



MARIN COUNTY
OFFICE OF EDUCATION

June 21, 2022

The Honorable Judge James Chou
Marin County Superior Court
P.O. Box 4988
San Rafael, CA 94913-4988

Deborah Haase, Foreperson
Marin County Civil Grand Jury
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Dear Judge Chou and Foreperson Haase,

Attached please find the response requested by the 2021-2022 Marin County Civil Grand Jury from the Marin County Superintendent of Schools/Marin County Board of Education to recommendations (R1-R2) and findings (F1-F8) from the **Marin Schools: A Prescription for COVID Recovery** report.

Thank you for your continued interest in and support of our public schools and the health and wellness of our county's young people.

Sincerely,

PATRICIA GARBARINO, President
Marin County Board of Education

MARY JANE BURKE,
Marin County Superintendent of Schools

**Marin County Office of Education
Response to Grand Jury Report**

Report Title:	Marin Schools: A Prescription for COVID Recovery
Respondent / Agency Name:	Marin County Board of Education
Name: Title:	Patricia Garbarino President, Marin County Board of Education
Name: Title:	Mary Jane Burke Marin County Superintendent of Schools

Findings:

I (we) agree with the findings numbered:	F1, F2, F5, F6, F7, F8
I (we) <i>partially</i> disagree partially with the findings numbered:	F3, F4
I (we) <i>wholly</i> disagree partially with the findings numbered:	

(Attached is a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

Recommendations:

- Recommendations numbered **R2** have been implemented.
(Attach a summary describing the implemented actions)
- Recommendations numbered **R1** have not yet been implemented, but will be implemented in the future. (Attach a timeframe for implementation).
- Recommendations numbered **N/A** require further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered **N/A** will not be implemented because they are not warranted or are not reasonable. (Attach an explanation.)

Date: 21 June 22 Signed: Patricia Garbarino

Date: June 21, 22 Signed: Mary Jane Burke

Number of pages attached: 19

Marin County Office of Education
Responses to the 2021-2022 Marin County Civil Grand Jury Report
Marin Schools: A Prescription for COVID Recovery

Recommendation:

R1:	By August 1, 2022 the Marin County Superintendent of Schools and all Marin public school districts should convene a countywide Lost Learning Task Force to rapidly develop lost learning recovery models that are available for implementation by all of Marin's public school districts.
Response:	This recommendation has not yet been implemented, but will be implemented in the future. There are currently multiple existing groups and structures in place that have been in place before the pandemic and have developed and implemented plans for learning loss mitigation to some degree throughout the pandemic, with the clear understanding that remote learning is not effective or accessible for many students. The Marin County Superintendent of Schools convenes a monthly meeting of Marin County School District Superintendents to coordinate efforts and share best practices for supporting student learning and success. The frequency of these meetings was increased to weekly through a majority of the pandemic, including regular participation of the Marin County Public Health Office and/or Deputy Public Health Officer. A central priority of the Superintendents group through the past two years is to share best practices to address learning loss, and to implement robust student and staff mental health and wellness supports. All Marin County school districts applied for and were recipients of Learning Loss Mitigation Funding (LLMF) to support pupil academic achievement and mitigate learning loss related to COVID-19 school closures. As such all school districts were required to create learning continuity and attendance plans, which have been adopted and submitted to the California Department of Education. In addition to monthly Superintendents meetings, other countywide groups that meet on a regular basis with representatives from all school districts who have been addressing learning loss mitigation through the pandemic include the Innovative Learning Team (ILT), District Business Officials (DBOs), Elementary and Middle School Principals Networks, and the Marin County Schools Wellness Collaborative. For the purposes of this recommendation the ILT, under the leadership of the Marin County Office of Education, will serve as the <i>Lost Learning Task Force</i>, and will agendize learning loss mitigation to rapidly develop lost learning recovery models that are available for implementation by all of Marin's public

	school districts, and provide updates on best practices to the Superintendents.
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Recommendation:

R2:	By August 1, 2022 the Marin County Superintendent of Schools and all Marin public school districts should also call on the Lost Learning Task Force, as a second but vital priority, to develop and recommend protocols and policies for minimizing the length of emergency school closures during future disruptions.
Response:	This recommendation has been implemented. This recommendation has been implemented, although not in the name of a <i>Lost Learning Task Force</i>. There is recognition that this work is ongoing. Prior to COVID there was strong consensus among all Marin County Public School leaders that continuity of school operations and in person learning is a critical priority. Tools to support this priority through recent experiences with wildfire, air quality and winter storms have been developed in collaboration with Marin County Public Health and the Office of Emergency Services. Tools include an air quality chart that identifies appropriate indoor and outdoor activities at school to support health and safety depending on changing air quality indicators, systems of communication and planning for potential closures, and many districts taking the step of adding additional potential instructional days (similar to snow days in the mountainous areas) in the event of a closure. When the first shelter in place and suspension of classroom activity was ordered in the Spring of 2020, immediate steps were taken in conjunction with Public Health to develop protocols and procedures for a safe return to site based classroom instruction, resulting in the development of the Marin County School Guidelines (30 Point Plan) first issued June 18, 2020. With the fundamental goal of keeping students in site based classroom instruction these guidelines have been revised and updated eleven times through May 3, 2022, including an update to a 32 Point Plan on August 18, 2021, and more recently an update to the Marin County SMARTER Schools Plan on March 24, 2022. Public Health is currently working with all Marin County public, private, independent and parochial schools in planing for the 2022-23 school year including the development of a COVID mitigation strategies chart, similar to the air quality chart, to help schools continue implement best practices and procedures aligned with changing COVID-19 transmission levels and risks due to future variants and uncertainties, with the central and agreed upon priority of keeping students in site based classroom instructions. This work is ongoing.

Marin County Office of Education
DRAFT Responses to the 2021-2022 Marin County Civil Grand Jury Report
Marin Schools: A Prescription for COVID Recovery

Finding

F1	Excellent collaboration between Marin County Public Health officers and Marin's public school administrators during the COVID-19 pandemic produced science-based and demonstrably workable guidelines for reopening Marin County's public schools safely early in the 2020-21 school year.
	I (we) agree with the finding.

Finding

F2	Since experts agree that in-person classroom instruction is best for students, putting students first by keeping schools open as much as possible should be an imperative for all of Marin's educators.
	I (we) agree with the finding.

Finding

F3	Because labor negotiations over resuming in-person classroom instruction added to the complexity and delays in public school reopenings, Marin's public school districts would benefit by developing standard practices and models for resolving staff concerns.
	I (we) <i>partially</i> disagree with the finding. It is true that labor negotiations added to the complexity and delays in public school reopenings, for good reason. We disagree that standard practices and models should be developed for resolving staff concerns. The structure and nature of labor units, negotiations, and collective bargaining agreements appropriately are designed to address a wide variety of individualized and localized concerns and circumstances that must be addressed to reach agreement in each respective district. Marin County public school teachers and school staff (labor) should be commended for their efforts to help Marin County public schools to be among the first in the state to return to and sustain in person classroom instruction.

Finding

F4	Marin's Public schools would benefit from studying the private and public schools that demonstrated an ability to fully reopen early in the 2020-21 school year while complying with Marin's Public Health requirements.
	I (we) <i>partially</i> disagree with the finding. While it is beneficial to review best practices and resources that were developed by schools during the pandemic, we disagree that additional study is needed regarding how private and some public schools were able to reopen early in the 2020-21 school year. Private and public schools worked collaboratively and directly with Public Health to develop the 30-point plan that allowed Marin schools to reopen complying with Marin's Public Health requirements, and to continually adjust to conditions and changing guidance to remain open during the biggest surges of COVID-19 in our community.

Finding

F5	As a consequence of significant differences in the amount of in-person instruction time offered by Marin County's 18 public school districts during the 2020-21 school year, Marin's public school students experienced wide disparities in educational instruction.
	I (we) agree with the finding.

Finding

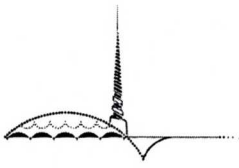
F6	A shortage of in-person instruction during the 2020-21 school year slowed measurable learning progress for many Marin public school students, resulting in deficits that should be addressed over the long-term with a concerted recovery program.
	I (we) agree with the finding.

Finding

F7	Slow in-person school reopenings undermined confidence in public schools and contributed to an enrollment decline, potentially weakening long-term financial support for Marin's districts that rely on attendance for state funding.
	I (we) agree with the finding.

Finding

F8	The Marin County Superintendent of Schools and Office of Education are best positioned to take a leadership role in enabling school districts to coordinate and implement a focused pandemic recovery plan that addresses students' academic, social, and emotional needs.
	I (we) agree with the finding.



2021–2022 MARIN COUNTY CIVIL GRAND JURY

Marin Schools: A Prescription for COVID Recovery

April 27, 2022

SUMMARY

In Marin's history, schools have never experienced anything as disruptive as the 2020 onset of the COVID-19 pandemic. This forced campus closures and required tremendous efforts in all districts to safely reopen classrooms. Marin's schools are now open, but damage caused by the pandemic will have lasting effects on a generation of students. The pandemic exposed a critical need for more active collaboration among Marin's 18 public school districts to share best practices. A lost learning recovery program is urgently needed.

During the pandemic:

- In-person instruction, which educators agree is best for academic, social, and emotional development, was significantly reduced for almost every student.
- The amount of in-person instruction varied considerably across Marin's 18 school districts, creating disparities among school districts in the quality of education for Marin's students.
- Students' learning progress slowed according to tests administered by several school districts.
- Marin public schools' enrollment declined by five percent, putting schools that rely on attendance for state funding at risk of losing needed resources.

This report examines how Marin's public school districts responded to the pandemic while dealing with the varied concerns of the Marin County Health Department, the Marin County Office of Education, school staff, students, parents, labor unions, and other stakeholders.

To address the long-term problems caused by the pandemic, the Grand Jury recommends that Marin's school districts and the elected Marin County Superintendent of Schools establish a countywide Lost Learning Task Force.

- The task force should rapidly develop lost learning recovery models that are available for implementation by all of Marin's public school districts for the benefit of their students.
- The task force should also develop and recommend protocols and policies for minimizing the length of emergency school closures during future disruptions.

APPROACH

The Marin County Civil Grand Jury conducted more than 25 confidential interviews with educators, healthcare professionals, and other individuals knowledgeable about the impact of the COVID-19 pandemic on the students, teachers, parents, and staff of Marin County's public schools. The Grand Jury also reviewed data, documents, and studies developed by educational experts on optimal teaching environments, the challenges of learning remotely, and assessments of academic progress made by students in the face of the pandemic. The Grand Jury examined recovery plans, enrollment trends, and processes for sharing best practices and coordinating COVID response plans among Marin's school districts. The Grand Jury also read through local, state, and national news reports and analyses as well as opinion pieces on COVID-19 impacts on students, teachers, and school operations. The findings and recommendations herein are based on this work.

BACKGROUND

Marin County is home to 18 public school districts serving more than 32,000 kindergarten through 12th grade students on 64 campuses, including 46 elementary schools, 9 middle schools, and 9 high schools. These districts range in size from small rural districts to the Novato Unified School District with some 7,150 students on 12 elementary, middle, and high school campuses. Each of these school districts is governed by its own elected board of trustees, which is responsible for hiring a superintendent, approving the district's budget and curriculum, and negotiating labor contracts with the district's teachers and classified employees.

This fragmented landscape is overseen by the Marin County Office of Education, which is charged with ensuring that public school funds are managed properly. The Office of Education also conducts special, alternative, and outdoor education programs, and coordinates services for foster and homeless youth within Marin's school districts. While it provides financial oversight and some joint leadership services, the Office of Education does not have authority over the independent operation of Marin's local school districts.

During normal school years, Marin's school districts are required by state law to offer at least 180 days of classroom instruction. Legally required daily class time is three hours for kindergarteners, four hours, forty minutes for first through third graders, five hours for fourth through eighth graders, and six hours for high school students.¹ State law requires all schools to operate in accordance with public health protocols for protecting students and staff.

DISCUSSION

The COVID-19 pandemic upended classroom instruction throughout the world. Public health protocols instituted to minimize the spread of the deadly disease immediately forced Marin County's schools out of routine "in-person" instruction in classrooms and into "distance learning," where teachers and students had to interact virtually via computer connections as they isolated in their respective homes. Each school district had to develop and implement its own plans for resuming classroom instruction while complying with mandated health protocols. Consequently, there were significant differences in the hours of classroom instruction that Marin's public school students received during the 2020-21 school year. The transition away

¹ Cal.Ed.C. §§46207-46208 (1976, 1983),

https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC§ionNum=46207.

from classroom instruction raised fears that student learning would progress more slowly than normal. This worry was borne out in the results of state tests, which in many districts declined significantly from pre-pandemic levels. Marin's public schools are now dealing with declining enrollment and the challenge of making up for lost learning while continuing to respond to the ongoing evolution of the virus and changing health protocols. These challenges raise serious questions about what can be done to recover learning losses and how to address future disruptions impacting student learning in Marin's public schools.

COVID-19 was first reported in Wuhan, China in December 2019 and by January it had reached California, where an elementary school student in Elk Grove was among the early cases.² Marin County reported its first COVID case on March 9. On March 16, 2020, the Marin County Public Health Department, in conjunction with the other Bay Area counties, issued a two week "shelter-in-place" order impacting all of Marin's public and private schools.³

Schools had to quickly pivot from teaching in classrooms to offering remote instruction through computer screens. Students had to be trained and equipped with computers and other electronic devices to join classes virtually from their homes or other remote locations. Teachers had to modify lesson plans for instructing in a virtual environment. Staff had to monitor student engagement and reach out to help students who were being left behind. Learning conditions at remote locations varied considerably, adding to the difficulty of delivering the curriculum. To address equity issues, some districts and community agencies established remote learning centers.

As the shelter-in-place orders were extended, Marin public schools taught remotely for the balance of the 2019-20 school year. Meanwhile, Marin's educators and public health officials began developing plans for safely reopening classes in the 2020-21 school year.

Reopening Classrooms Safely - A 30-Point Plan

Marin's Public Health and Education leaders collaborated on a 30-point plan with requirements for the safe reopening of all schools in Marin County. Using this plan, Marin's public health officials and education leaders were confident that public and private schools could have been opened safely early in the 2020-21 school year. This well-respected document was modeled and shared with districts throughout the state.

This plan, "Public Health Guided Site-Based Classroom Instruction," was first published on June 18, 2020, by Marin County Superintendent of Schools Mary Jane Burke, Marin County Public Health Officer Dr. Matt Willis, and Deputy Public Health Officer Dr. Lisa Santora.⁴ Using these guidelines, the Marin County Department of Public Health determined that Marin's school districts could each develop and implement site-specific plans for safely reopening their classrooms beginning as early as September 12 of the 2020-21 school year.

² Tony Bizjak, Sawsanb Morrar, and Rosalio Ahumada, "Officials reveal where Elk Grove child who tested positive for coronavirus goes to school," *The Sacramento Bee*, March 9, 2020. <https://amp.sacbee.com/community/elk-grove/article241038196.html>

³ County of Marin Press Release, "Marin, 6 Other Jurisdictions Order Residents to Stay Home," March 16, 2020. <https://www.marincounty.org/main/county-press-releases/press-releases/2020/hhs-covid-shelterinplace-031620>

⁴ Dr. Matt Willis, Dr. Lisa Santora, and Mary Jane Burke, *Marin County School Guidelines, Public Health Guided Site-Based Classroom Instruction*, June 18, 2020. <https://www.marinschools.org/cms/lib/CA01001323/Centricity/Domain/154/FINAL%202022%20Marin%20County%20Schools%2032%20Point%20Plan%201.6.2022.pdf>

The 30-point plan required school staff to rethink their entire operations and develop a "School Site-Specific Protection Plan" for each campus. It called for compliance with state and county health orders. The orders included safety protocols on masking, handwashing, and tracking attendance, together with COVID-safety training for staff, students, and parents. Each campus had to assign contacts to respond to student, staff, and parental concerns, as well as to liaise with the county public health office. The plan also called for cleaning and disinfection schedules, daily health screening, isolation of suspected COVID cases, and campus enrollment in a COVID testing program. Schools had to maintain distancing standards within classrooms and isolate classes from one another. Middle and high schools had to minimize student and staff movements.



Photo: Marin County Office of Education

Staff had to record its daily movements among classes. Schools had to limit mixing in common areas such as at campus entrances and exits, playgrounds, and multi-purpose rooms. Schedules for lunch and recess had to be changed accordingly. Campuses had to be re-mapped with one-way routes to avoid the danger of infection while people passed in opposite directions. Large gatherings were prohibited. Sharing classroom supplies and equipment was discouraged. Ventilation had to be optimized. The number of volunteers was reduced.

Each site reopening plan had to be approved by the county health department and then posted and communicated to parents, students, and staff.

As the pandemic evolved and safety protocols changed, the 30-point plan for the 2020-21 school year was updated three times, forcing schools in all districts to revise their site-specific plans, logistics, and operations accordingly. In some instances, revisions required campus reconfigurations and interruptions in classroom instruction.

The 30-point plan proved to be effective, according to a peer-reviewed study written by members of the epidemiology group in the Marin County Public Health office in collaboration with staff from the Marin County Office of Education.⁵ The study, based on 21 weeks of data involving 17,639 students and 4,938 educators in Marin County, demonstrated that schools were low-risk environments for COVID transmission because they were structured, supervised, and stabilized. In contrast, the risk of COVID transmission outside the schools was higher. The schools' strict adherence to public health guidance and site-specific safety plans against COVID-19 yielded a significantly reduced incidence rate of 0.84 percent among in-person learning participants; only nine cases were traced, by way of rigorous contact tracing, to suspected in-school SARS-CoV-2 transmission. By comparison, the countywide COVID-19 incidence rate was 2.09 percent.

⁵ S.Q. Paff, R. Ereman, L. Santora, et. al., "Phased Return of Students to 77 Transitional Kindergarten-8th Grade Schools with Cohesive Mitigation Strategies Serving as Protective Factors Against the Increase of COVID-19 Cases in Marin County: September 2020-January 2021," *National Library of Medicine, National Center for Biotechnology Information*, November 22, 2021. <https://pubmed.ncbi.nlm.nih.gov/34963838/>

Waivers for Early School Openings

Early in the 2020-2021 school year, Marin's private and public schools had the opportunity to seek waivers from continuing state school closure mandates by presenting site specific reopening plans to the Marin County Public Health Department. Marin's public health officer initially granted waivers to 15 elementary schools, including the Sausalito-Marín City and Laguna Joint public school districts, where classes started early in September 2020.⁶ None of Marin's other public elementary schools applied for the waiver and none of these schools were opened until October. Waivers were also initially granted to 13 private elementary schools where smaller enrollments, adequate space, and the ability to avoid the complexity of negotiating reopening plans with labor unions made it possible to move more nimbly.

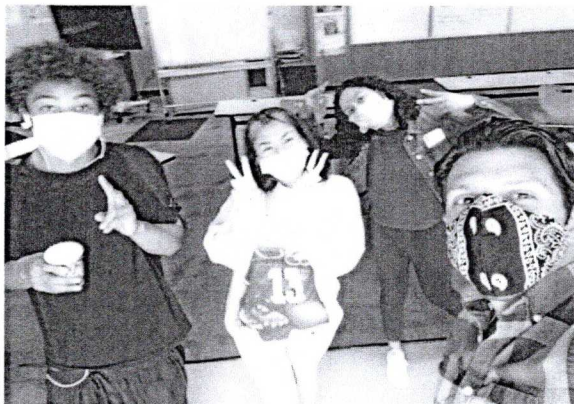


Photo: Marin County Office of Education

Distance Learning vs. In-person Instruction

The impetus for getting students back into the classroom as soon as possible was clear. All educators interviewed by the Grand Jury agreed that classroom instruction is far superior to distance learning for students' academic progress, social development, and mental health. This is borne out in several surveys and studies.

In an international survey conducted by McKinsey and Company, teachers in the United States ranked the effectiveness of remote learning as only 3.5 on a scale of one to ten, with ten being the highest rating.⁷ A study conducted by the U.S. Center for Disease Control found that families of children enrolled in virtual school during the pandemic were more likely to report signs of negative physical, mental, and emotional health.⁸ Researchers reported a 20.5 percent increase in substance abuse among parents of children in hybrid learning programs — where students were learning remotely at home on some days and were in class on other days. The emotional bonds critical to any kind of learning are hard to attain in a remote environment, according to an Economic Policy Institute study of COVID impacts on “whole child” development that normally occurs at school.⁹

⁶ County of Marin Press Release, “15 Marin Schools Cleared to Open September 8,” September 3, 2020.

<https://www.marincounty.org/main/county-press-releases/press-releases/2020/hhs-covid-schoolwaivers-090320>

⁷ Li-Kai Chen, Emma Dorn, Jimmy Sarakatsannis, and Anna Wiesinger, “Teacher Survey: Learning Loss is Global—and Significant,” *McKinsey & Company*, March 1, 2021. <https://www.mckinsey.com/industries/education/our-insights/teacher-survey-learning-loss-is-global-and-significant#>

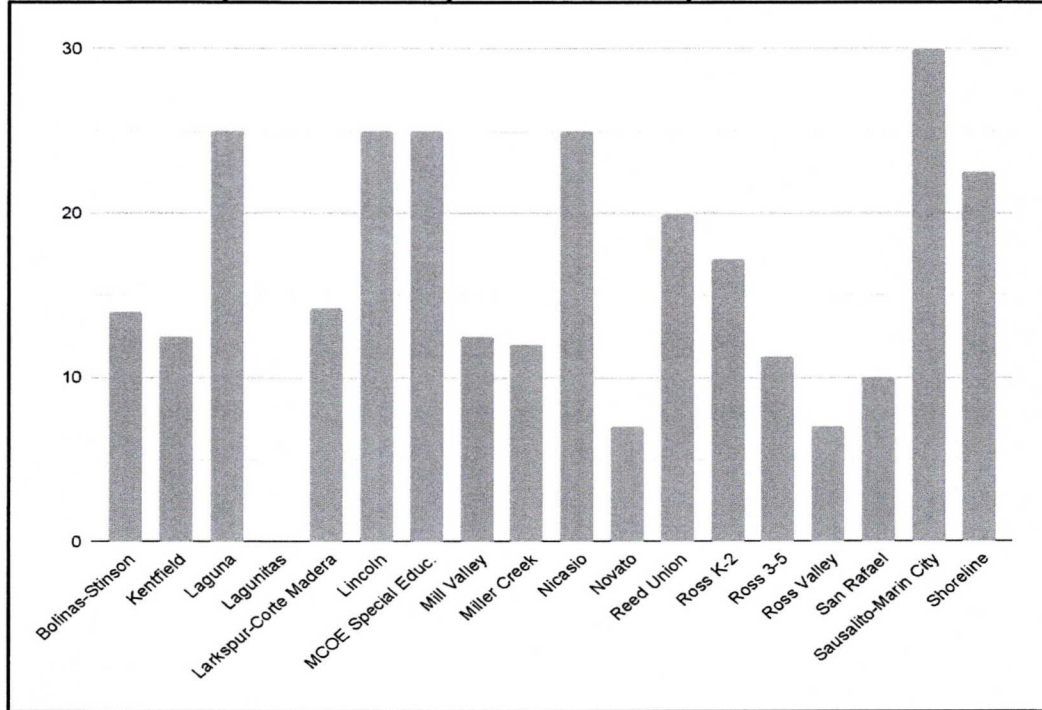
⁸ Hannah Miao and Noah Higgins-Dunn, “Parents with kids in virtual school are more stressed, some use drugs and alcohol to cope, CDC study shows,” *CNBC*, March 19, 2021. <https://www.cnbc.com/2021/03/19/parents-cope-kids-virtual-school-cdc-study.html>

⁹ Emma Garcia and Elaine Weiss, “COVID-19 and student performance, equity, and U.S. education policy. Lessons from pre-pandemic research to inform relief, recovery, and rebuilding,” *Economic Policy Institute*, September 10, 2020. <https://www.epi.org/publication/the-consequences-of-the-covid-19-pandemic-for-education-performance-and-equity-in-the-united-states-what-can-we-learn-from-pre-pandemic-research-to-inform-relief-recovery-and-rebuilding/>

Marin's Disparity in In-person Instruction Time

Even with the option to reopen as early as September 2020, there was great disparity in the timing of reopenings and the amount of in-person instruction that Marin's students received in the 2020-21 school year. Attendance figures supplied to the Marin County Office of Education showed that the number of in-person days varied widely as some schools opened early in the fall, while others waited until spring of 2021. Figures 1 and 2 below show the disparity in the weekly hours of in person instruction at Marin's public elementary and middle schools in February of 2021.¹⁰

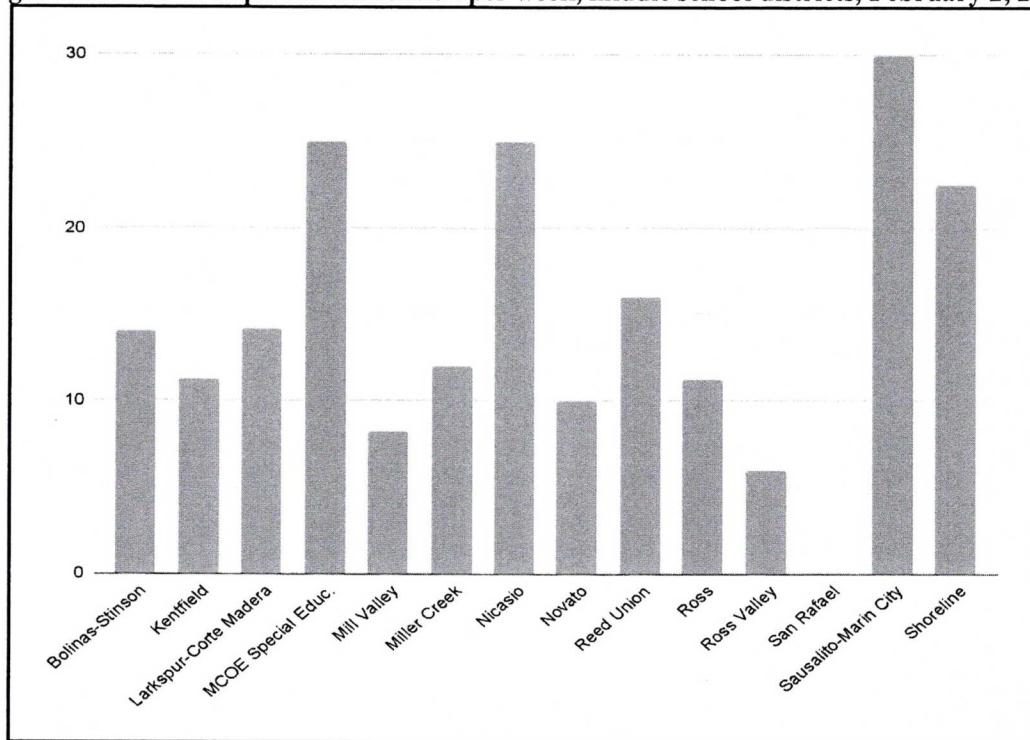
Figure 1: Hours of in-person instruction per week, elementary school districts, February 2, 2021



Source: Marin County Office of Education

¹⁰ Marin County Office of Education, *Marin County Public School and District Status of In-Person Instruction, February 2, 2021*.
<https://www.marinschools.org/cms/lib/CA01001323/Centricity/Domain/154/MC%20Public.School%20District%20Status%20of%20In%20Person%20Instruction.pdf>

Figure 2: Hours of in-person instruction per week, middle school districts, February 2, 2021



Source: Marin County Office of Education

Distancing requirements and logistical considerations at each school required the development of hybrid schedules with split sessions where students could attend class in person for only a fraction of the week. These factors contributed to significant differences in the access students had to in-person learning among Marin’s schools.

The Sausalito-Marín City District, which received a waiver for early opening in September, was able to offer 176 days of in-person instruction for all of its students. The Larkspur-Corte Madera District opened in October, soon after public health guidelines allowed in-person instruction. As a result, its campuses were open for 140 days of in-person instruction, including split sessions in the early part of the year and full time instruction at the end of the year. In contrast, districts that waited until the Spring semester to reopen offered fewer days of in-person instruction. For example, the Novato Unified District’s Elementary and Middle Schools offered about 100 days, and San Rafael’s Elementary School District had about 90 days of in-person instruction.

Generally speaking, private schools were able to offer significantly more in-person instruction during this time. Twelve of the nineteen K-8 private schools that reported schedules to the Marin County Office of Education were delivering more than 30 hours per week of in-person instruction as of February 2, 2021.¹¹

In-person instruction at Marin’s high schools was much lower than in elementary schools during the 2020-21 school year because older high school students were thought to be more vulnerable to the COVID-19 virus and were expected to be able to participate more effectively in distance learning. Consequently, high schools fully reopened more slowly than elementary and middle

¹¹ Marin County Office of Education, *Marin County Private, Parochial and Independent Schools Status of In-Person Instruction*, February 2, 2021.

schools. Most of Marin's public high schools resumed on-campus learning in the Spring semester.

The hours of in-person instruction time also varied among Marin's high schools, according to data supplied by the Marin County Office of Education. The high schools in Novato and San Rafael were slower to fully open compared to the rest of Marin's public and private high schools, which were offering students more than 25 hours of in-person weekly instruction by April.¹²

By April 12, county attendance figures showed that most K-12 public schools had increased in-person instruction, but disparities persisted.¹³

Multiple Factors Impacting Reopening Schedules

Although all of Marin's public school districts had to deal with unique challenges to resuming classroom instruction, all educators interviewed by the Grand Jury cited labor negotiations as a key factor that impacted their reopening plans. District unions for certificated and classified employees needed assurances that their schools could be reopened safely. All public school districts engaged in negotiations with their labor unions. Some unions readily agreed to follow and help implement the 30-point plan on the condition that the district fulfilled its commitment to provide the necessary tools, protective equipment, and processes to operate safely. Others negotiated reopening plans in detail, which resulted in further delays.

Many other factors affected the timing of school reopenings. Classrooms had to be measured and desks set up to meet distancing requirements. When distancing requirements changed, classes needed reconfiguration. In some cases, new desks had to be ordered, delivered, and installed. All campus logistics, operations, and scheduling had to be reviewed and revised as needed. Strict disinfection, cleaning processes, and schedules had to be instituted. Screening and testing systems had to be set up. Each campus needed an isolation area for suspected cases while they waited for a return ride home. To build trust and confidence in reopening, schools frequently communicated with teachers, staff, and parents through virtual meetings, webinars, and other programs.

Reopening classes was far easier in Europe where national or regional governments determined when schools would close and reopen, according to a report in *The Economist*.¹⁴ By contrast, the U.S. left that decision up to its 14,000 school districts where prolonged debates delayed classroom re-openings. As a consequence, many U.S. students were out of their classrooms for much longer periods than their European counterparts. The varied experience in Marin's 18 public school districts was similar to what occurred across the United States.

Lessons from the Larkspur-Corte Madera School District

The Larkspur-Corte Madera School District's re-opening effort was highlighted as a success story by the Learning Policy Institute.¹⁵ This district, where some 1,533 kindergarten through

¹² MCOE, *Status of Public School In-Person Instruction*, April 12, 2021.

¹³ MCOE, *Status of Public School In-Person Instruction*, April 12, 2021.

¹⁴ "America Has Failed to Learn from the Safe Opening of Classrooms Abroad," *The Economist*, January 15, 2022. <https://www.economist.com/leaders/2022/01/13/america-has-failed-to-learn-from-the-safe-opening-of-classrooms-abroad>

¹⁵ Naomi Ondrasek, Natalie Truong, and Adam K. Edgerton, "Marin County: Leveraging Education and Public Health Partnerships to Support School Reopening," *Learning Policy Institute*, February 11, 2021. <https://learningpolicyinstitute.org/product/safe-school-reopening-marin-county-brief>

eighth grade students attend two elementary schools and a middle school, managed to reopen in-person classes most days of the 2020-21 school year with the help of split sessions. The District was forced to cut instruction time by breaking the classes into morning and afternoon sessions for most of the year in order to comply with required distancing standards. Despite this reduction in in-person learning, the District was able to avoid a significant learning loss according to state test scores which were equal to or better than the year prior to the pandemic.

The key to the Larkspur-Corte Madera District reopening was strict adherence to science and county health protocols. District leaders held themselves responsible for opening classrooms as soon as state and county health officials declared it was safe to do so. This commitment was not open for negotiation. The school board, superintendent, and administration were unified in this position, and they committed to giving the entire school staff the tools and support needed for safe classroom instruction. Labor talks were focused exclusively on safety measures rather than the timing of reopening. By contrast, other school districts in Marin were hampered by indecision and prolonged labor negotiations.

The Larkspur-Corte Madera District transitioned from remote learning to in-person instruction on October 5, 2020, beginning with two days of health and safety protocol training in week one, and then offering five days a week through the balance of the school year. Classes were initially divided into morning and afternoon sessions with time in between for cleaning and disinfection. The district maintained this reduced schedule until April 12, 2021, when full days began for all classes.

The greatest reopening challenges in Larkspur-Corte Madera School District were earning union support for resuming classroom instruction, preparing the classrooms to meet changing public health protocols for spacing and maximum exposure periods, and pivoting when required by public health mandates to institute distance or remote learning.

Planning was also key to the district's success. District leadership developed site-specific reopening plans during the summer prior to the 2020-21 school year. Plans were in place a month in advance of the beginning of the school year and that gave leadership time to communicate extensively with all stakeholders. Many meetings, webinars, and social media programs were conducted to show teachers, staff, and parents that schools could be opened and operated safely. Students were trained on safety measures by well-prepared teachers and through videos on topics including restroom protocols and how to line up for class. Eighth graders were called on to offer encouragement and support for younger students. The Parent Teachers Association jumped in with balloons, music, and posters to add fun and festivity to the reopening environment.

The district's planning and communication helped tremendously when health protocols changed and classrooms needed reconfiguration or when a temporary return to distance learning was mandated. Staff minimized lost days of in-person instruction by quickly reconfiguring classrooms on three occasions to meet changing health protocols as the pandemic evolved during the school year.

To show appreciation for its 150 staff members, the district paid each of its teachers, librarians, administrators, and classified employees \$2,000 in bonuses for their work to keep the classrooms open. The Larkspur-Corte Madera School District was the first in Marin to use pandemic support funds from the state to offer these bonuses, which totaled about \$320,000 for the year.

Remote learning remained an option for Larkspur-Corte Madera parents who were not comfortable with in-person instruction for their children. Nevertheless, 92 percent of the district's parents sent their children to school in the fall of 2020 and by the spring of 2021, 96 percent of parents were sending their children to classes on campus.

Enrollment Loss

The pandemic appears to have accelerated a decline in Marin's public school enrollment while attendance figures for private schools and homeschooling rose as parents sought learning alternatives for their children.

Enrollment in Marin's public schools dropped by 1,577 students between 2019-20 and 2020-21, according to published data on the California Department of Education's website. This five percent decline far exceeded the average decline of one percent per year over the last decade. In the same period, enrollment in private schools and homeschooling increased by 345 students, according to the county. The public school enrollment decline has been attributed in part to a pandemic-related switch to private schools as well as people moving out of Marin to more affordable locales and lower birth rates.¹⁶ Lagunitas School District reportedly lost some students who transferred to the Ross Valley Charter School where they could get in-person instruction.

Educators believe some parents chose homeschooling rather than expose their children to the risk of infection, even at campuses with approved site-specific reopening plans. Some families with the financial means moved their children to private schools rather than waiting for their public schools to fully reopen. The difficulty of coordinating children's changing school schedules, and parent job requirements, added to the motivation to move to private schools that were open. Administrators are concerned about whether these children will ever return to public schools.

While the state implemented temporary measures that shielded schools from financial losses due to declining attendance during the pandemic, funding is uncertain for the 2022-2023 school year. In Marin, the two of the largest school districts – Novato Unified and San Rafael Elementary – rely on enrollment-based state funding. These two districts, which represent 36 percent of Marin's public school students, are at risk of long-term financial loss from reduced enrollment. In January 2022, The Marin Independent Journal reported that the Novato Unified School District trustees agreed on \$4 million in budget cuts, including at least 30 teacher layoffs.¹⁷ The district has 7,158 students, which is down by 400 from 2019-20. In contrast, most of Marin's public school districts are entirely supported by local property taxes and do not rely on enrollment-based state funding. Student transfers to the Ross Valley Charter School resulted in severe budget cuts in the Lagunitas School District.

Measuring Lost Learning

Replacing in-person classroom teaching with remote instruction through computer connections to students' homes or temporary community learning sites raised serious questions about adverse effects on student learning. These concerns appear to be well founded.

¹⁶ Grace Hase and Keri Brenner, "Why Does School Enrollment Continue to Decline," *Marin Independent Journal*, November 16, 2021. <https://www.marinij.com/2021/11/16/why-does-school-enrollment-continue-to-decline/>

¹⁷ Keri Brenner, "Novato School District Approves \$4M in Cuts, Layoffs," *Marin Independent Journal*, January 28, 2022. <https://www.marinij.com/2022/01/28/novato-school-district-approves-4m-in-cuts-layoffs/>

The NWEA (Northwest Evaluation Association) Center for School and Student Progress, a research-based non-profit group that develops assessment tools for schools around the world, conducted a national study of the pandemic's impact on student learning. This assessment showed that learning progress for third through eighth grade students in the United States was lower in 2020-21 than in pre-pandemic years.

Two key findings of the NWEA study were:

- Students ended the year with lower achievement compared to a typical year, with larger declines relative to historical trends in math (eight to twelve percentile points) than in reading (three to six percentile points).
- Achievement was lower for all student groups in 2020-21, however American Indian and Alaska Native, Black, and Latino students, including students in high-poverty areas were disproportionately impacted, particularly in the elementary grades studied.¹⁸

Results from the California Assessment of Student Performance and Progress (CAASPP) were similar. According to a news release from the California Department of Education, scores from English language arts and mathematics tests generally show academic progress but at a slower rate than in prior years.¹⁹ The scores also show widening achievement gaps between student groups. In the news release, California Superintendent of Public Instruction Tony Thurmond said, "The statewide performance data from last year confirm what we heard from school districts and county offices throughout the year. Namely, the challenges that students and educators faced during the pandemic were multidimensional and disruptive to learning and mental health."

The pandemic's sudden disruption prevented state testing in the 2019-2020 school year. However, public school districts had the option in 2021 to take the CAASPP tests that annually measure math and language skills against state standards for third through eighth grade students. Several of Marin's kindergarten through eighth grade districts administered the state tests to see the pandemic's impact on their students' learning progress.

With the exception of the Larkspur-Corte Madera, Bolinas-Stinson, and Lagunitas school districts, scores on learning progress fell for those other Marin school districts that administered the test. Compared to their 2018-19 results, the 2021 CAASPP results for Marin County overall fell by nine and twelve points for English Language Arts and Mathematics, respectively.²⁰

Ongoing Pandemic Challenges

Marin's schools were fully reopened for in-person instruction at the start of the 2021-22 school year and classrooms have remained open with the help of school-wide COVID testing initiatives, Marin's very high vaccination rate, and adherence to public health safety protocols. Normal class

¹⁸ Karyn Lewis and Megan Kuhfeld, "Learning during COVID-19: An update on student achievement and growth at the start of the 2021-2022 school year," *NWEA Center for School and Student Progress*, December 2021. <https://www.nwea.org/content/uploads/2021/12/Learning-during-COVID19-An-update-on-student-achievement-and-growth-at-the-start-of-the-2021-2022-school-year-Research-Brief.pdf>

¹⁹ California Department of Education News Release, "CDE Releases Student Data for 2020-21 that Show Impacts of COVID-19 on Schools," January 7, 2022. <https://www.cde.ca.gov/nr/ne/yr22/yr22rel03.asp>

²⁰ California Department of Education, *California Assessment of Student Performance and Progress*, accessed February 4, 2022. <https://caaspp-elpac.cde.ca.gov/caaspp/DashViewReport>

schedules remained intact, even as Marin County's COVID positivity rate soared above 18 percent during the surge of the Omicron variant in late 2021 and early 2022.

COVID Recovery: A Lost Learning Task Force

Marin's educational community is now dealing with the challenge of pandemic recovery by addressing lost learning, enrollment declines, expected reductions in some school budgets, and shaken confidence in the public schools. Countywide collaboration among all public school districts and the sharing of best practices could be key to an effective recovery effort.

Lost learning will impact a generation of Marin's public school students unless educational leaders address learning gaps with needed recovery programs. The Marin County Office of Education could play a leading role by forming a dedicated countywide Lost Learning Task Force committed to the rapid development of recovery models that are available for implementation by Marin's public school districts.

A Marin Lost Learning Task Force could work to ensure that remaining COVID relief funds are directed to addressing learning gaps with enhanced in-person instruction based on the best models from across the county and elsewhere. That would be its prime mission. This task force also could review and recommend best practices and policies for minimizing the loss of in-person instruction and avoiding classroom closures during future disruptions.

To be effective, the Lost Learning Task Force should be broadly representative with school board members and administrators as well as teachers and parents. It might work more nimbly by dividing the work with some experts focusing on recovering from past learning losses while others address minimizing future classroom closures. This task force could recommend future policies and practices for addressing labor concerns in a more timely and effective manner.

A variety of Federal and State funds have already been made available for pandemic recovery in schools. Data from the Marin County Office of Education show that Marin's public school districts received over \$83 million in federal and state COVID relief funding to support the schools through 2024. In the past two and half years, Marin's schools have reportedly spent about \$50 million of this on a wide variety of needs to address COVID relief. As the pandemic wanes and schools return to more normal operations, there is up to \$30 million remaining that could be committed to lost learning programs with in-person instruction.

Some of the COVID relief funding is now being dedicated to lost learning programs, including summer school classes and tutors within individual school districts. For example, the Novato Unified School District has initiated math and language tutoring programs this school year and is working on plans for a special school program on the College of Marin's Indian Valley campus this summer. The district is also in the process of identifying learning gaps that need to be addressed, and it is planning to offer students extended instruction before and after school in the 2022-2023 school year. Lost-learning programs like these in Novato or similar programs in other districts could be modeled and shared across all districts in Marin.

The need for recovery programs in the schools is not unique to Marin County. The U.S. Congress introduced the Learning Recovery Act of 2021 to provide \$75 billion over two years to build out summer school, extend school days, or extend school programs. Economic impacts of lost learning were the prime rationale for this legislation, authored by Rep. Robert C. Scott, D-Virginia. According to proponents of this legislation, "the lost time in the classroom for the current K-12 cohort will result in an earnings loss of \$110 billion per year and will reduce

overall gross domestic product by \$173 billion to \$271 billion per year. This figure also includes high school dropout rates that will account for \$11 billion per year.”²¹ While the legislation is still pending, the need to address the COVID learning gaps will continue for years. Marin needs to make this a priority.

FINDINGS

- F1. Excellent collaboration between Marin County Public Health officers and Marin’s public school administrators during the COVID-19 pandemic produced science-based and demonstrably workable guidelines for reopening Marin County’s public schools safely early in the 2020-21 school year.
- F2. Since experts agree that in-person classroom instruction is best for students, putting students first by keeping schools open as much as possible should be an imperative for all of Marin’s educators.
- F3. Because labor negotiations over resuming in-person classroom instruction added to the complexity and delays in public school reopenings, Marin’s public school districts would benefit by developing standard practices and models for resolving staff concerns.
- F4. Marin’s public schools would benefit from studying the private and public schools that demonstrated an ability to fully reopen early in the 2020-21 school year while complying with Marin’s public health requirements.
- F5. As a consequence of significant differences in the amount of in-person instruction time offered by Marin County’s 18 public school districts during the 2020-21 school year, Marin’s public school students experienced wide disparities in educational instruction.
- F6. A shortage of in-person instruction during the 2020-21 school year slowed measurable learning progress for many Marin public school students, resulting in deficits that should be addressed over the long-term with a concerted recovery program.
- F7. Slow in-person school reopenings undermined confidence in public schools and contributed to an enrollment decline, potentially weakening long-term financial support for Marin’s districts that rely on attendance for state funding.
- F8. The Marin County Superintendent of Schools and Office of Education are best positioned to take a leadership role in enabling school districts to coordinate and implement a focused pandemic recovery plan that addresses students’ academic, social, and emotional needs.

RECOMMENDATIONS

- R1. By August 1, 2022, the Marin County Superintendent of Schools and all Marin public school districts should convene a countywide Lost Learning Task Force to rapidly

²¹ House Committee on Education and Labor, “Fact Sheet, Learning Recovery Act of 2021,” accessed March 8, 2022. <https://edlabor.house.gov/imo/media/doc/2021-01-28%20Learning%20Recovery%20Act%20Fact%20Sheet.pdf>

develop lost learning recovery models that are available for implementation by all of Marin's public school districts.

- R2. By August 1, 2022, the Marin County Superintendent of Schools and all Marin public school districts should also call on the Lost Learning Task Force, as a second but vital priority, to develop and recommend protocols and policies for minimizing the length of emergency school closures during future disruptions.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

From the following governing bodies:

- Bolinas-Stinson School District Board of Trustees (F1-F8, R1-R2)
- Kentfield School District Board of Trustees (F1-F8, R1-R2)
- Laguna Joint School District Board of Directors (F1-F8, R1-R2)
- Lagunitas School District Board of Trustees (F1-F8, R1-R2)
- Larkspur-Corte Madera School District Board of Trustees (F1-F8, R1-R2)
- Marin County Office of Education Board of Trustees (F1-F8, R1-R2)
- Mill Valley School District Board of Trustees (F1-F8, R1-R2)
- Miller Creek Elementary School District Board of Trustees (F1-F8, R1-R2)
- Nicasio School District Board of Trustees (F1-F8, R1-R2)
- Novato Unified School District Board of Trustees (F1-F8, R1-R2)
- Reed Union School District Board of Trustees (F1-F8, R1-R2)
- Ross School District Board of Trustees (F1-F8, R1-R2)
- Ross Valley School District Board of Trustees (F1-F8, R1-R2)
- San Rafael City Schools Board of Education (F1-F8, R1-R2)
- Sausalito Marin City School District Board of Trustees (F1-F8, R1-R2)
- Shoreline Unified School District Board of Trustees (F1-F8, R1-R2)
- Tamalpais Union High School District Board of Trustees (F1-F8, R1-R2)

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted in accordance with Penal Code section 933 (c) and subject to the notice, agenda, and open meeting requirements of the Brown Act.

From the following individuals:

- Marin County Superintendent of Schools (F1-F8, R1-R2)

Note: At the time this report was prepared information was available at the websites listed.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.

Marin County Counsel's Office
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