

District Considerations for SB 1479

COVID Testing Plans for Schools



REFERENCES:

Senate Bill 1479

Senate Bill 1479 Implementation Questions and Answers

State of California – CDPH Testing Framework for K-12 Schools for the 2022 School Year

On Sept. 29 [Senate Bill 1479](#) – COVID-19 Testing in Schools: COVID-19 Testing Plans was chaptered by the Secretary of State (Chapter 850, Statutes of 2022). The bill **requires** that local educational agencies (LEAs), after consulting with the local health department, create a testing plan or adopt the State Department of Public Health's framework and post the plan on the LEAs website.

It recommends that the LEA designate a staff member to report information on its COVID-19 testing program to CDPH.

Districts may already be in compliance with the mandate for a testing plan as outlined in SB 1479. If your district already has a testing plan in place, please consult legal counsel to ensure your plan's compliance. The language in SB 1479 applicable to LEAs is as follows:

(e) (1) Each local educational agency, after consulting with its local health department regarding any local guidance or best practices from the Safe Schools for All Hub, shall create a COVID-19 testing plan, or adopt the framework, that is consistent with guidance from the State Department of Public Health. Each local educational agency shall publish the testing plan on its internet website.

(2) (A) Each local educational agency may designate one staff member to report information on its COVID-19 testing program to the State Department of Public Health.

(B) For purposes of this paragraph, publishing a testing plan on its internet website, as required pursuant to paragraph (1), shall satisfy the reporting provision described in subparagraph (A).

(3) All COVID-19 testing data shall be in a format that facilitates a simple process by which parents and local educational agencies may report data to the State Department of Public Health, or to a local health department, consistent with the framework.

(4) Testing plans shall not be required to include the provision of onsite testing or programs.

(5) Nothing in this section requires the State Department of Public Health to review or approve testing plans that are consistent with the framework before the testing plan is published or implemented.

(f) The State Department of Public Health shall determine which COVID-19 tests are appropriate for use for the testing programs described in this section.

GUIDANCE DOCUMENTS

The following documents provide LEAs options for consideration when working toward compliance with the mandates. These considerations from San Diego County Office of Education should not be considered legal advice. Districts should consult their legal counsel to interpret the senate bill requirements.

The language in the bill reads:

(e) (1) Each local educational agency, after consulting with its local health department regarding any local guidance or best practices from the Safe Schools for All Hub, shall create a COVID-19 testing plan, or adopt the framework, that is consistent with guidance from the State Department of Public Health. Each local educational agency shall publish the testing plan on its internet website.

The word “adopt” may be interpreted differently by the varying school districts; therefore, districts need to select their preferred compliance methods for adoption. The below resources should be used only to assist LEAs in drafting their own materials and not used verbatim.

Through consultation with the San Diego County Health and Human Services Agency, SDCOE determined that the county allows for schools to adopt the state framework. The below considerations are based on districts adopting the framework rather than developing their own plan.

Any and all sections of this document should be modified to only state those strategies/operations that the district engages.

Sample District Preface to the Framework

Some school districts may find that they want to include some district-specific information along with the framework before adopting and posting on the website. This section provides sample language and information that districts may want to use to preface the document.

Sample Resolution Language

While there are no evident nor specific indications in the senate bill that a board resolution is needed, it might be a practice preferred by the district, therefore sample resolution language is included. Please ensure to edit any information that does not apply to your district.

Sample Board Agenda Language

Your LEA may interpret “adopt” to mean that it needs to go to the Board of Trustees as an Agenda Item/Approval Item. If so, the sample board agenda language may assist the district in developing verbiage to report to the board.

SAMPLE DISTRICT PREFACE TO FRAMEWORK

The {LEA} has adopted the California Department of Public Health's COVID-19 Testing Framework for K-12 Schools for the 2022-23 School Year as it is updated based on current scientific knowledge and anticipated trends to meet the requirements of SB 1479.

Designated COVID Testing Point of Contact:

{Insert POC here}

To Get Over-The-Counter (Home) Tests:

{Insert how families can access OTC Tests through your district}

To Access District COVID-19 Testing:

{Insert information on any district COVID testing provided}

Resources:

- Testing Locations in San Diego County
- CDC COVID Data Tracker: County View
- County of San Diego Weekly COVID Update

SAMPLE RESOLUTION LANGUAGE

*****BE SURE TO ELIMINATE ANY INFORMATION THAT DOES NOT APPLY TO YOUR DISTRICT*****

Resolution No.

ADOPTING THE STATE OF CALIFORNIA DEPARTMENT OF PUBLIC HEALTH COVID-19 TESTING FRAMEWORK FOR K-12 SCHOOLS FOR THE 2022-23 SCHOOL YEAR

WHEREAS, the {LEA}, serving over {#ofstudents} students in San Diego County, has partnered with its stakeholders to keep students safe and healthy by following the California Department of Public Health guidance for COVID-19;

WHEREAS, the *Testing Framework for K-12 Schools for the 2022-23 School Year* was updated on Nov. 10, 2022, providing additional guidance for school COVID-19 testing programs;

WHEREAS, according to Senate Bill 1479 the California Department of Public Health must coordinate local educational agency COVID-19 testing programs that are currently federally funded or organized under the California COVID-19 Testing Task Force;

WHEREAS, Senate Bill 1479 requires local educational agencies, after consulting with local health department, to create a COVID-19 testing plan, or adopt the State Department of Public Health's framework;

WHEREAS, the {LEA} consults with the San Diego County Health & Human Services Agency, attends the agency's monthly K-12 Education Sector Telebriefings, and receives its email updates to stay informed of the most current information and best practices;

WHEREAS, the {LEA} follows the Cal/OSHA COVID-19 Prevention Emergency Temporary Standards for employees;

WHEREAS, the {LEA} hosts its own COVID-19 testing program, in addition to providing families with at-home tests;

WHEREAS, the {LEA} provides resources and facilitates access for families who want to be tested at a facility, in addition to providing families with at-home tests;

WHEREAS, pursuant to California Senate Bill 1479 and best practices, the {LEA} wishes to provide a COVID-19 Testing Program framework for staff, students, and families;

WHEREAS, whether staff, students and District families plan to utilize home COVID-19 tests or a medical facility/private vendor to be tested, the {LEA} supports our stakeholders' need or desire to test to keep the community safe.

WHEREAS, the {LEA} wishes to provide programs and services to students to mitigate the spread of the virus and enable students to stay in school;

THEREFORE BE IT RESOLVED, that the Board of Trustees of the {LEA} adheres to and adopts the *Testing Framework for K-12 Schools for the 2022-23 School Year* to support safe in-person

learning, as disease management is an essential priority to maintain student well-being and development.

SAMPLE BOARD AGENDA ITEM LANGUAGE

GOVERNING BOARD AGENDA ITEM

Prepared by:

ITEM TITLE:

Adopt The California Department of Public Health COVID-19 Testing Framework For K–12 Schools for The 2022–23 School Year

 X Action

 Information

BACKGROUND INFORMATION:

California Senate Bill No. 1479 requires each school create a COVID-19 testing plan or adopt the California Department of Public Health’s (CDPH) Covid-19 *Testing Framework For K-12 Schools For The 2022–23 School Year* after consulting with the local health department.

After reviewing the current District practices, the CDPH testing framework (updated on Nov. 10,) and consulting with the San Diego County Health and Human Services Department, it has been determined the District should adopt the state framework entitled “*Testing Framework For K–12 Schools For The 2022-23 School Year*” as it is updated based on current scientific knowledge and anticipated trends to meet the requirements of SB 1479.

The *Testing Framework For K-12 Schools for the 2022-23 School Year* addresses recommended practices for school districts, schools and county officer of education, which include:

- Identifying a COVID Testing Point of Contact to facilitate communication and coordination with the CA Testing Task Force;
- Reviewing current testing recommendations provided by CDPH;
- Maintaining situation awareness of the testing resources and programs offered by the CA Testing Task Force and monitoring availability of pre-positioned testing resources housed with a County Office of Education or Local Health Jurisdiction for rapid distribution to schools;
- Monitoring the CDC’s COVID Community Data Tracker as a method of identifying when to increase or reestablish school testing operations; and
- Communicating any questions, concerns or additional testing resources/needs to the CA Testing Task Force.

It also provides considerations for COVID-19 testing for K-12 Schools including:

- Direct ordering of over-the-counter (OTC) tests.
- Utilizing educational materials to facilitate proper OTC test use.
- Additional test distribution resources after students and staff return from prolonged school breaks.
- Utilizing antigen tests as the primary option for detecting COVID-19 in schools.
- Guidance on when PCR or other molecular testing is recommended for schools.

ADDITIONAL DATA:

Senate Bill 1479:

- Requires the adopted framework be posted on the District's website.
- Does not require the State Department of Public Health to review or approve testing plans that are consistent with the framework before being published or implemented.
- Encourages the district to designate one staff member to report information on its COVID-19 testing program to the state Department of Public Health.
- Repeals its provisions on Jan. 1, 2026.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

Recommend approval.