

**State Superintendent of Public Instruction Jack O'Connell
Congressional Hearing on H1N1 Flu Testimony As Prepared
Thursday, May 7, 2009**

Thank you Chairman Miller and members for the opportunity to address the recent outbreaks of the H1N1 flu in California, but more specifically in our schools.

I would like to start by saying that although there are currently 103 confirmed cases of H1N1 flu in California, I am pleased that the Centers for Disease Control has determined that the level of severity of the H1N1 flu does not warrant automatic school-wide student dismissal even in instances of a confirmed case of the virus. While we recognize that local health officials may always determine if it is necessary to close a campus due to a public health threat, this new guidance will allow our schools to resume their normal operations and keep healthy students in class and learning.

I also appreciate the initial concern for our school children and staff that lead to the recommendation of dismissing students from any campus that had a confirmed or suspected case of the infection.

It is important to note that the CDC still recommends that we stringently adhere to the procedures we can all use to keep ourselves and our schools healthy: Students and staff who are sick should stay home. Everyone should cover their coughs and sneezes, and frequently wash their hands with soap and water or use hand sanitizer.

I also continue to encourage schools and districts to stay in close contact with public health officials for any new information about this flu virus and any potential future changes in student dismissal policy.

I would now like to walk you through the steps the California Department of Education has taken to address the flu outbreak.

Since the initial flu outbreaks was reported, my department and I have stayed in close and regular contact with officials from the California Department of Public Health and our local education agencies (LEA's), including districts, county offices of education, and charter schools.

Within hours of the first alert from the California Department of Public Health about the H1N1 virus, my department advised the education community about the threat and reminded them about flu prevention information resources that my Department has made available. We also strongly encouraged schools to teach students and teachers to take the following measures to guard against the spread of H1N1:

- encourage students and staff to stay home if they are sick;
- urge individuals to cover their coughs and sneezes with a tissue or by covering with their arms; and
- advise students and school staff to frequently wash their hands thoroughly with soap and water, or an alcohol based hand sanitizer.

We have received reports that some do not have soap for student use, so I have advised local school leaders that they must make sure that soap or alcohol based hand sanitizers, are made available for use by students and school staff.

We have kept schools up to date about the flu outbreak through a special link on our Web site, as well as through a series of letters, press releases, and public events. And in order to achieve an even higher level of communication, last Friday I invited Dr. Bonnie Sorensen, the Deputy Director of the California Department of Public Health to join me on a statewide conference call with district and county office of education leaders. The purpose of the call was to brief school officials on the latest guidance on student dismissal policies due to H1N1, emphasize the importance of sharing the health protection information, and to respond to questions from the field about the situation. .

As you can imagine, our schools have been particularly concerned about keeping up to date on the latest guidance from the CDC and the California Department of Public Health in respect to student dismissal policies. As of Tuesday of this week, 37 public schools had been ordered by a local health officer to dismiss students, based on the existing guidance at the time.

Our schools are greatly relieved that this week the Center for Disease Control and the California Department of Public Health revised their student dismissal guidance. But, throughout this evolving situation, I have stressed to our education community that we must stay in close touch with our public health community and that a public health officer always has the final say as to whether or not students should dismiss student from campus.

Another matter that I addressed during this briefing is testing.

We received numerous questions from local districts about how the flu outbreak and school closures would affect the administration deadlines of two of our statewide student examination: Standardized Testing and Reporting or STAR program and the California High School Exit Exam, also known as CAHSEE.

Given the current circumstances, we are addressing these concerns on a case by case basis, and my staff has been communicating with our testing contractors and vendors to talk about any necessary accommodations needed for affected schools. However, if the school closures were to resume, or be ordered for an extended period of time in a future public health emergency this could become a bigger problem. To remedy any issues that may arise, I am working with the Schwarzenegger Administration on options to give my office the ability to extend or modify the testing administration and release dates of these exams as needed.

In addition, my staff has been in touch with the U.S. Department of Education regarding the potential need for flexibility on accountability requirements – like participation rates and reporting schedules. I am concerned that participation rates have been affected – not by student dismissal policies, but by the “worried well” – healthy students whose parents kept them home out of fear.

Generally speaking, I feel very strongly that the communication efforts at the state level, between my department and the department of public health, have been very good.

I also believe that the line of communication that is ongoing between the California Department of Education and our local education agencies is very

strong, but could be improved. For example, we discovered that we did not have a system in place to track and report the individual schools that had been ordered to dismiss students due to H1N1. My office is working with the County Offices of Education to developing an easy-to-use reporting process so that the state could be kept up to date about any school impacted by an order to dismiss students. While we hope we never need it, this system will save time and provide valuable information to the public.

Another issue that certainly needs addressing in order to improve our response to such outbreaks is school nurses.

At last count, there are approximately 2,844 nurses who serve California's 6.3 million public school students. That translates to a ratio of 2,227 students to every one school nurse, the largest student-to-nurse ratio in the country. This in no way, shape or form provides effective healthcare for the increasing numbers of students with complex chronic and immediate health needs that require daily care on our school campuses. If we had more school nurses on our campuses, perhaps they could have played an even greater role in early detection and prevention efforts.

I feel there is definitely a role for the federal government to play in both of these matters not only for California, but for every state.

I have thus far been encouraged by the Obama Administration's and Congress' willingness to listen to the concerns facing California's educational system, and I am grateful for the opportunity to address this committee.

I look forward to more dialogues like today's. Thank you.