



English Learner Updates Newsletter: COVID-19 Edition (5)

Information and Updates from the California Department of Education (CDE)
English Learner Support Division

Issue 7, May 1, 2020

New Weekly Format:

This is the fifth of a **special series of COVID-19 English Learner (EL) Updates Newsletters focusing on school closures and services for English learners**. This newsletter will be disseminated **weekly** to keep you informed of new resources and guidance for supporting the English learners you serve.

This Issue Includes:

- **Funding:** Time and effort requirements for federal programs
- **Accountability:** Executive orders on the Local Control and Accountability Plan (LCAP) and virtual public meetings including English Learner Advisory Committee (ELAC) and District English Learner Advisory Committee (DELAC) meetings
- **State Seal of Biliteracy:** New 2019–20 frequently asked questions (FAQs)
- **Webinars:**
 - **Posted:** Funding Flexibility webinar
 - **Coming May 14, 2020:** Distance Learning English Language Development (ELD) and Dual Language Instruction (DLI) webinar
- **Resources:**
 - New Learning from Home Survey from WestEd and the CDE
 - Parents Helping Parents
 - Links to resources on the CDE COVID-19 web page relevant to English learners

Funding

Time and Effort Requirements for Federal Grants

The CDE has released new FAQs related to federal program COVID-19 time and effort requirements. These FAQs, including the one highlighted below, are available on the CDE COVID-19 Time and Effort Requirements web page at <https://www.cde.ca.gov/499690>.

Highlighted Time and Effort Requirements FAQ

Question: Are local educational agencies (LEAs) required to maintain time and effort records for salaries and wages charged to federal grant programs during the COVID-19 emergency? And, what would those records look like?

Answer: Yes. Please visit the U.S. Department of Education Grant Funds During the Novel Coronavirus Disease 2019 fact sheet at <https://www2.ed.gov/documents/coronavirus/factsheet-fiscal-questions.pdf>.

Time and effort records are required to be maintained in accordance with Title 2, Code of Federal Regulations (2 CFR), sections 200.403 and 200.430 in order for salaries and wages to be allowable under all federal grant programs. Specifically, charges to federal awards for salaries and wages must be based on records that accurately reflect the work performed. The time and effort records must:

1. Be supported by a system of internal controls which provides reasonable assurance charges are accurate, allowable, and properly allocated;
2. Be incorporated into official records;
3. Reasonably reflect total activity for which employee is compensated;
4. Encompass all activities (federal and non-federal);
5. Comply with established accounting policies and practices; and
6. Support distribution among specific activities or cost objectives.

Budget estimates or percentages determined before the services are performed alone do not qualify as support to federal awards.

Furthermore, an LEA must also maintain appropriate records and cost documentation as required by 2 CFR sections 200.302 (financial management), 200.430(i) (standards for documenting personnel expenses), and 200.333 (retention requirements for records) to substantiate compensation costs charged to federal programs related to interruption of operations or services.

For example, if an LEA is closed and employees are unable to work, the time and effort records should reflect that the employee was on an authorized absence. In accordance with 2 CFR Section 200.431, authorized absences may be an allowable cost of the federal program provided that the cost is reasonable and all of the following criteria are met: (1) The leave is provided under established written leave policies; (2) the costs are equitably allocated to all

related activities, both federal and non-federal; and (3) the accounting basis is consistently followed for both federal and non-federal funds.

Accountability

Executive Order on the LCAP

On April 23, 2020, Governor Gavin Newsom signed executive order N-56-20, allowing schools to focus on the impacts of campus closures as a result of coronavirus (COVID-19) and their mitigation plans when students return this fall. The executive order does this by extending the deadline for school districts and charter schools to submit upcoming LCAPs. Instead of submitting a three-year LCAP on July 1, 2020, districts will submit an update of COVID-19 related impacts on students and plans to address those impacts. They will be required to explain steps they have taken to deliver high-quality distance learning opportunities, provide school means in non-congregate settings, and arrange for supervision of students during ordinary school hours. They will also be required to explain the steps they have taken to meet the needs of low-income students, English learners, and foster youth. The report will help provide transparency and accountability to communities.

In the fall, districts and charter schools will work with stakeholders on abbreviated one-year LCAPs, with a submission deadline of December 15, 2020. The deadline for approval by a county superintendent or State Superintendent of Public Instruction Thurmond is January 14, 2021.

This executive order also waives required physical education minutes and physical fitness testing and data collection.

Executive order N-56-20 is available on the State of California website at <https://bit.ly/CAExecOrder>.

Current Executive Order on Public Meetings: ELAC and DELAC

On March 17, 2020, Governor Gavin Newsom signed executive order N-29-20 stating that, subject to notice and accessibility requirements set forth in the order, “a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body or state body.” On April 23, 2020, Governor Newsom signed executive order N-56-20, which extends this language about public meetings to ELACs and DELACs. This means that ELAC and DELAC meetings, which are public meetings, may be held virtually, provided the LEA follows the requirements specified in N-29-20, including providing parents with advance notice of the meeting time, agenda, and teleconferencing information.

Executive order N-29-20 is available on the State of California website at <https://bit.ly/CAExecOrder2> (see paragraph 3).

Please note that prior to this order, Governor Newsom signed N-25-20, which addressed public meetings in paragraph 11. Although the language is similar, paragraph 3 of N-29-20 withdraws and supersedes the language in the previous order.

State Seal of Biliteracy

New 2019–20 FAQs

Below are new FAQs regarding the State Seal of Biliteracy for the 2019–20 school year. For additional guidance on the State Seal of Biliteracy, including additional FAQs, please visit the CDE State Seal of Biliteracy web page at <https://www.cde.ca.gov/497907>.

Question: Can a world language Advanced Placement (AP) score still be used to demonstrate proficiency in a world language (other than English) for the State Seal of Biliteracy during the 2019–20 school year?

Answer: Yes. The requirements for earning the State Seal of Biliteracy are established in California *Education Code (EC)* Section 51461 and have not changed for the 2019–20 school year. Therefore, students may demonstrate proficiency in a world language for the purposes of the State Seal of Biliteracy by, “Passing a world language Advanced Placement examination with a score of 3 or higher” (*EC* Section 51461[a][3][A]).

For more information on how the College Board will administer AP exams during distance learning, please visit the College Board Taking the AP Exams Online web page at <https://apcoronavirusupdates.collegeboard.org/students/taking-ap-exams>.

Question: Are 2020 graduating seniors who complete the English language arts (ELA) coursework required to earn the SSB through distance learning still eligible for the SSB?

Answer: Yes. *EC* Section 51461(a)(1) states that students must complete, “all English language arts requirements for graduation with an overall grade point average of 2.0 or above in those classes” in order to be eligible to earn the State Seal of Biliteracy. Students who complete this coursework through distance learning necessitated by the COVID-19 response may still earn the State Seal of Biliteracy if they meet all other requirements as indicated in *EC* Section 51461.

Question: Are 2020 graduating seniors who complete the world language coursework required to earn the State Seal of Biliteracy through distance learning still eligible for the State Seal of Biliteracy?

Answer: Yes. *EC* Section 51461(a)(3)(B) states that one way for students to demonstrate proficiency in a world language other than English for the purposes of the State Seal of Biliteracy is “successful completion of a four-year high school course of study in a world language, attaining an overall grade point average of 3.0 or above in that course of study.” Students who complete this coursework through distance learning necessitated by the COVID-19 response may still earn the State Seal of Biliteracy if they meet all other requirements as indicated in *EC* Section 51461.

Question: How should the grade point average (GPA) for ELA coursework and world language coursework be calculated to determine if students are eligible for the State Seal of Biliteracy?

Answer: It is a local decision whether or not to require graded work from students during distance learning. There are a variety of considerations for LEAs to weigh as they review their grading policies during the transition to distance learning. LEAs should weigh their policies with the lens of equity and with the primary goal of first, doing no harm to students. The university systems are willing to accept credit/no credit grades in lieu of letter grades for all courses, including A–G courses, completed in winter/spring/summer 2020 for all students. Grades of credit/no credit will not affect the University of California or California State University GPA calculations.

Therefore, LEAs should refer to their local distance learning grading and GPA calculation policies when administering the State Seal of Biliteracy during the 2019–20 school year.

For more information on grading, please see the CDE FAQs on Grading and Graduation Requirements web page at <https://www.cde.ca.gov/499796>.

Question: Can LEAs administer a locally approved remote/virtual oral language assessment for students qualifying for the State Seal of Biliteracy through a four-year high school course of study?

Answer: Assembly Bill 1142 added the additional requirement of oral proficiency for students who seek to qualify for the State Seal of Biliteracy through a four-year high school course of study in the language (*EC* Section 51461 [a][3][B]). It is a local decision how to assess oral proficiency, but in order to earn the State Seal of Biliteracy students must meet this requirement. The oral language assessment LEAs choose or create must meet the rigor of the oral portion of an AP or IB exam (*EC* Section 51461 [a][3][B]).

During distance learning, LEAs may continue to make the local decision to approve oral proficiency assessments for the purposes of the State Seal of Biliteracy, including the option of administering a remote/virtual oral proficiency assessment.

For additional questions about the State Seal of Biliteracy, please contact Gina Garcia-Smith, Education Programs Consultant, English Learner Support Division, CDE, by phone at 916-319-0265 or by email at SEAL@cde.ca.gov.

Webinars

Federal Funding Flexibilities in Response to COVID-19 Webinar

Date: April 23, 2020

Description: This webinar from the CDE provides guidance on federal funding flexibilities in response to COVID-19. It includes background on federal waivers in response to COVID-19 and California’s Federal Funding Flexibility Waiver.

Link: <https://www.cde.ca.gov/ls/he/hn/fedfunding20200423.asp>

Distance Learning ELD and DLI Webinar

Date: May 14, 2020, at 1 p.m.

Description: The English Learner Support Division will host a webinar on how to provide ELD and DLI during distance learning. This webinar will highlight one district that has implemented an effective distance learning ELD program and one that has implemented an effective DLI program. By highlighting these districts, LEAs will have the opportunity to see the CDE guidance in action in these model programs.

Link: Information will be sent out via the EL Updates Listserv as soon as it is available.

COVID-19 Resources and Information

New Learning from Home Survey

The CDE and WestEd have developed a free online survey for schools and districts to assess students' online learning experiences, educational routines, quality of relationships with teachers and peers, and social emotional well-being. This survey is available at no cost to districts and can provide valuable information to support districts in creating an online learning community that promotes student wellness. Survey results will be available on an online platform. This survey does not include items that require parental consent.

For more information or to sign up for the survey go to the California School Climate, Health, and Learning Surveys website at <https://calschls.org/>.

Parents Helping Parents

Parents Helping Parents is a nonprofit organization that supports, educates, and inspires families and the community to build bright futures for youth and adults with special needs. To support families with distance learning, Parents Helping Parents is updating their E-Learning Library which includes COVID-19 resources for families and information and resources on assistive technology, behavior, coping and support for families, early childhood, and many other topics.

For more information, visit the Parents Helping Parents E-Learning Library web page at <https://www.php.com/e-learning-video-library/>.

Links to Resources Relevant to English Learners on the CDE COVID-19 Web Page

Please visit the CDE Coronavirus (COVID-19) web page at <https://www.cde.ca.gov/500017> for the latest updates on information and resources regarding COVID-19 and California's response

- **COVID-19 Guidance for K–12 Schools** at <https://www.cde.ca.gov/500017>
Links on this web page include resources for distance learning, school meals, special education guidance, and child care and student supervision.
- **Getting Internet Access: Available Plans** at <https://www.cde.ca.gov/498321>
This web page provides a list of internet providers, including those offering free internet, with links to their web pages for more information.
- **Coronavirus (COVID-19) Webinars** at <https://www.cde.ca.gov/499850>

This web page provides links to all CDE webinars related to COVID-19 including the April 9, 2020, English Learner Support Strategies Webinar.

For questions regarding English learner programs and services, please contact the English Learner Support Division by email at ELSD@cde.ca.gov or by phone at 916-319-0938. You may also visit the CDE English Learners web page at <https://www.cde.ca.gov/sp/el/>.

To subscribe to the EL Updates Listserv and receive this newsletter along with other updates, send a blank email to join-english-learner-updates@mlist.cde.ca.gov.

