

Date: March 21, 2022

**To:** The Honorable Gavin Newsom, Governor of California and All Members of the California State Legislature

**CC:** The Honorable Tony Thurmond, State Superintendent of Public Instruction

**RE: Current COVID-Related State Law Withholding Funding for Students Who Quarantine**

Collectively, we represent more than 700,000 students who attend over 1,300 non-profit public charter schools across California. We believe that in-person learning is best and have prioritized health and safety policies that responsibly keep our students and staff in our school buildings. However, given the COVID surges that have occurred during this school year — and future ones we may not yet know about — current state policy is creating significant hardships for students' learning in charter schools. This comes as we experience positive COVID cases and exposures that require individual students or whole classrooms to quarantine, resulting in significant funding losses for our schools. We are asking for support in addressing the challenges that could lead to significant cuts to school staff or programming – cuts that come at a critical time for our students and schools as they continue to educate through a pandemic.

**The Problem**

When students from charter schools quarantine to protect the health and safety of their school community, that student loses money for their education. Current state law requires schools to mark quarantined students absent and when students are absent, the school doesn't receive funding for the student on that day.

These funding losses add up. For the average classroom that may need to quarantine for 10 days, a school loses approximately \$17,000 dollars based on the average daily attendance (ADA) funding. This has resulted in millions of dollars in losses to schools across the state. Because Black and Latinx communities have disproportionately high rates of COVID transmissions — and these are the very communities that the majority of charter schools serve — California's students of color have been disproportionately impacted by this policy.

When the state withholds this money, schools may be forced to cut school staff and programming, both of which are essential to pandemic recovery. It would be devastating to cut funding when students and schools are still managing through a pandemic and providing additional academic and social-emotional support.

The state's current solution — enrolling students in Independent Study while in quarantine — is overly burdensome for schools and parents to navigate and is discriminatory. Independent Study programs were never designed for short-term use and the enrollment process is time-consuming for students, families and educators. Additionally, students receiving special education services cannot enroll in Independent Study until their Individualized Education Plans (IEPs) are modified, which requires meetings among teachers and families. Given the current teacher shortage, combined with the inability to plan for the need to quarantine, it is nearly

impossible to enroll students in Independent Study and update IEPs within the quarantine time frame.

This policy currently impacts the nearly 800,000 students who attend California's charter schools, but unless the law is changed, all of California's six million students will be affected in the coming year. This is because the Legislature agreed to hold all LEAs harmless for COVID-related absences last year, but that allowance was not extended to charter schools in the 2021-2022 school year. This is not currently an issue for traditional school districts because they have a two-year rolling hold harmless protection under state law. That same protection has never applied to charter schools, which is a longer term policy issue to address.

### **Proposed Solution**

Schools shouldn't be forced to choose between their students' safety and the funding they need to keep their schools running during the pandemic. There should be no financial consequence for quarantined students.

Our state leaders must develop a solution that allows schools to follow the state-mandated quarantine requirements without losing critical funding during the current and future school years. Charter school ADA should be held harmless during the current school year — just like our district counterparts — so that the greater of last year's ADA or this year's ADA applies. We are not asking for special circumstances here; just the same reasonable pandemic accommodations already being made in public education at district schools. The current bill proposed by Senator Allen, [SB 579](#), is an example of the type of solution for which we are supportive.

Thank you very much for your interest and support in helping our schools access the funding they need to support students during this ongoing pandemic. Please reach out to Maribel Sainez at [maribel.sainez@aspirepublicschools.org](mailto:maribel.sainez@aspirepublicschools.org) for more information.

Sincerely,

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- Alfredo Rubalcava, CEO & Superintendent, Magnolia Public Schools
- Andrew Simmerman, Director of Community and Donor Relations, KIPP SoCal
- Angelica Solis-Montero, Executive Director, L.A. Coalition for Excellent Public Schools
- Dr. Brenda D. Lopez, Chief External Officer, Magnolia Public Schools
- Brooke Rios, Executive Director, New Los Angeles Charter School and New Los Angeles Charter Elementary School
- Caitlin O'Halloran, Governance and Policy Specialist, Charter Schools Development Center (CSDC)
- Cherese Brauer, CEO of KIPP Northern California Public Schools
- Colin Miller, Vice President of Government Affairs, California Charter Schools Association (CCSA)
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- Rich Harrison, CEO, Lighthouse Community Public Schools
- Robin Stout, Ed.D., Executive Director & Superintendent, Rocklin Academy Family of Schools
- Satinderjit Singh, Director, Central Valley Local Advocacy, California Charter Schools Association (CCSA)
- Yvette King-Berg, Executive Director, YPI Charter Schools: Bert Corona Middle School, Bert Corona Charter High School and Monsenor Oscar Romero Charter School