

Options During a COVID-19 Surge for LEAs to Consider

In-person instruction is the very best learning environment for the vast majority of students. Moreover, because of the multi-layered approach that the state expects schools to have in place in their COVID-19 mitigation strategies (universal masking requirements, testing programs, upgraded ventilation systems, vaccination/test mandate for employees, contact tracing, social distancing, etc.), schools are among the safest places within a community. **For these reasons, current California law does not allow a school district to simply close and revert to distance learning for all students like was the case early in the pandemic.** Rather, school districts currently have three options, which are outlined below.

1

Alternatives to Independent Study

- ☐ Create "First Call Sub" positions and hire retired staff to cover campus needs, leveraging flexibility provided by [Executive Order N-3-22](#)
- ☐ Combine classrooms to accommodate staff absences
- ☐ Collaborate with neighboring districts on staffing assistance, if applicable
- ☐ Utilize all available certificated and classified staff for classroom coverage
- ☐ Work with labor partners to discuss need for flexibility
- ☐ **Temporary School Closure**
If a school district has built-in extra days to their student attendance calendar or collective bargaining agreements, these extra days could allow them to close the schools completely, without using the independent study program, and make up those days at a later time. There would be no negative impact to their state funding in this case so long as a 180-day school year is maintained. The district can also change its adopted school calendar to add days at the end of the year.

Maximize Safety Measures at Schools

- ☐ PPE Deployment
- ☐ Social distancing / barriers
- ☐ Utilize all testing options
- ☐ Stagger lunches & recesses
- ☐ Discourage staff gatherings

2

Independent Study

If offering virtual learning, it must be through independent study. There are detailed requirements for independent study programs. Most importantly, families have to choose to participate in the program and students cannot be required to enroll in independent study. There is no authority to shift to remote learning outside of the independent study statute. The only way this would change is if a statewide or local quarantine order is issued like it was early in the pandemic.

3

J-13A Waivers (utilize as a last resort)

A J-13A waiver may be sought if a school district does not **have sufficient** staff to operate a school due to the impacts of COVID-19. **In the event of a school closure due to a severe staffing shortage, J-13As may be submitted if the following conditions are met:**

- ☐ Unable to provide in-person instruction due to staffing shortages as a result of staff quarantine due to COVID-19 AND have exhausted all options for obtaining staff coverage (SEE OPTION 1).
- ☐ Consulted with the county office of education and the State Superintendent of Public Instruction in determining that staffing needs cannot be met through any option AND have received assistance.
- ☐ Include plan to provide Independent Study to all students within 10 days of closure.

For more information regarding J-13A waivers: [Frequently Asked Questions](#)