



February 22, 2021

The Honorable Nancy Skinner, Chair
Senate Budget Committee
California State Senate
State Capitol, Room 5094

The Honorable Jim Nielsen, Vice-Chair
Senate Budget Committee
California State Senate
State Capitol, Room 5064
Sacramento, California 95814

Via email: SBUD.Committee@senate.ca.gov

Re: AB/SB 86 Response & Recommendations Regarding School Reopening & Extended Learning Grant Programs

Dear Chair Skinner and Vice-Chair Nielsen:

We represent a coalition of civil rights, advocacy, community, parent, student and other organizations who have worked diligently on passage and implementation of the Local Control Funding Formula (LCFF) and are committed to its principles of equitable funding, transparency, robust community engagement and accountability for creating a more equitable and just public school system in California. We write in response to the Legislature’s proposal to spur the reopening of schools and to offer extended learning opportunities to redress the lost instructional time occasioned by the COVID-19 pandemic (AB/SB 86). *This is an exact copy of the letter we submitted to Assembly Budget Committee on February 20, 2021, with the addition of a few more organizational signatures and logos and changed cc’s for the Senate. Although no Senate Budget Committee hearings are currently scheduled on this topic, we wanted to ensure we share our thoughts and concerns with you as you continue your deliberations and discussions.*

The undersigned members of the Equity Coalition are calling on policymakers to stand up for California’s students, especially our low- income students, English Learners, foster youth, homeless youth, juvenile justice involved youth and special education students. Speed is of the essence—the longer we wait, the more likely it is children will experience profoundly negative, potentially life altering implications—and we must follow the science. The CDC has made it clear that schools can be effectively reopened with safety

precautions in place. We believe school employees should absolutely be at the front of the vaccination line, and we appreciate the Governor working to make that happen, but we are deeply concerned that the proposed legislation allows too much time to pass and leaves too many barriers in place to ensure students get the support they need. It is unconscionable that some students, in neighboring public and private schools, predominately in higher income areas, are getting access to these essential supports and the children who have already faced historical barriers and who have been disproportionately impacted by the pandemic are systematically being left behind.

While our individual organizations may have additional particular recommendations, our collective high-level response is as follows:

- (1) **The addition of English Learners to the high-needs student groups prioritized for in-person instruction at all grade levels with school re-opening is a key improvement** on the Governor's earlier proposal. We appreciate the Legislature hearing our earlier recommendation in support of this addition.
- (2) **The overall proposed reopening plan does not go far enough fast enough.** In particular,
 - (a) *The April 15th start date is weeks later than it needs to be* given the urgency with which students need to be physically reconnected with their schools and teachers. April 15th is almost 2 months from now. Districts like Long Beach Unified and Santa Cruz City have recently reached agreements to return in March. The State too can do better.
 - (b) *The Legislature's proposal ignores millions of elementary students in purple counties—where most of the state's students currently reside.* These are students who are not in the high-needs categories, a great many of whom are low-income students and Black and Brown elementary students who would benefit greatly from the opportunity to return to in-person instruction. It is important that all in-person instruction opportunities be (as the Legislature has proposed) just that—*opportunities* offered to parents and guardians to take advantage of for their children. But, just as importantly, the State must do all in its power to make such critical opportunities available *across the State* in order to ensure basic constitutional obligations concerning equality of educational opportunity are fulfilled. School reopening opportunities should be made available to as many students as possible based on the best available science. Center for Disease Control (CDC) guidelines say that elementary students should be in school, *even if in a purple equivalent tier*, as long as masking and 6-foot distancing and other standard safety protocols are in place. (And the guidance, while urging prioritization of educators in receiving vaccines as we have, specifically eschews requiring vaccinations for all staff before having them return to schoolsites.) We note, as does the CDC, that the 6-foot distancing requirement may mean a school must utilize a hybrid model where not all students are on campus every day but split between in-person and distance learning instruction. At a minimum, we believe that the Legislature should adopt the more modest proposal of the Governor which would only require in-person instruction in purple counties where new cases were fewer than 25 per 100,000 persons.
- (3) **The distribution of reopening and extended learning funds should be more equitable—specifically their allocation should be on the basis of the LEA's proportion of supplemental and concentration funds statewide.** This formula was used effectively to distribute some \$2.9 billion of CARES Act funding in the 2020-21 budget and, we were pleased to see, was reflected in AB 104's proposed distribution. That more equitable distribution scheme has now been

diluted by relying instead on the general LCFF formula which includes base as well as supplemental and concentration funds. Additionally, funds for extended learning should be used for educational services in addition to what LEAs provide with LCFF and federal funds as AB 104 proposed. Finally, the allocation of \$1,000 per homeless youth is an important step that should be maintained on top of the supplemental/concentration share proposal we recommend here.

(4) Students should also be included among the key stakeholders required for development of extended learning plans in addition to teachers and parents.

We believe that you share our commitment to equity and will do everything possible to help California's highest-need students recover from and flourish following the COVID-19 pandemic. Accordingly, we urge you to incorporate these recommendations into the state's reopening and extended learning programs to redress the educational and social emotional harms wrought by the pandemic and to best serve California's high-need students.

Sincerely,

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cc:

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Senator Brian Dahle
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Senator Mike McGuire
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