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February 22, 2021

The Honorable Phil Ting, Chair  
Assembly Budget Committee  
State Capitol, Room 6026  
Sacramento, California 95814

**RE: AB 86 (Committee on Budget) COVID-19 reporting and public health requirements, instruction support grants, the Cal Grant Program, and learning loss mitigation  
California AAP Chapters' Position: OPPOSE unless amended**

Dear Assemblymember Ting,

All four California chapters of the American Academy of Pediatrics—representing over 5,500 pediatricians—respectfully oppose AB 86 and SB 86 unless amended to require an expedited path for all TK-12th grade students to have the option of in-person learning based on school safety practices and NOT case rates, for incentive payments to Local Education Agencies (LEAs).

California pediatricians strongly support the safe return of students to in-person education with appropriate mitigation measures in place such as mask wearing, hand washing, cohorting and social distancing, as recommended by trusted scientists in national, state and county public health. We fear AB 86 & SB 86 will unnecessarily delay the goal of achieving the safe return of all California students to in-person learning. We strongly urge the legislature to drop the “red tier” case rate requirement (Section 43523,(a),(6)) to allow for wider reopening of elementary schools and a faster reopening for middle and high schools. As California pediatricians urged on February 9th, **safety protocols should determine school reopening, not community case rates.**

Scientific experts at the [WHO](#), [CDC](#), [Harvard Global Health Institute](#), and others, have produced evidence that **safe in-person education for grades TK-12th can be accomplished with properly implemented safety protocols, even in communities with high rates of COVID-19.** Studies from [North Carolina](#) and [Wisconsin](#) showed zero in-school transmissions from students to staff, even during times of high community transmission of the virus. While teachers should be prioritized to receive COVID-19 vaccines, vaccine roll-out should not prevent or delay a timely return to in-person instruction.

We recommend that the legislature **require LEAs to submit a completed COVID-19 school safety plan by March 1** to their county office of education **that provides for the option of in-person instruction for ALL TK-12th grade students**. We believe that all LEAs have had sufficient time to submit a plan to return, given that we are nearly 12 months into the COVID-19 pandemic and the CDPH guidelines were released two months ago. Any further delay to in-person education ignores the urgency of the multitude of negative health impacts affecting students as a result of prolonged school closures. As pediatricians, we are alarmed at the skyrocketing rates of obesity and mental health problems facing children during the pandemic, as well as the impact that school closures have had on access to nutrition and other services that many children rely on from their school.

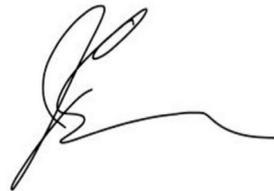
Elementary age students are [facing a potentially staggering loss in expected literacy, high school graduation rates and ultimately, life expectancy](#). Our teens especially are suffering from almost a year of social isolation resulting in a [31% increase in the proportion of children ages 12 to 17 presenting with mental health emergencies](#). [Stories of communities dealing with a shocking number of youth suicides](#) likely related to social isolation are heartbreaking. The science clearly supports that the benefits of TK-12 in-person learning in California far outweigh the risks.

As California's pediatricians, we urge the California legislature to be responsive to scientific evidence and not codify non-evidence-based policy into California law to the detriment of California's children. School is essential, and children need us to put every effort into reopening safely. We are dedicated to collaborating with teachers, administrators, and public health officials to ensure that all appropriate mitigation strategies are implemented on school campuses. We call for the prompt return to in-person instruction for the children of California and keeping the school community healthy so all can thrive.

Sincerely,



Yasuko Fukuda, MD FAAP  
Chair, District IX  
American Academy of Pediatrics, California



Jacques Corriveau, MD FAAP  
Chair, State Government Affairs Committee  
American Academy of Pediatrics, California

cc: California AAP Chapter leadership