%		15%
November 2020	0%		0%
December 2020	0%		0%
January 2021	6%		6%
February 2021	7%	(3%)	4%
March 2021	7%	(5%)	2%
April 2021	7%	(5%)	2%
May 2021	7%	(5%)	2%
June 2021	Balance	(100%)	0%

New Fiscal Year			
July 2021		100%	100%
August 2021		5%	5%
September 2021		5%	5%
October 2021		5%	5%
November 2021		3%	3%

- The apportionment schedule in EC § 14041(a)(7) applies to approximately 15 LEAs. This schedule provides no apportionments during February, March, April, or May, so these LEAs are not affected by the deferrals in those months. These LEAs are affected by the June deferral of 100%, but only to the extent that the Second Principal Apportionment calculation results in cash due from the state to these LEAs.

The last column in the tables above can be used as the estimates of cash to be received during the corresponding months. Note that these estimates have been calculated based upon the 2019–20 Principal Apportionment, so they will change once the 2020–21 apportionment calculations are prepared and revised throughout the year. However, in the meantime, for cash flow planning purposes, the above apportionment schedules reflecting the deferrals can serve as estimates.

From California Association of School Business Officials (CASBO) –

Governor Newsom Releases Updated COVID-19 and Reopening Guidance

By Sara C. Bachez and Elizabeth Esquivel, Governmental Relations

On Friday, July 17, 2020, Governor Newsom released updated California Department of Public Health (CDPH) guidance on how to implement in-person instruction for the 2020-21 school year, given the latest spike in COVID-19 cases throughout the state. The new guidance is not intended to revoke any worker rights, either statutory, regulatory or collectively bargained, and is not exhaustive as county health orders and existing safety and health-related requirements.

The updated guidance applies to California public school districts and county offices of education, charter schools, and private schools including nonsectarian schools. This guidance is not intended to prevent a local educational agency (LEA) from adopting a distance learning, hybrid, or mixed-delivery instructional model.

- CDPH COVID-19 and Reopening In-Person Learning Framework for K-12 Schools in California 2020-21 School Year
- CDPH COVID-19 Industry Guidance: Schools and School-Based Programs
- CDPH County Variance Information
- State Superintendent Tony Thurmond Response to Governor’s Updated School Guidance

In-Person Reopening Criteria

If a local health jurisdiction (LHJ) has been on the state monitoring list within the last 14 days, the school and school district must conduct distance learning only, until the LHJ has been removed from the monitoring list for at least 14 days.

A Superintendent of a school district with an elementary school site(s) can seek a waiver to continue to operate in-person instruction from their local health officer, but the request must be made in consultation with labor, parents, and community organizations. The local health officials will review local conditions and consult with CDPH when considering a waiver request.

When schools re-open in-person services, it is recommended that surveillance testing be implemented based on the local disease trends to detect potential cases, as lab testing capacity allows.

In the event that the county or LHJ is placed on the county monitoring list, a school should begin testing staff or increase frequency of testing, but are not required to close.

Testing Procedure

School districts shall test staff periodically, as testing capacity permits and as practicable. The recommended testing schedule is 50 percent of school employees every month, rotating testing of all staff over time.

During Governor Newsom's press conference, he stated that the state contact tracing workforce will prioritize schools.

Closing a School Site/District

A classroom cohort goes home to be quarantined when there is a confirmed case. A school site may close when there are multiple cases in multiple cohorts at a school or when at least **5 percent** of the total number of teachers, students, and staff are cases within a 14-day period, depending on the size of the physical layout of the school. A school site may reopen after 14-days with the following conditions:

- Cleaning and disinfection
- Public health investigation
- Consultation with the local public health department

A local health official may determine to close a school site for other reasons, including results from local epidemiological data.

A school district should close if **25 percent** or more of schools in a district have closed due to COVID-19 within 14-days, and in consultation with the local public health department.

Updated Industry Guidance

1. General Measures

- Establish and maintain communication with local and state authorities.
- Establish a written, worksite-specific COVID-19 prevention plan at every facility and designate a person at each school to implement the plan.
- Evaluate whether external community organizations can utilize school site(s) and resources.
- Develop a plan for classroom, groups or entire facilities closures.
- Develop a plan to support students with necessary accommodations and process for engaging families in preparation of in-classroom and non-classroom environments.

2. Promote Hygiene Practices

- Teach and reinforce healthy hygiene procedures, such as hand washing, face coverings, and use of protective equipment.

3. Face Coverings (Masks/Shields)

- *Children.*
 - Children under 2 years of age: Face covering is not required.
 - Children 2 years old – 2nd grade: Face covering is strongly encouraged.
 - Children 3rd grade – high school: Face covering is recommended, unless exempt. During meal, naptime, or outdoor activities, masks can be removed and placed in a clean paper bag, with child's name and date.
- *Adults.* Staff must use face coverings in accordance with CDPH guidelines, and face shields can be used in the classroom while maintaining physical distance, to the extent practicable. Child nutrition staff must use gloves in addition to face coverings.
- *Schools.*
 - Schools must exclude students from campus if they are not exempt from wearing a face covering and refuse to wear a face covering provided by the school, and should offer alternative educational services for students who are excluded from campus.
 - Schools should consider where disposable glove use may be helpful to supplement handwashing or hand sanitizer use.

4. Ensure Teacher and Staff Safety

- Ensure staff maintain physical distancing and use face coverings in accordance with CDPH guidelines and Cal/OSHA standards, including during staff meetings, professional development and other activities conducted in person.
- Support staff who are at higher risk for illnesses.
- Minimize congregation of adults in staff rooms, break rooms and other settings.

5. Intensify Cleaning, Disinfection, and Ventilation

- Clean and disinfect frequently-touched surfaces throughout the day and buses at least daily, by trained custodial staff.
- Limit use and sharing of objects and equipment and disinfect between uses if shared.
- Choose disinfecting products approved for use against COVID-19 on the Environmental Protection Agency (EPA)- approved list "N" and follow appropriate instructions.
- Ensure proper ventilation during cleaning and consider installing portable high-efficiency air cleaners or upgrading air filters.

6. Implementing Distance Inside and Outside the Classroom

- *Arrival and Departure.* Maximum space on school buses and minimize contact at school by staggering drop off-times and routes for entry and exit.
- *Classroom Space.* Staff should develop instructions for maximizing space between seating, desks, and use of outdoor space and minimize movement such as keeping the same students and teachers in the same space or in cohorts.
- *Non-Classroom Spaces.* Limit non-essential volunteers and activities and minimize congregate spaces in areas such as hallways or eating meals in a cafeteria. Avoid sharing foods, utensils and buffet/family style meals.

7. Limit Sharing

- Keep each student's belongings separated and in labeled storage containers.
- Limit use of supplies and disinfect in between uses when sharing occurs.

8. Train All Staff and Educate Families

- Train all staff and provide educational materials to families that provide information such as the importance of physical distancing, sanitation and screening practices, identification of symptoms, and employer plans if a student or adult becomes sick at school.
- Conduct training virtually or practice social distancing if provided in-person.

9. Check for Signs and Symptoms

- Check for signs and symptoms by implementing procedures in place that provide screening of symptoms before entering a site and monitoring of temperature throughout the day for all students and staff.
- Encourage staff and students who are sick, show symptoms or have had close contact with a person with COVID-19 to stay home.

10. Plan for When a Staff Member, Child or Visitor Becomes Sick

- *Symptoms.* For those who exhibit symptoms, work with staff to identify an isolation space; establish procedures to arrange for safe transportation home or to a healthcare facility and seek immediate medical attention of symptoms become severe.
- *Testing Positive.* Notify local health officials immediately, close off areas used by the individual suspected of being infected and wait 24 hours before disinfecting; advise not to return until they meet CDC criteria. Implement protocols when a school has an outbreak.
- *Distance Learning.* Offer distance learning to students who experience symptoms, are sick or whose family member they cohabitate experience symptoms or may be "at-risk".

11. Maintain Healthy Operations

- Monitor staff absenteeism and types of illness.
- Have a roster of trained-back up staff.
- Designate and train a staff liaison responsible for COVID-19 concerns.
- Have communication system for self-reporting of symptoms.

12. Considerations for Reopening and Partial or Total Closures

- Check daily notices from state, local and health department notices.
- When someone tests positive, and had exposed others at schools, refer to the CDPH COVID-19 and Reopening In-Person Learning Framework for K-12 Schools in California and implement their steps.

We recognize the evolving changes in state guidance and the impact that new requirements and considerations have on local educational agencies, as reopening plans are assessed and updated