

# Wildfire Recovery

## FAQs for School Districts and Superintendents



### 1. What methods of cleanup or remediation of a school site affected by the wildfires should be completed before the school is occupied?

If outdoor air is considered satisfactory, and air pollution poses little or no risk, all facilities, classrooms, and offices should be ventilated for at least a 24-hour period. Heating, ventilation, and air conditioning (HVAC) system filters should be replaced as soon as possible, and, if necessary, replaced frequently thereafter to remove additional ash and odorous particle build-up. Schools would benefit by changing to higher efficiency filters—as high as can be used safely in existing HVAC systems. Filters with at least a minimum efficiency reporting value or MERV rating of 8, and preferably higher, should be used because higher efficiency filters will remove more of the smaller particles from the air that pose health risks. Check with HVAC system manufacturers regarding suitable filters for the systems.

Ash and other particles should be gently swept. High efficiency particulate air or HEPA filters should be installed on all vacuums. Hard surfaces, such as hard floors, desks, and bookcases should be cleaned with a wet cloth or towel. Objects that the students use, such as toys, athletic equipment, and drinking fountains that may have been exposed to settled ash or dust should also be thoroughly cleaned. In no instance should ozone-generating devices be used to

“deodorize” classrooms because ozone can react with chemicals in the air and on indoor surfaces to create formaldehyde, ultrafine particles, and other harmful substances.

## **2. How does a school district determine the safety of air quality at school sites affected by wildfires?**

There is no indoor air quality standard; however, schools and school districts can monitor local air quality information provided by their local air districts to determine the safety and quality of outdoor air. Schools and school districts can also visit <https://airnow.gov> to obtain real-time, local air quality conditions. If air quality becomes unsafe or if local regulatory monitors indicate high levels of particulate matter in the air, keep children indoors where the air is filtered.

Information regarding health and the effects of smoke and ash can be found on the website for the California Environmental Protection Agency (CalEPA) at <https://calepa.ca.gov/disaster/fire/>. These up-to-date FAQs and guidance documents contain much of the information that district and school administrators need to make safety and clean-up decisions.

## **3. What can schools do to help maintain good air quality?**

Adequate ventilation and air filtration are critical. HVAC system filters should be changed frequently. Schools would benefit by changing to higher efficiency filters—as high as can be used safely in existing HVAC systems. Filters with at least a MERV rating of 8, and preferably higher, should be used because higher efficiency filters will remove more of the smaller particles from the air that pose health risks. Check with HVAC system manufacturers regarding suitable filters for the systems.

## **4. Who is directly responsible for debris removal and Household Hazardous Waste?**

To expedite recovery, state and federal partners will coordinate closely with affected jurisdictions to remove fire debris from single-family residential lots and public facilities. The U.S. Army Corps of Engineers (USACE) will conduct debris and ash removal operations. The U.S. Environmental Protection Agency will conduct

household hazardous waste disposal operations.

**5. Does FEMA have to approve debris removal and disposal contracts for affected school sites?**

No.

**6a. Homeless Students—Impact on Supplemental and Concentration Grants**

**How will our supplemental and concentration grants be affected if we enroll additional students?**

Supplemental and concentration grant amounts are calculated based on the percentage of “unduplicated pupils” enrolled in the LEA on Census Day (first Wednesday in October) as certified for Fall 1. The percentage is based on data from the current year and two prior years, and equals:

- Unduplicated count of pupils who are (1) English learners, (2) meet income or categorical eligibility requirements for free or reduced-price meals under the National School Lunch Program (NSLP), or (3) foster youth. “Unduplicated count” means that each pupil is counted only once even if the pupil meets more than one of these criteria See Education Code sections 2574(b)(2) (schools operated by county superintendent) and 42238.02(b)(1) (school districts and charter schools).
- Divided by total enrollment in the LEA See Education Code sections 2574(b)(1) (schools operated by county superintendent) and 42238.02(b)(5) (school districts and charter schools).

Supplemental and concentration grant funding is based on district-level data. Therefore, intradistrict transfers should not have an effect on LCFF funding. With respect to interdistrict transfers, the unduplicated data is reflected in the district in which the students were enrolled on Census Day. If a student transfers after this day, they will not impact the Unduplicated Pupil Percentage (UPP) of the receiving district; their counts will remain in the original district. However, because average daily attendance (ADA) is a factor in how much supplemental and concentration grant funding an LEA receives, the transferring students will generate supplemental and concentration funding for the receiving district, but it will be based on the district’s UPP for the students enrolled as of Census Day.

**6b. Will we receive supplemental or concentration grants for students who**

## **have either lost their homes or been displaced because of the fires?**

Homeless students are deemed categorically eligible for the National School Lunch Program. LEAs must submit NSLP program student records in CALPADS for students who became homeless due to the fires with a start date on or before October 31, in order to be included in the 2018-19 Census Day count for the LEA in which the student was enrolled on that date. To the extent that a homeless student did not already meet the LCFF unduplicated pupil criteria prior to becoming homeless due to the fires and is now captured, an LEA could see an increase in their UPP. However, because the UPP is based on three years of data the funding impacts will vary across LEAs. For purposes of reporting homeless data, LEAs should also submit homeless program records for students who became homeless due to the fire, using the date the student became homeless as the program start date.

The federal McKinney-Vento Homeless Assistance Act (20 U.S.C. Section 11431 *et seq.*) defines homeless children and youths as individuals who lack a fixed, regular, and adequate nighttime residence. This definition also includes:

- Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.
- Children and youths who may be living in motels, hotels, trailer parks or shelters.
- Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
- Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings, or
- Migratory children who qualify as homeless because they are children who are living in similar circumstances listed below above.

## **7a. How will our average daily attendance (ADA) funding be affected by the fires?**

### **CLOSURES**

#### Charter Schools and School Districts:

Local control funding formula (LCFF) entitlements are based in large part on ADA. LCFF funding for charter schools and school districts should not be significantly impacted at the P-1 and P-2 reporting and apportionment periods due to fire-related closures because school districts and charter schools that closed schools due to fires should reduce their divisors when calculating ADA by the number of days school was not offered.

After the school year ends, LCFF funding will be impacted if charter schools do not offer 175 days of instruction or school districts do not offer 180 days of instruction in 2018-19.

To avoid a loss of funding, charter schools and school districts that offered less than the required instructional days due to the fires should submit a J-13A waiver request to the California Department of Education (CDE) for review and approval. However, there are times when a school would not need to file a Form J-13A for a closure if the school is making up a day of instruction or using a built-in day that has been included in its school calendar.

County Offices of Education:

County offices of education that had to close schools due to the fires will experience a loss of LCFF funding because ADA is calculated using a fixed divisor, which will be reflected in the ADA reported at P-1 and P-2.

In order to reduce the fixed divisor by the number of days county offices of education closed schools due to fires, county offices of education should submit a J-13A closure request to the CDE for review and approval. Once the J-13A is approved, the county offices of education may reduce the fixed divisors by the number of days their schools were closed due to fires.

**MATERIAL DECREASE IN ADA**

Charter schools, school districts, and county offices of education that experienced a loss of ADA due to the fires will have a reduction in ADA that can result in reduced LCFF funding.

In order to mitigate the loss of ADA due to the fires, charter schools, school districts, and county offices of education should submit a J-13A waiver material decrease request to the California Department of Education (CDE). Approved material decrease requests will provide charter schools, school districts, and county offices of education with the authority to add apportionment days to their reported ADA, thereby alleviating what would otherwise be a loss in LCFF funding.

**7b. How do we receive a waiver?**

FAQs on the J-13A waiver request forms can be found on CDE's web site at: <https://www.cde.ca.gov/fg/aa/pa/formj13afaq.asp>. J-13A waiver request forms can be found at: <https://www.cde.ca.gov/fg/aa/pa/documents/j13a.pdf>.

Completed forms with required local approval should be submitted to the county superintendent of schools. Charter schools must submit the request to their authorizing LEA for approval, who will then forward to the county superintendent of schools for approval. After the county superintendent of schools has verified the supporting information and approved the request, the forms should be forwarded to:

School Fiscal Services Division  
California Department of Education  
1430 N Street, Suite 3800  
Sacramento, CA 95814

School districts, charter schools and county offices of education will be notified when J-13A requests are approved.

**8. Will we face any penalties for exceeding class size requirements if our classes have to expand to accommodate displaced students?**

The maximum enrollment for a class, grade, and school is a local decision and is determined by school district board policy. Local fire regulations (i.e., maximum occupancy rules) are also a factor.

While there is nothing in the Education Code (*EC*) that establishes absolute limits on class or school size, the *EC* does prescribe that if certain limits are exceeded in grades kindergarten through eight, a school district's funding may be affected.

The following table details the class size calculations that affect funding:

Topic	K-8 Class Size Penalty (CSP)	K-3 Grade-Span Adjustment (GSA)
Applicability	Applies to all elementary or unified district schools where the district ADA is 101 or more. Necessary small elementary schools are excluded from the reporting requirements.	Applies to all elementary or unified district schools, <u>unless</u> the district has collectively bargained an alternative.

Requirement	<p>Pursuant to <i>EC</i> sections <a href="#">41376</a> and <a href="#">41378</a></p> <p>K-3</p> <p><u>Individual class requirement:</u> Average for class not to exceed:</p> <ul style="list-style-type: none"> <li>• 33 in kindergarten</li> <li>• 32 in grades 1 through 3</li> </ul> <p><u>Districtwide requirements:</u> Average of all individual classes not to exceed:</p> <ul style="list-style-type: none"> <li>• 31 in kindergarten</li> <li>• 30 in grades 1 through 3</li> </ul> <p>4-8</p> <p>For grades four through eight, in the current fiscal year, average number of students per teacher not to exceed the greater of 29.9 (i.e., the statewide average number of students per teacher in 1964) or the district's average number of students per teacher in 1964.</p>	<p>Pursuant to <i>EC</i> Section <a href="#">42238.02(d)(3)(D)</a>, upon full implementation of the local control funding formula (LCFF), maintain at each school site an average K–3 class enrollment of 24 or less.</p> <p>During LCFF phase-in, a school district must make annual progress toward maintaining an average K–3 class enrollment of 24 or less at each school site pursuant to <i>EC</i> Section 42238.02(d)(3)(B) and the calculations set forth in Title 5 <i>California Code of Regulations</i> sections <a href="#">15498–15498.3</a>.</p>
Penalty/Condition of Funding	<p>Generally, the penalty is equal to the loss of all funding for ADA above 31 in kindergarten classes, above 30 in first through third grade classes, and above the district's applicable average for grades four through eight. The CSP data is processed and penalties applied, if applicable, at the P-2 or subsequent Principal Apportionment certifications.</p>	<p>Districts that do not meet the required K-3 average class enrollment will not receive a 10.4 percent GSA applied to the LCFF base grant funding; this adjustment also impacts supplemental and concentration grant funding, where applicable. Compliance with the K–3 GSA requirement is evaluated through the district's annual audit.</p>

Topic	K–8 Class Size Penalty (CSP)	K–3 Grade-Span Adjustment (GSA)
Waiver	May be waived by the State Board of Education (SBE). See the SBE <a href="#">K-3</a> and <a href="#">4-8</a> waiver policies for more information.	May not be waived by SBE or SSPI pursuant to <i>EC</i> Section 42238.02(d)(3)(E).
Additional Information on class sizes	<a href="#">Class Size Penalties</a>	<a href="#">Frequently Asked Questions (FAQs)</a>

Additional questions may be directed to the following CDE staff:

- For questions specific to the funding penalty associated with grades K-8 CSP or the financial impacts of a K-3 GSA audit finding on a district’s LCFF entitlement: Principal Apportionment Section, [PASE@cde.ca.gov](mailto:PASE@cde.ca.gov)
- For questions specific to the K-3 GSA requirements and regulations: Julie Briggs, [JBriggs@cde.ca.gov](mailto:JBriggs@cde.ca.gov)
- For questions specific to filing a K-8 CSP waiver with the SBE: Janet Finley, [jfinley@cde.ca.gov](mailto:jfinley@cde.ca.gov)

9. **Our district facilities were used as shelters during the wildfires. In addition, many district resources, such as buses, were utilized to get people to safety during the crisis. We have seen a sharp increase in our operating costs. Will these costs be reimbursed? If so, where and how do we apply to be reimbursed?**

All districts should track all expenses incurred, including those related to sheltering and transportation. CDE will provide more information as it becomes available.