



EXECUTIVE DIRECTOR'S REPORT

September 27, 2021

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.

National:

President Biden's COVID-19 Plan | The White House

<https://www.whitehouse.gov/covidplan>

September 9, 2021

President Biden is implementing a six-pronged, comprehensive national strategy that employs the same science-based approach that was used to successfully combat previous variants of COVID-19 earlier this year.

1. Vaccinating the Unvaccinated
2. Further Protecting the Vaccinated
3. Keeping Schools Safely Open
4. Increasing Testing & Requiring Masking
5. Protecting Our Economic Recovery
6. Improving Care for those with COVID-19

Vaccinating the Unvaccinated: Since January, the Administration has taken actions to make vaccination conveniently available to all. COVID vaccines have been available to every individual age 16 and older since April 19th and to those age 12 and older since May. The Administration took steps to make vaccines available at over 80,000 locations nationwide, worked with pharmacies to offer walk-in appointments, and put out a call to action to businesses and organizations across the nation.

Keeping Schools Safely Open: As we work to ensure our children are protected, we know that vaccination remains the best line of defense against COVID-19. For those adolescents aged 12 and above who are eligible for vaccination, the most important step that parents can take is to get them

vaccinated. To date, over half of the nation’s adolescents have been vaccinated. For those too young to be vaccinated, it is especially critical that they are surrounded by vaccinated people and mask in public indoor spaces, including schools. Studies released by the CDC found that the rate of hospitalization for children was nearly four times higher in states with the lowest vaccination rates compared to states with high vaccination rates.

The FDA is undergoing a process now to evaluate a vaccine for children under the age of 12, and under the President’s plan, the Administration will do whatever it takes to support those efforts, while continuing to respect and defer to the scientific decision-making of the agency.

Requiring All Employers with 100+ Employees to Ensure their Workers are Vaccinated or Tested Weekly: The Department of Labor’s Occupational Safety and Health Administration (OSHA) is developing a rule that will require all employers with 100 or more employees to ensure their workforce is fully vaccinated or require any workers who remain unvaccinated to produce a negative test result on at least a weekly basis before coming to work. OSHA will issue an Emergency Temporary Standard (ETS) to implement this requirement. This requirement will impact over 80 million workers in private sector businesses with 100+ employees.

Calling on All States to Adopt Vaccine Requirements for All School Employees: Scientific studies have shown that even one unvaccinated teacher can lead to dozens of sick school children. This is a completely avoidable outcome, and we can protect kids—especially those in elementary schools and early childhood education and childcare centers where children are not yet eligible for the vaccine—by surrounding them with fully vaccinated adults as the first line of defense against COVID-19. In order to keep all children safely learning in school, the President’s plan calls for Governors to require vaccinations for teachers and school staff. Currently, nine states, as well as the District of Columbia and Puerto Rico, have vaccination requirements for K-12 school staff, including California, Connecticut, Hawaii, Illinois, New Jersey, New Mexico, New York, Oregon, and Washington. Building on Administration policies to require vaccination among federal employees, including those serving children in DOD and BIE schools, the President is asking more states to join in requiring the vaccine for school employees to make sure we are keeping students safe.

State:

From School Services of California –

Education Budget Cleanup Bill
September 7, 2021

The education budget cleanup trailer bill for the 2021–22 State Budget was made public over the weekend, officially coming into print and being heard by the Legislature today, September 7, 2021. Assembly Bill (AB)/Senate Bill (SB) 167 make changes both minor and significant, including to several funding streams and programmatic areas. For more information about proposed changes to independent study, see [“Budget Trailer Bill Reinforces Independent Study for Quarantine”](#) in the September 2021 *Fiscal Report*. The more significant changes are summarized below.

LCAP Supplement/LCFF Concentration Grant Funds

Clarification is added for local educational agencies (LEAs) that receive the additional Local Control Funding Formula (LCFF) concentration grants funds this year to hire additional school site staff. The funds must be used to increase the number of school site staff that provide direct services at high-poverty schools compared to low-poverty schools. A description of how these funds are used must be included in the LEA's one-time Local Control and Accountability Plan (LCAP) Supplement for the 2021–22 LCAP.

A-G Completion Grant

AB/SB 167 clarifies the data used for LEAs receiving an allocation from the A-G Completion Improvement Grant Program. Funds will be distributed using enrollment of unduplicated students in grades 9–12 based on CALPADS 2020–21 Fall 1 data. More importantly, LEAs receiving grant funds will get a bit of a reprieve as the required plan describing how funds will be used will be due April 1, 2022, rather than in January.

Expanded Learning Opportunities (ELO) Program

The cleanup language tightens implementation of the ELO Program in the 2021–22 school year such that all school districts and charter schools receiving funds must implement the program in the current school year. Funds received this year must be expended by June 30, 2023 and may only be used to develop the ELO Program or provide services as required by the program.

Kitchen Infrastructure

AB/SB 167 makes several significant changes to how the \$150 million investment for kitchen infrastructure will be allocated to LEAs. Originally, all LEAs were slated to receive funds for this purpose; however, the cleanup language narrows the LEAs (school districts, COEs, and charter schools) that are eligible to those that participate in the federal School Breakfast Program or the federal National School Lunch Program.

The bill also amends the language that states all LEAs “shall” receive a \$25,000 base grant for kitchen infrastructure upgrades and a \$2,000 base grant for food service staff trainings to “may” receive a base grant for these purposes. This means that LEAs are no longer guaranteed to receive funding for kitchen upgrades and staff training. Additionally, the bill would make the \$30 million earmarked for food service staff training based on the number of lunches served in October 2020 rather than the number of classified school employees employed by the LEA.

Assembly Bill 104 Window

AB/SB 167 provides additional time for students to be able to request grade changes from letter-based grading to a Pass/No Pass grade:

- LEAs must accept grade change applications received on or before October 1, 2021
- LEAs may accept grade change applications after October 1, 2021, for the 2020–21 school year.

Substitutes

Until July 1, 2022, extends to 60 cumulative days the length of time that substitute teachers may serve in any one assignment. Currently general education substitutes may only serve for up to 30 days, and substitutes in special education classrooms are capped at 20 days.

Next Steps

Providing very little time for stakeholder review, AB/SB 167 were heard in both houses' budget committees, which sets the bill up for approval by the Legislature by the end of session, September 10, 2021.

From School Services of California –

U.S. Department of Education Releases “Return to School Roadmap”
September 7, 2021

The U.S. Department of Education released its “Return to School Roadmap” (Roadmap) to help On Sunday, September 5, 2021, the Legislature amended Senate Bill (SB) 167—a 2021–22 budget trailer bill that makes technical changes to Assembly Bill 130 enacted earlier this summer. Among the significant changes are changes to independent study statutes and availability of a J-13A waiver.

Independent Study

The common thread weaving through SB 167 with respect to students subject to COVID-19 quarantines is that the state expects local educational agencies (LEAs) to maintain continuity of their educational programs while they cannot attend school in person. To buttress this expectation, SB 167 makes several clarifying and a few substantive changes to independent study, which we summarize.

Foremost, SB 167 clarifies that LEAs can receive apportionment through independent study for students that are subject to quarantine, and that for the 2021–22 school year only signed written agreements can be collected within 30 days after the first day of independent study or by October 15, whichever occurs later. This clarification fortifies earlier guidance the School Services of California, Inc. team provided (see [“Ask SSC . . . How Do I Protect ADA When Students Quarantine?”](#) and [“Ask SSC . . . Executing Written Agreements for Quarantined Students”](#) in the August 2021 *Fiscal Report*).

More substantive changes to independent study require that teachers evaluating student assignments and other work products must be LEA employees, as well as applying comprehensive program audit requirements to course-based independent study along with the requirement to notify parents of their student’s educational options for this school year and their right to a conference with the LEA.

But one of the more notable amendments in SB 167 relates to the conditions that would lead an LEA to identifying an independent study student for tiered reengagement. Specifically, SB 167 would include among the criteria for determining when a student requires intervention are:

- In lieu of lacking attendance for three school days (or 60% of instructional days) in a school week, when students do not meet 10% of the required instructional time over four continuous weeks would be subject to tiered reengagement.
- When a student does not participate in live interaction or synchronous instruction for the greater of more than three school days or 60% of the scheduled days of synchronous instruction in a school month.

J-13A Protection for Material Losses in Attendance Due to Quarantine

SB 167 would also prohibit LEAs from filing J-13A waiver requests from September 2, 2021, to June 30, 2022, for material losses in average daily attendance (ADA) or school closures due to student quarantines. LEAs may file J-13A requests for quarantined students with special needs whose individualized educational program does not provide for independent study and for students attending community schools.

In addition to this limited authority, the bill would offer some protection against ADA losses due to COVID-19 staffing shortages during the same time period as long as LEAs satisfy the following conditions to the State Superintendent of Public Instruction (SSPI) by affidavit of its governing board members:

- Shortages are because of staff quarantines as a result of exposure to or infection with COVID-19.
- The LEA has exhausted all staffing options, including using all existing staffing options, and for certificated positions substitute teacher options, and has consulted with their county office of education and the SSPI to determine that their staffing needs cannot be met.

For ADA losses due to student quarantines through September 1 (see [“Help! I’ve Quarantined and I Can’t Get \(My ADA\) Up!”](#) in the August 2021 Fiscal Report).

SB 167 also proposes changes to J-13A requests for emergency events occurring after September 1, 2021, such as fires and earthquakes, clarifying that affidavits must be accompanied by a plan to offer independent study to all impacted students within ten days after the first day of the qualifying event. If an LEA obtained a waiver from the mandate to offer independent study for the 2021–22 school year, the plan submitted along with the J-13A request does not need to include live interaction, synchronous instruction, tiered reengagement, and a plan to transition students back to in-person instruction. In essence, LEAs with an approved waiver must offer limited independent study to students impacted by the emergency.

Minimum Instructional Days and Instructional Minutes

Finally, SB 167 clarifies that LEAs are not exempt from meeting annual minimum instructional days and minutes between September 1, 2021, and June 30, 2022, except in narrow circumstances. Specifically, SB 167 would bar LEAs from receiving credit for lost instructional days and minutes that were scheduled for in-person instruction for COVID-19 reasons unless it offered independent study to all affected students and certified the offering to the SSPI.

Similar to the J-13A processes to protect against funding losses due to COVID-19 staffing shortages, SB 167 would authorize LEAs to receive the same apportionment for school closures

as a result of shortages stemming from staff quarantines as long as they have exhausted all staffing options.

What's Next?

SB 167 must still be approved by the Legislature, which adjourns for the 2021 legislative session at midnight on Friday, September 10, 2021, before it can be presented to Governor Gavin Newsom for action. Given the expedited timeframe, it is not likely that SB 167 will be significantly amended, so we expect that the changes in the bill will become law in the next few weeks.

From School Services of California –

Top Legislative Issues for 2021 September 3, 2021

The last dash to the end of the legislative year kicked off last Thursday, August 27, 2021, with the Senate and Assembly Appropriations Committees taking up their suspense files and dispensing with more than 500 bills (see “Assembly and Senate Appropriations Committees Take Up Suspense Files” in the August 2021 *Fiscal Report*).

Of the bills that did pass the Appropriations Committees, hundreds have been amended over the past few days to address cost concerns or any issues that would make them potentially less successful in seeking Governor Gavin Newsom’s signature. Bills will get a full floor vote in the second house and, if they have been amended during their time there, will go back to their house of origin for a concurrence vote on amendments, and then it’s off to Governor Newsom’s desk. This all must be done before Friday, September 10, 2021—the deadline for bills to be sent to Governor Newsom in the regular session. Due to the passage of Proposition 54 in 2016, all bills must be published in print and online for at least 72 hours before each house of the Legislature can vote on them. This means that all amended bills must be in print by Tuesday, September 7, 2021, in order to comply with the 72-hour rule in the California Constitution.

Employees

Assembly Bill (AB) 438 (Reyes, D-Grand Terrace)—School Employees: Classified Employees: Layoff Notice and Hearing. This bill would apply to classified employees a layoff process that is similar to the process that currently applies for certificated employees. If enacted, local educational agencies (LEAs) would need to provide by March 15 layoff notices to classified employees that take effect June 30. As amended, LEAs would retain the ability to provide 60 days’ notice for layoffs resulting from the expiration of a specially funded program. AB 438 is currently on the Senate floor for consideration.

AB 1041 (Wicks, D-Oakland)—Employment: Leave. This bill expands the list of individuals for which an employee can take leave under the California Family Rights Act (CFRA) and the Healthy Workplaces, Healthy Families Act of 2014 to include a person designated by the employee. A “designated person” is defined as a person identified by the employee at the time the employee requests CFRA leave or paid sick days. Employers may limit employees to one designated person per a 12-month period. AB 438 is currently on the Senate floor for consideration.

Governance and District Operations

AB 361 (Rivas, R., D-Hollister)—Local Agencies: Teleconferences. This bill would authorize, until January 1, 2024, a local agency to use teleconferencing, without complying with certain Brown Act teleconferencing requirements in any of the following circumstances:

- The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing
- The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining by majority vote whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees
- The legislative body holds a meeting during a proclaimed state of emergency and has determined by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees

AB 361 specifies that if a local legislative body determines it is entitled to use the exemptions afforded to it in this bill, it still must abide by the following requirements:

- Notice the meeting and post agendas as the Brown Act requires
- Allow the public to access the meeting and give notice for how the public can access the meeting and provide public comment
- Identify and include in the agenda an opportunity for all persons to attend via a call-in or an internet-based service option (the legislative body is not required to provide a physical location for the public to attend or provide comments)
- Stop the meeting until public access is restored in the event of a service disruption that prevents the local agency from broadcasting the meeting to the public using the call-in
- Not require comments be submitted in advance
- Provide adequate time for public comment

The bill also specifies that if the state of emergency remains active for more than 30 days that a local agency must make several findings (reconsideration of the circumstance of the emergency and if the emergency continue to directly impact the ability for members to meet in person or if state local officials continue to impose or recommend social distancing) by majority vote every 30 days to continue using the bill's exemption to the Brown Act teleconferencing rules.

The bill was amended on August 30, 2021, to make it an urgency measure, meaning it will take effect immediately upon the Governor's signature but requires that both houses approve the measure by a two-thirds margin.

Senate Bill (SB) 400 (Jones, R-Santee)—Homeless Children and Youths: Local Educational Agencies: Collaboration, Training, and Reporting. In order to provide additional supports for children and youth experiencing homelessness, this bill requires LEAs to:

- Collaborate with other organizations that provide services to homeless children and youth to enhance the identification of, and the provision of services to, those children and youth
- Work with organizations that provide counseling services, social welfare services, meal services, and housing services

The bill also requires the California Department of Education (CDE) to:

- Verify that LEAs are providing school personnel who provide services to youth experiencing homelessness with training on the proper identification and reporting procedures at least once a year
- Verify key information submitted by LEAs comply with federal law

SSC Comment: This bill implements some of the recommendations included in the “Youth Experiencing Homelessness: California’s Education System for K–12 Inadequately Identifies and Supports These Youth” State Auditor’s report that came out in November 2019.

Instruction

AB 101 (Medina, D-Riverside)—Pupil Instruction: High School Graduation Requirements: Ethnic Studies. As amended on August 31, 2021, this bill would add the completion of a semester-long course in ethnic studies to the list of state high school graduation requirements, beginning with the graduating class of 2029–30, and would require LEAs to begin offering a course in ethnic studies by the 2025–26 school year.

Additionally, the bill prohibits a course that does not use ethnic studies content as the primary content to be used to satisfy the ethnic studies course requirement.

SSC Comment: Governor Newsom vetoed this same bill last year, expressing concern about the uncertainty of the ethnic studies model curriculum. The State Board of Education (SBE) officially approved the ethnic studies model curriculum on March 18, 2021, increasing the pressure for Governor Newsom to sign AB 101 into law should it reach his desk (see “SBE Approves Ethnic Studies Model Curriculum” in the March 2021 *Fiscal Report*). Additionally, the 2021–22 State Budget includes \$50 million (one-time Proposition 98) to LEAs serving grades 9–12 to support the creation or expansion of ethnic studies course offerings if AB 101 is signed into law.

Miscellaneous

AB 27 (Rivas, L., D-Arleta)—Homeless Children and Youths and Unaccompanied Youths: Reporting. As amended on August 26, 2021, this bill would require LEAs to ensure that each of their schools identify all enrolled homeless and unaccompanied students.

The bill would also require any LEA that receives funding from the American Rescue Plan Elementary and Secondary School Emergency Relief—Homeless Children and Youth Fund to

administer an annual housing questionnaire to identify homeless children and unaccompanied youths with the following requirements:

- Commencing with the 2021–22 school year, ensure that the housing questionnaire is based on best practices developed by the CDE and includes an explanation of the rights and protections a student has as a homeless child or youth or as an unaccompanied youth
- Require, if the primary language of a student’s parent or guardian or an unaccompanied youth is not English, that the housing questionnaire be made available in the primary language of the unaccompanied youth or the student’s parent/guardian or that an appropriate translation of the housing questionnaire is provided upon request of a student’s parent or guardian or an unaccompanied youth
- Require LEAs to collect the completed housing questionnaires that they administered, and annually report to the CDE the number of homeless children and youths and unaccompanied youths enrolled

The bill would require the CDE to develop best practices that LEAs may use to identify and obtain accurate data on all homeless children and youths and unaccompanied youths, develop a model housing questionnaire based on those best practices, and requires the CDE to post the best practices and model housing questionnaire on its website.

As an urgency measure, this bill would take effect immediately upon signature by Governor Newsom.

SSC Comment: AB 27 looks to adopt several of the recommendations from the 2019 California State Auditor’s report, which found LEAs are not doing enough to identify youth experiencing homelessness and that the CDE has not provided adequate oversight and leadership over LEAs’ homeless education programs (see “[Audit Report Finds LEAs Underidentified Homeless Students](#)” in the November 2019 *Fiscal Report*).

AB 1560 (Daly, D-Anaheim)—Distance Learning: Pupil Access: Computing Devices and Broadband Internet Service. The bill would require the State Superintendent of Public Instruction (SSPI) to survey each LEA and report to the Legislature on the number of pupils without computing devices that meet the minimum performance standard for distance learning, as determined by the SSPI. The bill would authorize the SSPI, contingent upon an appropriation, to provide each eligible student with a computing device that meets the standard and authorizes the California Department of Technology, upon an appropriation, to enter into a sponsored service agreement on behalf of any LEA with a broadband service provider for the purpose of providing free or reduced-cost residential broadband service to eligible students.

Student Health and Nutrition

AB 367 (Garcia, D-Bell Gardens)—Menstrual Products. Current law requires public schools serving students in any grades 6–12, which meet the 40% pupil poverty threshold required to operate a federal Title I schoolwide program, to stock at least half of the schools’ restrooms with feminine hygiene products at no charge.

As amended on August 26, 2021, this bill would require all public schools serving a combination of grades 6–12 to stock, at all times, an adequate supply of menstrual products, available/accessible and free of cost, in all women’s restrooms and all-gender restrooms, as well as in at least one men’s restroom. The bill specifies that current law for public schools serving students in grades 6–12 would remain in effect until July 1, 2022, and then would be replaced by the new language in AB 367.

The bill would also require the California State University and each community college district to stock an adequate supply of menstrual products, available and accessible, free of cost, at no fewer than one designated and accessible central location on each campus. Each campus is required to post a notice regarding the location of these menstrual products in all women’s restrooms, all-gender restrooms, and at least one men’s restroom.

District:

Requiring COVID-19 Vaccinations for Eligible Students
September 9, 2021

Los Angeles Unified School District is the second largest school district in the country, enrolling more than 600,000 students from Pre-K through the adult education, operating approximately 1,200 schools throughout the Los Angeles area, overseeing 278 affiliated and independent charter schools within its jurisdiction, and sharing LAUSD facilities with charter schools that serve tens of thousands of students in TK/K through grade 12.

The COVID-19 pandemic and the national, state, and local orders have caused considerable challenges for public schools, including but not limited to the closure of all LAUSD school facilities for in-person instruction and resulting in distance learning for most of the 2020-21 school year. Although LAUSD returned to full-time, in-person instruction for all LAUSD and charter school students choosing to return to LAUSD school facilities for the 2021-22 school year, COVID-19 continues to pose a material threat to the health and safety of all students within the LAUSD community despite the implementation of layered mitigation measures, including, but not limited to, COVID-19 testing and masking. The surge of the Delta variant and community transmission of COVID-19, including among school age children, has proven to be disruptive to full-time, in-person instruction and student learning. In light of the effectiveness and safety of the COVID-19 vaccines, the CDC, CDPH, and LACDPH have deemed the vaccine appropriate by unanimously recommending that all eligible persons be vaccinated, including children 12 years of age and older. Accordingly, although LAUSD has implemented the highest safety measures to mitigate the spread of COVID-19 at schools, vaccination of all eligible and non-exempt students provides the strongest protection to the health and safety of all students and staff in the LAUSD school communities.

Los Angeles Unified is now requiring all students who are eligible for the COVID-19 vaccination to be fully vaccinated by Monday, January 10, 2022, unless they have a qualified exemption. Proof of vaccination must be uploaded to the Daily Pass.

The Superintendent and her designees will implement reasonably necessary measures requiring all LAUSD and charter school students on co-located LAUSD facilities who are eligible to

receive the COVID-19 vaccine, excluding those students with qualified and approved exemptions under LAUSD's existing immunization policies, to become vaccinated as a mandatory precondition to accessing LAUSD school facilities, as follows:

- All students who are 12 years of age and older and are part of in-person extracurricular programs must receive their first vaccine dose by no later than October 3, and their second dose by no later than October 31, 2021;
- All students who are 12 years of age and older must receive their first vaccine dose by no later than November 21, 2021 and their second dose by no later than December 19, 2021;
- All other students must receive their first vaccine dose by no later than 30 days after their 12th birthday, and their second dose by no later than 8 weeks after their 12th birthday.

[LAUSD Frequently Asked Questions](https://achieve.lausd.net/covid) - LAUSD has a website dedicated to questions about vaccination requirements (<https://achieve.lausd.net/covid>).

YPICS:

The YPICS Executive Team has had an opportunity to step back to reflect on dreams for this year. Below are some of the commitment statements for the 2021-22:

- Every scholar, everyday, grade-level assignments and work
- Align work to the hallmarks of the school
- A community school focus

Covid-19 Test Results Data will be provided by the COO in his monthly board report.