

California Legislature

November 2, 2020

Dr. Mark Ghaly, Secretary
California Health and Human Services Agency
1600 Ninth Street, Room 460
Sacramento, CA 95814

Dear Secretary Ghaly,

This week's hearing of the Assembly Budget Subcommittee on Education Finance on the state's role in the safe reopening of California's public schools was a crucial opportunity to hear from both public education and public health leaders about additional support urgently needed from the state.

We asked our panelists, including your very knowledgeable acting Public Health Officer, Dr. Erica Pan: what is the state's responsibility in ensuring the safe return of our students to some in-person instruction during this pandemic? The testimony was resounding, and we respectfully request a meeting with you and your Public Health leadership to respond to these immediate-term recommendations:

- 1) **Data on school opening and cases:** The state Department of Public Health (CDPH) receives data on which schools have COVID-19 outbreaks, and the number of individuals impacted by school. First, these data are crucial, at the state level, for continuing to monitor the unique role schools may play in containment efforts and possible lapses in best practices. Second, these data are important tools for supporting school districts and County Offices of Education in guiding the safe reopening of schools at the local level.

We request that CDPH create a reporting feedback loop with state policy makers and local county education leaders, to leverage school-specific data.

It was also made very clear that the state has no means to collect consistent and reliable information on what schools are open, and what amount of in-person instruction is happening in "open" campuses. Please further advise the Legislature on how CDPH would recommend this information be collected.

- 2) **COVID-19 Testing:** Dr. Pan and the American Academy of Pediatrics representative, Dr. Jacques Corriveau, made the point that surveillance testing is not the most effective means of preventing community spread in schools. However, the interest in stronger state-wide testing policies and guidance was made equally clear by education leaders. We understand that CDPH, California Department of Education, and State Board of Education leadership are currently engaged in a taskforce to discuss school testing protocols.

Immediate and consistent testing protocols for all public schools must be issued statewide. We appreciate the CDPH's leadership, working with their education agency counterparts, and their shared commitment to hearing from our education labor and management partners. We urge CDPH, having now heard the interests of our school leaders, to issue immediate, clear, and evidence-based guidance on the purpose of surveillance testing, required frequency of testing in open campuses, and any other school-specific protocols. School leadership does not want testing parameters left entirely to local decision-making which may be inconsistent and impacted by political considerations rather than sound public health policy.

We were pleased to hear from Dr. Pan that the state plans to prioritize school employees for state-acquired testing. We urge the Administration to ensure state testing capacity meets 100% of public school testing requirements as set out in the guidance requested above. Failure to do so could render longer school closures, resulting in children, families and the economy falling further behind. School budgets are already stretched thin, especially with the increased costs of distance learning and on-campus public health needs of personal protective equipment, including masks; HVAC overhauls; and the costs of social distancing. We need our public health systems to prioritize public education.

We are also concerned, from a state-wide perspective, about reports that local agency health care costs are skyrocketing due to the cost of COVID testing, even if the school agency is not directing employees to utilize their health plans for this purpose. This is most likely a concern across all government agency health plans, and thus a concern for the state.

- 3) **Personal Protective Equipment (PPE):** The Legislature continues to commend the Administration for its prioritization of public schools in the distribution of PPE. The private market for PPE continues to be a drain on all essential public agencies, and we request that the state continue to centralize contracts for necessary PPE for schools, including masks, face shields, and HVAC filters.
- 4) **Clear Public School Re-opening Protocols:** The CDPH's *Framework for K-12 Schools*, and ongoing updates are a clear necessity for school leaders. Thank you for this publication's clarity and relevance. We understand that the amount of public health expertise being required of our educators is overwhelming, and ask that your CDPH team continue to find ways to help local education leaders grapple with the tiers of import inside your recommendations and to ensure that they and the public are informed of updates to state guidance. For example, Dr. Pan made a clear point about the importance of stable cohorts for both the prevention and containment of spread. Dr. Pan further made it clear that schools are safe to reopen in the Red Tier, if they follow the *Framework*.

School leaders need support in understanding which public health guidance is necessary versus recommended in a school environment, and need the state's support to prevent confusion at the local level with unclear or inconsistent guidance. For example, the guidance for K-12 schools requires that children in 3rd grade or above wear masks and only encourages masks for younger children. However, the outdoor playground guidance requires masks for all children over 2 years of age. This would appear to be inconsistent, given that playgrounds are entirely outdoor spaces, while children in kindergarten through 2nd grade would be indoors for substantial amounts of time. We urge CDPH to continue refreshing the *Framework* and create a more concise and prioritized list of necessary actions to safely reopen our schools.

- 5) **Consistent Technical Assistance:** In follow-up to your *Framework*, it was made clear that school leadership would benefit greatly from more hands-on public health expertise in meeting the state's guidance. Local public health agencies are understandably stretched in response to this pandemic, but the state needs to place a priority on supporting public education leadership to safely and sustainably re-open campuses.

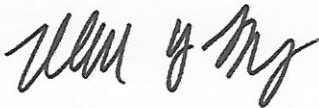
We urge the CDPH to examine how local public health agencies or a state agency could be immediately tasked with deep public school engagement, consistent with the state *Framework*.

When the Legislature passed the final Budget in August, we assumed that in-person instruction was still going to be the default mode of instruction for most students in the 2020-21 school year. Due to necessary public health precautions during the second COVID-19 wave, most schools were ordered closed. However, while 42 out of the 58 counties are now "allowed" to reopen public education without a waiver, the press coverage and testimony we heard from local leaders made it clear that in-person instruction is not felt to be feasible under current circumstances in many school districts.

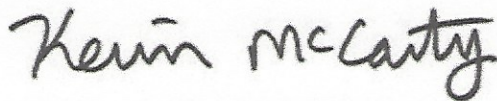
We can't make this issue political. Our kids need safe, and open campuses for their social emotional development. We need to do the hard work to figure out how to make this happen, without compromising the incredible work California has done to bend our curve.

We appreciate your continuing leadership and partnership. Assemblymember Ting's office will be in contact immediately to schedule this urgent conversation.

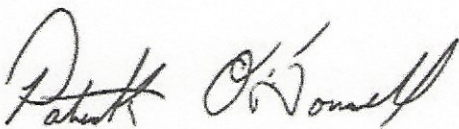
Sincerely,




Assemblymember Phil Ting
Chair, Assembly Budget Committee



Assemblymember Kevin McCarty
Chair, Assembly Budget Subcommittee on Education



Assemblymember Patrick O'Donnell
Chair, Assembly Education Committee



Assemblymember Lorena Gonzalez
Chair, Assembly Appropriations Committee

cc: Tony Thurmond, State Superintendent of Public Instruction
Dr. Linda Darling-Hammond, President, State Board of Education
Ana Matosantos, Cabinet Secretary, Governor Gavin Newsom
Dr. Erica Pan, Acting State Public Health Officer
Daphne Hunt, Deputy Secretary of Legislative Affairs, CA Health and Human Services Agency