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California School Boards Association statement on masking and independent study

California's school districts and county offices of education are eager to welcome students back to the classroom and support efforts to return students to in-person instruction safely. CSBA recognizes that the state's attempt to mitigate the spread of COVID-19 includes a multi-layered approach requiring that masks be worn in schools. Students who decline to wear masks must be provided an educational alternative, such as independent study. Unfortunately, the intersection of the masking law with the new independent study requirements in Assembly Bill 130 may keep some students out of the classroom without offering another viable educational option.

Under AB 130, if students are placed in independent study because they did not want to wear a mask in school, and subsequently fail to meet the attendance or engagement standards, the law requires that they return to in-person instruction, even though these students were barred from the classroom for their refusal to wear masks in the first place. The law also fails to provide an instructional alternative for students in school districts and county offices that receive a waiver since they are unable to offer independent study due to fiscal, logistical or technological limitations. In addition, the legislation does not account for students who are placed in independent study but lack an adequate internet connection.

District and county board members must consider how new laws will be implemented and the real-world impacts such laws may have, even if these impacts may not be readily visible to those who are not engaged in the daily work of serving students. The state needs to consider all the implications of the new law and guidance and address these issues in a way that allows local educational agencies to achieve the shared goal of returning all students to the classroom safely.

MASKS AND INDEPENDENT STUDY





Come to school unmasked → Go to independent study → Don't "engage" enough in independent study → Go back to school unmasked → Go back to independent study for not wearing a mask

*LEAs have the option of educating unmasked students on-campus — in outdoors settings — since the guidance requires only that students remain masked while indoors.



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