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BOARD COMMUNICATIONS – OCTOBER 09, 2020

TO: Members of the Board of Education
FROM: Superintendent, Robert G. Nelson, Ed.D.

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October 02, 2020
AS-2 Kim Kelstrom October Legislative Committee Meeting
AS-3 Tammy Townsend Learning Continuity and Attendance Plan County Update

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A Streets

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Fresno Unified School District
Board Communication

BC Number S-1

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Robert G. Nelson, Superintendent
Cabinet Approval:

Date: October 09, 2020
Phone Number: 457-3884

Regarding: Superintendent Calendar Highlights

The purpose of this communication is to inform the Board of notable calendar items:

- Met with Trustees in small groups to discuss the Mission, Vision, Core Values and Goals for the District
- Met with Executive Cabinet
- Met with labor partners
- Attended the Fresno City College West Campus Groundbreaking event
- Participated in a Superintendent's Roundtable discussion regarding establishing "new healthy norms" during the COVID-19 pandemic and events of social unrest, hosted by the National School Board Association and United Healthcare
- Presented a virtual session titled "Nurturing Deeper Connection in a Time of Crisis" at The California Association of School Counselors (CASC) Annual Conference

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 10/09/2020

Fresno Unified School District
Board Communication

BC Number AS-1

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Kim Kelstrom, Executive Officer
Cabinet Approval:

Date: October 09, 2020

Phone Number: 457-3907

Regarding: School Services Weekly Update Report for October 02, 2020

The purpose of this communication is to provide the Board a copy of School Services of California's (SSC) Weekly Update. Each week SSC provides an update and commentary on different educational fiscal issues. In addition, they include different articles related to education issues.

The SSC Weekly Update for October 02, 2020 is attached and includes the following articles:

- Think California Is Bouncing Back? Recovery Will Take More Than Two Years, Economists Say – September 30, 2020
- Quick Guide: Proposition 15, the Proposed 'Split-Roll' Tax on Commercial Property – September 30, 2020
- California One of Few States Without Top School Nurse During Pandemic – October 01, 2020

If you have any questions or require further information, please contact Kim Kelstrom at 457-3907.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 10/09/2020



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DATE: October 2, 2020

TO: Robert G. Nelson
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

Governor Newsom Takes Final Legislative Action

Governor Gavin Newsom took his final actions of the 2020 legislative season this past week, including the remaining outstanding education bills. The Governor signed the following bills over the past week:

- AB 2101 (Chapter 275/2020) specifies that paid administrative leave is included in the “leave of absences” that earn creditable compensation in the California State Teachers’ Retirement System (CalSTRS) retroactive to January 1, 2016, when the existing law came into effect
- AB 3308 (Chapter 199/2020) allows school districts to build affordable housing for teachers and school employees on district-owned land, using low-income tax credits
- Senate Bill 860 (Chapter 231/2020) requires each county office of education Foster Youth Services Coordinating Program to ensure the students they serve in foster care fill out the forms necessary to receive financial aid for college

The Governor also vetoed two very significant education bills, AB 1835 (Weber, D-San Diego) and AB 331 (Medina, D-Riverside).

AB 1835 would have required local educational agencies (LEAs) to identify and report their unspent Local Control Funding Formula supplemental and concentration dollars to the California Department of Education and then use those funds to increase services for their unduplicated pupils in subsequent years.

While the veto officially killed AB 1835, Governor Newsom’s [veto message](#) states that he is supportive of the underlying goal of the bill, but believes that “there is a simpler solution to address the objectives of AB 1835 much sooner and with more transparency.” We will see the Governor’s proposal to address this issue and how it compares to AB 1835 early next year.

AB 331 would have added the completion of a semester-long course in ethnic studies to the list of state high school graduation requirements, beginning with the graduating class of 2029–30, and would have required LEAs to begin offering a course in ethnic studies by the 2025–26 school year.

In his [veto message](#), the Governor expresses concerns about the uncertainty of the ethnic studies model curriculum that the State Board of Education (SBE) is required to approve by March 31, 2021. The Governor believes the latest draft still needs to be revised and that he is directing his staff to work with SBE President Linda Darling-Hammond and State Superintendent of Public Instruction Tony Thurmond to ensure that the model curriculum “achieves balance, fairness, and is inclusive of all communities.”

While Assemblymember Jose Medina was disappointed with the veto, he said in a [press release](#) that he will reintroduce the bill in 2021 and work with the Governor to see that it’s passed.

Leilani Aguinaldo

Note: The UCLA Anderson Forecast suggests that California's economic recovery will follow the nation's track, although state unemployment will continue to be higher than the national rate, reaching 6.0% by the end of 2022.

Think California Is Bouncing Back? Recovery Will Take More Than Two Years, Economists Say

By Margot Roosevelt
Los Angeles Times
September 30, 2020

California's economy began to bounce back this summer thanks to an infusion of federal jobless benefits and business loans along with the reopening of some workplaces, but a full recovery from the coronavirus downturn will take more than two years, UCLA economists predict.

The UCLA Anderson quarterly forecast released Wednesday suggested California payrolls will drop 7.2% this year to 16 million jobs, a loss of some 1.5 million since the COVID-19 pandemic hit. They are expected to climb back slowly, by just 1.3% next year and 3.5% in 2022.

The Golden State's unemployment rate, which was 3.9% in February, will average 10.8% this year, then fall to 8.6% next year and 6.6% in 2022, the forecast calculated.

Nonetheless, "the news is not all bad," economist Leila Bengali wrote in the report, noting that some industries are faring far better than others. A precipitous drop in travelers has hammered California's leisure and hospitality sector, where payrolls are projected to fall 25% this year, but "the housing market is an area where we project particular strength and a quick recovery to pre-recession levels."

Residential building permits slowed at the start of the pandemic but will be back to a normal pace by year's end, the forecast predicted, and will climb to 127,000 units in 2022 from an estimated 105,000 this year.

The California economy will "largely track movements in the U.S. economy with some areas displaying more weakness and some displaying more strength," Bengali wrote. For example, professional and business services, which includes many technology jobs, may be stronger in California, while leisure and hospitality, along with such industries as auto repair and personal care, will be weaker.

Still, those predictions could be too rosy given COVID-19's fluctuating path and the uncertainty of vaccines and treatments that could affect how many businesses are able to revive.

"Our forecast assumes either widespread availability and usage of an effective vaccine in early 2021 or that the pandemic's impact on economic activity abates and is relatively mild in 2021 and 2022," economists Leo Feler and Jerry Nickelsburg wrote in the U.S. section of the report, titled "The Recovery Is Losing Momentum."

Moreover, the UCLA forecast assumed that Congress will allocate at least \$1 trillion in fiscal stimulus before the end of the year — even though negotiations for new federal relief have been at a standstill for months with little sign of progress.

"None of these assumptions are assured, and if they do not come to pass, our forecast, presented here, is too optimistic," Feler and Nickelsburg caution.

The \$600 weekly supplement to state benefits that the federal CARES Act extended to the jobless expired at the end of July, and a \$300 weekly supplement for some workers ended this month. A federal program giving jobless benefits to gig workers and the self-employed is set to expire at the end of the year.

Gig workers — including such diverse occupations as ride-hailing drivers, lawyers, technology contractors and entertainment industry artists and writers — are not eligible for state unemployment benefits, which are only funded for payroll employees. From 2005 to 2018, gig worker numbers skyrocketed by 30% to more than 26 million in the U.S. and by 39% in Los Angeles County to 1.1 million, according to a section in the forecast by economist William Yu.

Congress has also not renewed the Paycheck Protection Program, through which small businesses could get forgivable loans on the condition they maintained their workforces. From April through August, 623,000 California businesses that collectively provide an estimated 6 million jobs received loans under the federal program.

Overall, the U.S. economy reopened faster than expected in the third quarter of this year because many consumers and businesses adapted to remote working and the Federal Reserve committed to low interest rates, Feler and Nickelsburg wrote.

Nonetheless, they predict a 4.2% decline in the nation's real gross domestic product this year — bigger than the 2.8% drop the U.S. experienced in 2008 during the Great Recession. They expect 3.5% growth in 2021 and 4% growth in 2022.

However, “even as the economy recovers, the sticking point is unemployment,” they wrote, forecasting the nation's joblessness will drop from its 14.7% peak in April to 7.8% by the end of the year and gradually to 4.7% by the end of 2022. It won't reach pre-pandemic rates before late 2024, they estimated.

Despite workers returning from temporary layoffs as some businesses reopen, “continued recovery will be much more arduous as more bankruptcies unfold and slack demand for sectors with high human contact continues,” Feler and Nickelsburg predicted.

They also noted slower recovery for Black people and for women than for white men. In August, 13.2% of Black men nationwide were unemployed, compared with 6.9% of white men; 12.5% of Black women were jobless versus 7.3% of white women.

Education-related gaps have widened considerably with the pandemic, they wrote. In August, 9.8% of workers with just a high school degree were jobless, compared with 5.3% of those with at least a bachelor's degree.

The report noted a stock market recovery driven by “an economy that is led by a concentrated number of large, capital-intensive technology titans, one where many labor-intensive sectors that provide the goods and services for human interaction lag far behind.”

Leaders are companies that enable remote working (such as Zoom Video Communications Inc., Apple Inc. and Microsoft Corp.), shopping from home (Amazon.com Inc. and Wayfair Inc.), exercising at home (Peloton Interactive Inc.), shipping goods to homes (United Parcel Service Inc. and FedEx Corp.), meal delivery (Grubhub Inc.) or home improvement (Home Depot Inc.). Laggards include airlines, hotels, cruise lines, theme parks, movie theaters, restaurants and gyms.

UCLA’s forecast, a widely watched report now in its 69th year, is in line with that of other economists.

“Recovery from here will be much more difficult,” said Scott Anderson, chief economist at Bank of the West in San Francisco. “Growth is already slowing and downside risks are building as another round of federal aid is delayed. Some industries won’t fully recover until long after the pandemic has ended.”

His California forecast, published Sept. 22, predicted somewhat higher California job growth next year: 2%, as opposed to UCLA’s forecast of 1.3%. He also assumes at least \$1 trillion in new federal aid and a vaccine by early next year.

Note: Recent polling from the Public Policy Institute of California shows 51% of likely voters support Proposition 15, while a poll from Probolsky Research found only 41% of likely voters will vote for the measure.

Quick Guide: Proposition 15, the Proposed ‘Split-Roll’ Tax on Commercial Property

Big corporate owners would bear brunt; opponents argue they’d just pass on the costs

By John Fensterwald
EdSource
September 30, 2020

California voters will decide on Election Day what’s been perpetually talked about for decades but never, until now, put on the ballot: amending Proposition 13, the anti-tax initiative that has molded tax policy and school funding since voters passed it by a nearly two-thirds majority in 1978.

Proposition 15, the proposed reform, would require reassessing commercial properties every three years at market value. That change would significantly raise businesses’ property taxes. That’s why between now and Nov. 3, Prop 15 will be an all-out, expensive battle between business and anti-tax groups on one side and on the other, education advocates, county and city government interests and tax reformers who argue the initiative would force big corporations to pay a “fair share” of taxes they have avoided under Prop. 13.

What follows are some details about Prop. 15 (read the full text of the initiative [here](#)).

What would Prop. 15 do?

It would create a “split-roll tax” by changing Prop. 13’s rules for assessing commercial and industrial properties while leaving intact the rules for assessing all residential properties and agricultural land. The changes would produce billions of dollars in new revenue for schools and community colleges, as well as for county and local governments.

How would the rules change?

A reminder: Worried that higher taxes from fast-rising property values in the 1970s were driving older residents out of their homes, voters approved Prop. 13, which froze the value of taxable property and limited taxes to 1% of the assessed value. Prop. 13 limits yearly tax increases to 2%. Only when a property is sold is a new taxable value established.

Prop. 15 would require that commercial properties be reassessed at market value at least every three years. The tax of 1% of value, with 2% annual increases, would still apply. There would be no change in Prop. 13's rules for residential properties.

Who put Prop. 15 on the ballot?

Schools and Communities First, a coalition of social justice, faith-based organizations and labor organizations, including Inner City Struggle and the Community Coalition in Los Angeles, the League of Women Voters, Service Employees International Union and the California Teachers Association, which put up the most money to gather signatures.

Would small businesses be exempt?

Business owners whose total number of properties are assessed at less than \$3 million would be exempt from the new rule. Properties valued less than \$3 million comprise 90% of 1 million-plus commercial property owners in the state, according to researchers for the USC Dornsife Program for Environmental and Regional Equity, which conducts research on social and environmental justice and immigration issues.

Commercial property owners are also currently taxed for personal property, which includes machinery and equipment. Prop. 15 would exempt all of personal property of small businesses, defined as those with fewer than 50 employees, and the first \$500,000 of other businesses' personal property.

The Legislative Analyst's Office projects that would cut revenue by several hundred million dollars. David Goldberg, vice president of the California Teachers Association, called it "the single biggest tax cut for small business in a generation" in a recent debate sponsored by the Public Policy Institute of California.

How much revenue would Prop. 15 raise?

USC Dornsife estimated Prop. 15 would raise between \$10.3 billion and \$12.6 billion per year, with \$11.4 billion as the midpoint. The Legislative Analyst's Office estimated revenue between \$6.5 billion and \$11.5 billion annually. It's the net figure after deducting several hundred million dollars in county assessors' projected expenses for reassessments and tax appeals. The wide range in estimates points to how hard it is to predict market conditions and the value of big properties that haven't been assessed in decades.

How would the money be allocated?

Of the total, 60% would stay local. Counties would collect and distribute revenue to county and city governments and to special districts providing fire protection, recreation and other services. The remaining 40% would go into a statewide pot for K-12 schools and community colleges.

The education portion would be split 89% to K-12 schools and 11% to community colleges. The K-12 money would be disbursed according to the Local Control Funding Formula. The formula provides extra funding based on the enrollment of English learners, low-income, homeless and foster children. The revenue for community colleges would be distributed through the Student Centered Funding Formula, which provides supplemental grants based on the enrollment of low income students. The LAO estimates community colleges and K-12 schools would receive between \$2.6 billion and \$4.6 billion annually.

When will the revenue arrive?

Not right away, contrary to whatever you are hearing. To give assessors time to do their work, revenue will be gradual, starting in 2022-23, with full implementation in 2025-26. The last properties to be reassessed would be businesses with 50 or fewer employees. The phase-in period undercuts the arguments of both sides — supporters, who imply that Prop. 15 would rescue schools and governments from immediate budget cuts, and opponents, who argue that a tax increase would be the worst response to a pandemic, in which thousands of small businesses are in desperate straits.

Neither side knows what the state of the economy and the pandemic will be in five years, when the tax is fully implemented. Opponents argue that passage of Prop. 15 immediately will create uncertainty dampening businesses' plans moving forward.

What about money for basic-aid districts?

Basic-aid school districts are property-wealthy districts that don't receive money from the Local Control Funding Formula because they raise more revenue through property taxes than they would get in state funding — often thousands of dollars per student more. Currently, they comprise about 15% of school districts and are concentrated in the Bay Area and coastal Southern California. They would receive only \$100 more per student under Prop. 15, less than a 0.5% increase for many of those districts. Additional money they would have gotten will be shared with less wealthy districts through the funding formula.

Would Prop. 15 affect parcel taxes and bonds?

No, because parcel taxes, which school district voters pass to provide additional operating money, must be the same amount per property, regardless of its assessed value. But Prop. 15 could affect a school district's ability to issue school construction bonds. Higher commercial assessments would increase the tax base, enabling a district to issue new or bigger bonds.

Who will pay most of the tax increases?

A relatively small group of corporations with valuable properties. Blue Sky Consulting Group in Emeryville, hired by Schools and Communities First, projects that only 10.5% of commercial properties would generate 92% of Prop. 15's revenue — data consistent with USC Dornsife's estimates.

They generally are companies and landholders that have benefited from developing land decades ago in counties where land values have soared: They include Disneyland and the Irvine Company in Orange County, studio and theme parks like Paramount and Universal Studios in Los Angeles and, in Santa Clara County, Intel, IBM and big land developers like The Sobrato Organization. Also, Chevron refineries in Richmond and El Segundo and the BNSF Railway.

Blue Sky estimates nearly 50% of revenue will come from properties that haven't been assessed since 2000 and 25% of revenue from properties that haven't been assessed in at least 30 years.

The bulk of the annual revenue would flow to a handful of counties: Los Angeles (\$3.4 billion), Santa Clara (\$1.2 billion) and Orange (\$994 million) would reap nearly half of the total, according to the USC estimates. Some of the tiniest, rural counties with few qualifying commercial properties — like Sierra, Trinity and Calaveras — could see a net loss because of cuts in taxes on personal property.

What are the primary arguments for Prop. 15?

- By protecting small businesses, Prop. 15 makes a long-needed structural reform to Prop. 13 and forces big corporations to pay more for needed services.

“Much of what ails California — crumbling roads, under-resourced schools and inadequate social services — can be traced to Proposition 13 and related anti-tax measures,” the Los Angeles Times said in an editorial. “Proposition 15 would start to fill the revenue gap.”

“Like President Trump’s tax cut, Prop. 13 was supposed to help the middle class but led to a windfall for corporate landowners,” said Professor Manuel Pastor, director of USC Dornsife’s Program for Environmental and Regional Equity and co-author of the USC study.

- Prop. 15 ends a loophole in which companies manipulate the purchase of a property to avoid reassessment by having no single buyer own a majority interest. Billionaire Michael Dell’s purchase of the Fairmont Miramar Hotel is the poster child.
- Prop. 15 promotes competition, eliminating a tax advantage that established companies have over new entrants in the market.

Counter argument

Raising taxes is a perverse way of enhancing competition. The corporate loophole over property transfers does exist but is overstated and can be fixed through legislation; business groups say they favor the change.

What are the primary arguments against Prop. 15?

- Most small businesses rent, rather than own, properties, and would directly bear Prop. 15’s burden under a standard lease agreement, in which renters pay property taxes. Higher costs would either force them under or be passed on to consumers.
- California is, on balance, a high-cost state for business, and the economy will remain fragile for years. Hotels and the hospitality industry will be especially vulnerable to increased costs. The revenue from Prop. 15 could be close to the amount of revenue from the state corporate tax — and so “would nearly double businesses’ burden in one fell swoop,” said Dan Kostenbauder, vice president for tax policy for the Silicon Valley Leadership Group, a business association.
- Prop. 15 would be expensive and unwieldy to implement, which is why the California Assessors’ Association opposes it. There’s already a shortage of commercial assessors, said Santa Clara County Assessor Lawrence Stone, and he’d have to immediately double his staff. He projects time-consuming, expensive commercial appeals to soar from 2,000 to 25,000 per year from businesses, some of which might see tax bills quadruple.

“Trying to fix 42 years of inequity with a single ballot measure that is convoluted will fail in implementation,” Stone said. He agrees Prop. 13 should be fixed — but not this way.

Counter argument

Market prices, not property taxes, will determine rent. “It’s amazing to hear opponents’ argument. Until recently, rents were going up even though no costs were changing, and they’ll likely go down, because that’s the market,” Pastor said.

An analysis of the impact on rents from the sale of commercial properties in 12 counties, released Sept. 24, backs up Pastor’s assertion. The [report by Beacon Economics](#), commissioned by the Silicon Valley Community Foundation, concluded that reassessing a commercial property after 20 years could cause a one-time 2% rent increase for an office space renter. “Most claims about Proposition 15’s impacts on small businesses are unfounded,” said Christopher Thornberg, founding partner of Beacon Economics. “Entrepreneurs will want to remain part of California’s high-performing, innovation economy and, should it pass, this initiative won’t change that.”

Note: California is one of 10 states without a school nurse leader at the state level, according to the National Association of State School Nurse Consultants.

California One of Few States Without Top School Nurse During Pandemic

By Ana B. Ibarra
CalMatters
October 1, 2020

When the first U.S. case of swine flu was detected in a child in San Diego County in 2009, Linda Davis-Alldritt — California’s “school nurse consultant” — flew south.

She served as an influenza expert, guiding school officials there. She then helped other school districts and their nurses statewide, coaching them on symptoms, when to send students home and how to prepare for potential school closures.

Davis-Alldritt retired from her position in the state’s Department of Education in 2012, and the department hasn’t had a school nurse consultant since.

Now, in the midst of a pandemic far deadlier than the swine flu, California is one of 10 states, plus the District of Columbia, without a school nurse leader at the state level, according to the National Association of State School Nurse Consultants.

For years, school nurses across the Golden State have advocated without success for the state to again hire a nurse consultant, someone who understands both schools and health care. Part of the previous nurse consultant’s role in California was to help health and education officials at the state and county levels communicate.

As counties seek to reopen schools, some nurses say they are often left without much leadership, even though they play a key role in ensuring that students and staff return to the classroom safely.

Sheri Coburn, past president of the California School Nurses Organization, said she thought the pandemic would create an “a-ha moment” for state officials. New Jersey’s governor, for example, recently signed

legislation that would create such a position in that state. In drafting the bill, New Jersey lawmakers cited the prospect of having to rely on school nurses more than ever.

Absent a top state nurse here, school nurses are working closely with local health officers and often look for direction from the California Department of Public Health, Coburn said. But that's come with some chaos. "You have public health officers resigning because of public pressure, and even at CDPH there's been considerable turnover," she said.

A spokesperson for the California Department of Education said that while its health office has no school nurse, it does have a health consultant — an individual with a master's degree in public health who updates schools on vaccines and other health requirements. The health consultant could be a school nurse — a registered nurse with additional certification to work in a school setting — but it doesn't have to be, said Cynthia Butler, the department's spokesperson.

Nevertheless, "the department has maintained its commitment to student health and safety," Butler said in an email. She added that on multiple occasions during the pandemic, the department has convened county health officers to "streamline communication," hosted webinars for schools, and consulted a number of health experts to develop the school reopening guidance it released in June.

Coburn, also a school nurse in San Joaquin County, noted that school nurses were not consulted in the drafting of the state guidance, even though questions about the guidance often go to them.

In contrast, school nurse consultants in other states have been very involved in, if not leading the task force on how to bring children back to campuses.

Sharonlee Trefry, the school nurse consultant in Vermont, said part of her role during the pandemic has been to help guide nurses in becoming the "COVID coordinators" at their schools — with all the details and questions that may arise: What happens when a staff member or child tests positive? When can they go back to work or return to school? What if a child sneezes in class?

Sometimes it isn't as simple as just telling someone to take a look at the Centers for Disease Control and Prevention website, she said.

This year, "school nurses are in a much higher profile, much higher leadership role, they spend an amazing amount of time educating teachers, administrators and families," about COVID-19, said Trefry, who is also president of the National Association of State School Nurse Consultants. That's on top of helping to manage chronic diseases over the phone, for instance, or working at flu clinics, she added.

Coburn said that because most schools in California are still doing remote learning, school nurses are also training teachers on how to look for signs of students having an allergic reaction, a seizure or an emotional crisis during Zoom lectures.

A state-level nurse consultant is even more critical for those schools without nurses at all, said Dawn Anderson, a school nurse in Ventura County.

For years, California has had a shortage of school nurses — more than half of school districts in the state don't have one.

Following state and national guidelines as children return to classrooms takes an “incredible amount of coordination and training,” said Anderson. And because many schools don’t have nurses, that means “school administrators with no health knowledge are then left trying to interpret complicated health recommendations.”

A nurse consultant at the state level also could be a consistent advocate for more funding for school nurses, Anderson and Coburn said.

“Even outside a pandemic, having nurses on campus is essential,” said Dr. Raelene Walker, president of a California chapter of the American Academy of Pediatrics. Children with conditions such as seizure disorders, Type 1 diabetes, severe allergies or asthma, often need a nurse around.

“I have patients who cannot attend school regularly because there is no nurse available in case something happens,” she said.

Anderson said smaller districts with less funding often have a hard time competing with larger or wealthier districts.

“When you look at the cost of getting a school nurse credential on top of a postgraduate degree, nurses may leave to a district that pays more,” Anderson said. “So we have a lot of our rural districts with a lower pay rate that are unable to hire nurses from the field.”

Schools also have to compete against hospitals and other health facilities that can offer registered nurses more attractive pay.

In her email, Butler at the Department of Education, said the state is currently looking to expand the use of Medi-Cal funds for schools, which could help them secure nurses.

Pay scale issues also played into the state’s efforts to replace Davis-Alldritt in 2012, the retired nurse consultant told CalMatters.

When she left, her pay topped out at \$98,000, she said. But a school nurse with administrative experience could make up to \$20,000 more working as head of school nursing for a large district in the Bay Area or Southern California, she said.

By comparison, in 2019, the state paid a health consultant at the Department of Education \$82,000, according to Transparent California.

That’s not the way to attract strong nurse candidates, Davis-Alldritt said. “You’re essentially asking them to do more work for less pay.”

Fresno Unified School District
Board Communication

BC Number AS-2

From the Office of the Superintendent
To the Members of the Board of Education

Prepared by: Kim Kelstrom, Executive Officer 

Cabinet Approval: 

Date: October 09, 2020

Phone Number: 457-3907

Regarding: October Legislative Committee Meeting

The purpose of this communication is to provide the Board information shared at the October 01, 2020 Legislative Committee Meeting.

Legislative Update – Ms. Leilani Aguinaldo provided a legislative update as the Governor acted by September 30, 2020 on the legislative bills for this session.

The following bills were most recently approved by the Governor:

- SB 1159 (Hill) – (Watch) – Identifies two distinct groups for classification with Workers' Compensation which includes front line workers and general employees who contact COVID-19 during a workplace outbreak. Further, the bill was amended and rebuts that illness or death related to COVID-19 are eligible for Worker's Compensation
- SB 1383 (Jackson) – (Watch) – Expands the California Family Rights Act to allow employees to use unpaid leave to care for a domestic partner, grandparent, grandchild, sibling, or parent-in-law who has a serious health condition

The following bills were vetoed by the Governor:

- AB 331 (Medina) – (Support) – This bill would have added one semester of an ethnic studies course as a state high school graduation requirement beginning in 2025/26. The Governor is concerned with the status of the model and adoption of the state curriculum
- AB 1835 (Weber) Local Control Funding Formula (LCFF) Unspent Funds (Oppose) – This bill would have required the identification of unspent supplemental and concentration funds and to have utilized those unspent funds to increase and improve services for unduplicated students. The Governor stated that he will work with the author of the bill to include a simpler solution in the January Proposed Budget

Economic and Budget Update – Ms. Aguinaldo provided an economic and budget update.

In its September 2020 report, the Department of Finance stated cash revenues for July and August greatly exceeded the forecast. However, the adopted budget projections included a significant reduction due to the impacts of the pandemic.

School districts receive LCFF entitlements which are funded first by local property taxes. Districts with a higher property tax base will receive less state revenue and in turn will have lower impact of the cash deferrals than a district with a lower property tax base that receives more state revenue. The state has deferred approximately \$12 billion in cash for 2020/21 and without additional federal stimulus funding, the cash deferrals will remain in place for 2020/21.

Early Learning funding is held harmless for 2020/21 with the condition of operating on a district campus, per SB 820, which expanded the condition to be held harmless to include a school closure as a result of guidance or by mandate of the district.

School and Communities First initiative (Proposition 15) is polling around 50%. Proposition 15 changes how commercial and industrial properties are assessed. Under this bill 40% of the funding from property taxes would go to local schools and community colleges.

The School Services Legislative Committee October 2020 report is attached. The next Legislative Committee meeting is scheduled for November 05, 2020.

If you have any questions or require further information, please contact either Kim Kelstrom at 457-3907 or Santino Danisi at 457-3661.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 10/09/2020

Fresno Unified School District

**LEGISLATIVE COMMITTEE MEETING
OCTOBER 1, 2020**

2019–20 Legislative Session

Prepared By:

**Leilani Aguinaldo
Director, Governmental Relations**



Public Education's Point of Reference for Making Educated Decisions



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Legislative and Economic Update

School Services of California, Inc.
Legislative and Economic Update Prepared for:
Fresno Unified School District
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DOF Releases September Finance Bulletin

By Robert McEntire, EdD
September 22, 2020

The Department of Finance (DOF) released its September *Finance Bulletin*, which summarizes key economic data points, including labor market conditions, real estate trends, and the state's monthly cash report through August 2020.

Falling within 4.9% of pre-pandemic levels, the nation's unemployment rate fell from 10.2% in July to 8.4% in August 2020. California's unemployment rate fell from a second-quarter average of 15.9% to 13.5% in July, and settled in at 11.4% in August. This improvement pushes California's unemployment rate 0.9% lower than the peak of the Great Recession in March of 2010, a first since April 2020. Interestingly, the nation's labor participation rate rose 0.3% to 61.7%, while California's rate fell 0.3% to 59.9%. Consistent with state employment gains, six of the 11 major industry sectors added jobs in August, but remain below the levels from February 2020. Much of the recovery is in low-wage sectors such as leisure and hospitality. Job losses narrowed to 656,800, compared to February, but this is a 33.1% improvement over the job loss high of 982,000 in April. Similarly, trade, transportation, and utility industry losses narrowed from a high of 405,000 to 216,000—or a 46.7% improvement.

Building permits for July 2020 totaled 115,600, which is down 6.6% from February, but up 54.4% from June. Authorized single-family units increased from June by 24.2% to 61,800, while multifamily units similarly increased 114.1% to 53,800 units in June. Housing permits remain 10.3% below the same period in 2019. Limited housing supply perpetuates inflated housing prices. California's existing single-family home sales prices reached a new record high of \$706,900 in August 2020—exceeding \$700,000 for the first time ever and surpassing the prior month by 6.1%. Housing prices increased 14.6% since August 2019 and up 21.9% from the recent low in February. This remarkable market performance was driven by the highest sales volume since May 2010 of 465,400 units in August 2020.

While cash collections for the period of March through August 2020 were down 5% compared to the same period in 2019, state cash receipts exceeded expectations in the June Enacted State Budget Act by \$4.544 billion for the first two months of the 2020–21 fiscal year. Strong August performance in the Big Three revenues that support Proposition 98 funding included personal income tax receipts exceeding forecast by \$975 million, or 19.5%. Sales and use tax collections were \$574 million, or 27.5%, above forecast, while corporate tax collections were up \$176 million, or 77.2%, above forecast. Combining receipts from August to July of 2020, we see year-to-date data has personal income tax receipts beating expectations by \$3.646 billion, or 14.0%, continuing

the trend of strong performance in this revenue stream. Sales and use tax also exceeded expectations, beating estimates by \$1,176 billion, or 34.9%. Corporate tax recovered some from its weak July performance, but remains behind expectations by \$176 million, or 3.5%.

The DOF's September Finance Bulletin can be found [here](#).

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Cash Deferrals and UPP

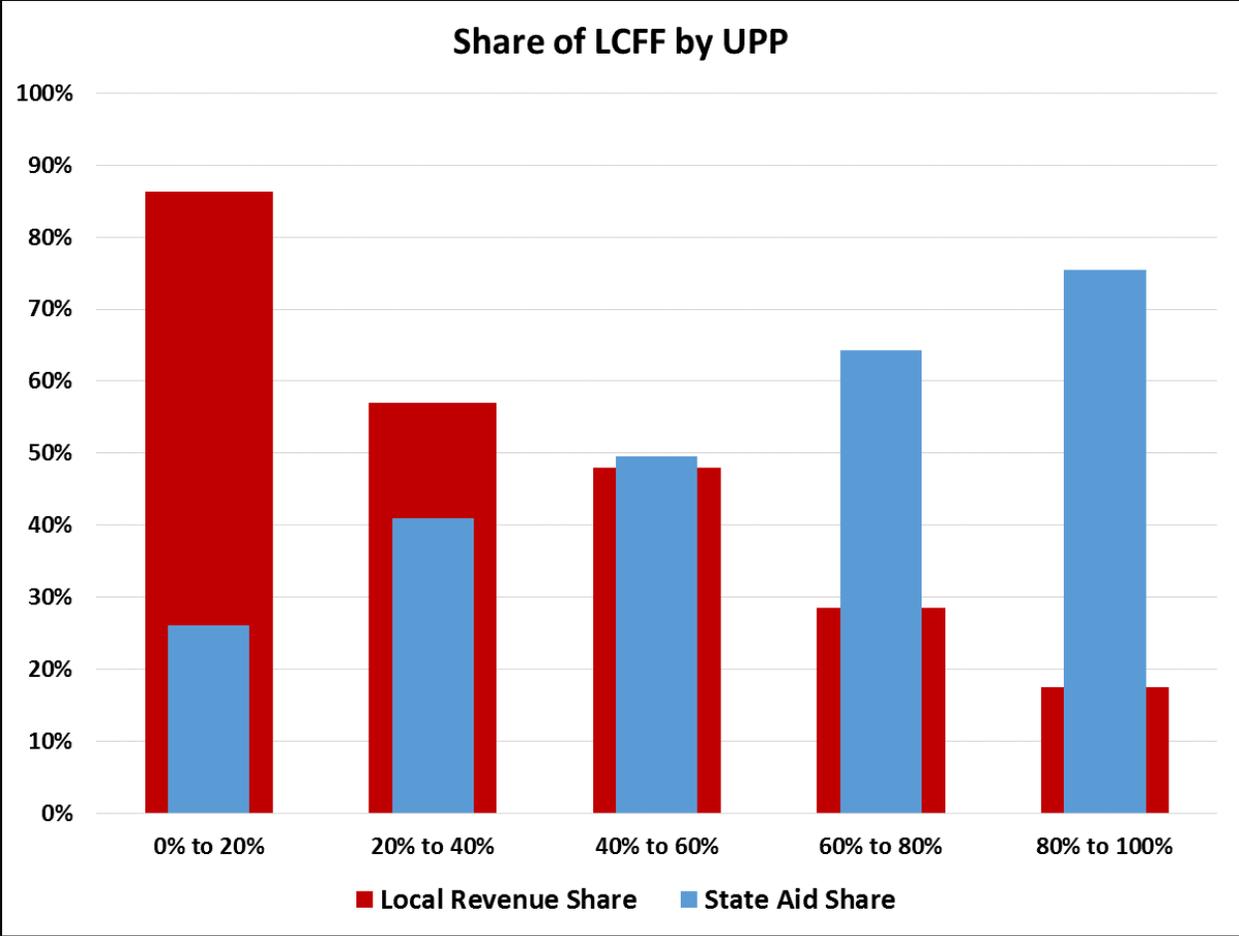
With the reappearance of cash deferrals as a budget balancing strategy of state policy makers, there are a number of issues that local educational agencies (LEAs) are dealing with as a result. Many of these we have written about in previous Fiscal Report articles on the matter. However, we continue to receive questions, and in this article, we address how cash deferrals impact school districts with different unduplicated pupil percentages (UPP).

One of the consequences of imposing cash deferrals is that the impact is not evenly spread amongst LEAs. This is because cash deferrals impact only the state aid portion of the Principal Apportionment, which consists mostly of Local Control Funding Formula (LCFF) entitlements. LCFF entitlements are funded first by local property taxes and then by Education Protection Account (EPA) funds, with state aid being applied as needed to fulfill the entitlements.

EPA funds are provided based on a standard percentage that is applied to all LEAs (with the exception of a minimum amount provided to community-funded school districts). However, the portion of the LCFF that is funded by local property tax collections can vary significantly from LEA to LEA, as can the portion that is funded by state aid. An analysis of the 2019–20 Second Principal Apportionment data for school districts reveals the following for the LCFF:

UPP Range	Number of School Districts	Average % of State Aid in LCFF	Average % Local Revenue in LCFF
0% – 20%	77	26%	86%
20% – 40%	136	41%	57%
40% – 60%	222	50%	48%
60% – 80%	259	64%	29%
80% – 100%	242	75%	18%

Note: Percentages may exceed 100% due to inclusion of local revenues above a district’s LCFF entitlement



As can be seen above, school districts in areas with lower assessed values generating less in local property taxes are also largely the districts serving a greater proportion of underserved students. These districts are hit the hardest by the cash deferrals. As a result, they are at greater risk of becoming insolvent. They are required to cover greater cash deficits and likely incur more costs to borrow the cash they need to make payroll and other obligations.

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CDE Estimates Apportionments after Cash Deferrals

By Debbie Fry, Brianna García, and Sheila G. Vickers
September 10, 2020

The California Department of Education (CDE) has posted estimates of the impact of cash deferrals for this year, which are scheduled to begin in February 2021. We at School Services of California Inc. posted a *Fiscal Report* article in July 2020, “[Cash Deferrals and Apportionment Schedules](#),” providing estimates of the impact of the cash deferrals on the apportionment schedules based upon the 2019–20 Principal Apportionment data. The CDE estimates just released are based on an estimated 2020–21 First Principal Apportionment (P-1), reflecting the provisions in the 2020–21 Enacted State Budget.

As discussed in our previous article above, there are three different apportionment schedules, depending on the historical characteristics of your organization. What follows is the CDE’s deferral schedule for almost 90% of the local educational agencies (LEAs) to which the “Type 1” apportionment schedule in Education Code Section (EC §) 14041(a)(2)–(4) applies:

Month	Apportionment Schedule for EC § 14041(a)(2)–(4)	Estimated Deferral Impact	Estimated Share of Annual State Aid Cash Net of Deferrals
July 2020	5%		5%
August 2020	5%		5%
September 2020	9%		9%
October 2020	9%		9%
November 2020	9%		9%
December 2020	9%		9%
January 2020	9%		9%
February 2020	9%	(4.77%)	4.23%
March 2020	9%	(7.38%)	1.62%
April 2020	9%	(7.38%)	1.62%
May 2020	9%	(7.38%)	1.62%

June 2020	Balance	(100.00%)	0.00%
New Fiscal Year			
July 2021		100%	100%
August 2021		7.38%	7.38%
September 2021		7.38%	7.38%
October 2021		7.38%	7.38%
November 2021		4.77%	4.77%

The last column in the table above can be used as the estimates of cash to be received during each of the corresponding months.

For those LEAs that use the Fiscal Crisis and Management Assistance Team’s (FCMAT’s) Projection-Pro software for cash projections, the factors displayed in the software represent the percentage of monthly cash receipts after applying the cash deferrals. The monthly cash receipts are based on the percentage of P-1 cash issued during the months of February through May of 2020, followed by the balance based on the Second Principal Apportionment (P-2) calculations available in June. To calculate the net cash receipts, the monthly cash receipts percentage is multiplied by the estimated deferral impact percentage. Here are the factors that are used in Projection-Pro for each of the deferral months:

Month	Apportionment Schedule for EC § 14041(a)(2)–(4)	Estimated Deferral Impact	Net Cash per Projection-Pro
February 2021	20% of P-1	(53%) of 20%	9.400%
March 2021	20% of P-1	(82%) of 20%	3.600%
April 2021	20% of P-1	(82%) of 20%	3.600%
May 2021	20% of P-1	(82%) of 20%	3.600%
June 2021	Balance per P-2	(100%)	0.000%

For more detail on the CDE’s apportionment schedules, see the [Principal Apportionment Payment Schedule web page](#). We will be discussing cash deferrals, cash projections, and more during our Cash Management During the COVID-19 Recession webinar series, which will include a demonstration of FCMAT’s Projection-Pro cash flow tool. To register, click [here](#).

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Education Trailer Bill Modifies Surplus Property Flexibility

By Brianna García and Patti F. Herrera, EdD
September 21, 2020

On Friday, September 18, 2020, Governor Gavin Newsom announced the signing of a series of 2020–21 State Budget related bills, including [Senate Bill \(SB\) 820 \(Chapter 110/2020\)](#)—the education trailer bill—that includes a number of provisions affecting the surplus property process as well the use of surplus property proceeds.

The bill adds some additional, though temporary, flexibility for school districts looking to declare a property surplus. Education Code Section (EC §) 17387 et seq. requires the appointment of a 7–11 committee—a district advisory committee to advise the governing board on the use or disposition of district property—before declaring a property surplus and selling or leasing it. Existing law provides a couple of exceptions to this requirement and SB 820 adds an additional exception. Effective immediately until July 1, 2024, if the proposed property has never operated, nor was constructed to be operated, as an early childhood education facility or a K–12 school, the governing board may elect not to appoint a 7–11 committee.

The majority of the changes, however, address the use of proceeds from the sale or lease of surplus property.

1. [SB 98 \(Chapter 24/2020\)](#) added an exception allowing for the use of proceeds from the sale or lease of surplus property for a one-time General Fund purpose. The language added stated that the property needed to be “purchased entirely with local funds.” SB 820 changes this language to “purchased with nonstate funds.” This allows for the use of funds from properties purchased using other funds not typically considered local, like federal funds.
2. SB 98 noted that any State Allocation Board (SAB) apportionments for financial hardship would be reduced by the amount used for this one-time General Fund expenditure. SB 820 makes an exception for financial hardship that is provided because the school district incurred excessive costs in construction of facilities due to unusual circumstances that are beyond the district’s control.
3. SB 98 required the governing board to present a plan at a regularly scheduled meeting identifying the source and use of the funds. SB 820 adjusts this slightly and requires the governing board to adopt a plan at a public meeting (rather than a regularly scheduled meeting) and identify the source and intended use of the surplus property proceeds.
4. SB 820 adds language regarding the need for a 7–11 committee except when the site was never operated or constructed for the purposes noted above. It further adds legislative intent

language that the requirements to offer surplus property to certain entities as noted in the Education and Government Codes can happen simultaneously.

5. SB 98 required the Office of Public School Construction to provide a report to the SAB and the budget, education policy, and fiscal committees of the Legislature that identifies the school districts that took advantage of the one-time General Fund exception, the amount of the proceeds involved, and the purposes for which the proceeds were used. An interim report was to be submitted by June 1, 2022, and the final report by January 1, 2025. SB 820 extends, by one year, the date by which the final report is due to January 1, 2026.
6. SB 820 allows school districts that sell or lease property before the provision becomes inoperative (June 30, 2024) to use any proceeds received after the June 30, 2024, inoperative date of the enabling provisions, as allowed for in this section.

Because SB 820 is a budget trailer bill, its provisions become effective immediately upon signature by the Governor unless otherwise specified.

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Education Trailer Bill—Impacts on Charter Schools

By Brianna García
September 11, 2020

Similar to the first education budget trailer bill for the 2020–21 Adopted State Budget ([Senate Bill \[SB\] 98 \[Chapter 24/2020\]](#)), [SB 820](#)—the education budget cleanup trailer bill—includes numerous provisions that either exclusively affect charter schools or affect them in slightly different ways than other local educational agencies (LEAs). This article covers those items uniquely pertinent to charter schools of which both charter schools and their authorizers need to be aware. (Note that the section numbers noted in parenthesis next to each title refer to the corresponding sections in SB 820.)

Attendance Lottery (Section 14)

As you are aware, the 2020–21 Adopted State Budget included an average daily attendance (ADA) hold harmless which states that all LEAs will be funded in 2020–21 based on their 2019–20 ADA. For LEAs in declining enrollment or who might be experiencing a decrease in enrollment this year due to the pandemic, this offers a reprieve. However, for those LEAs that are growing or that anticipated growth this year, the hold harmless provides a bit of a conundrum—more enrolled students with no corresponding funding. With SB 820, the Legislature provided some relief, though with limits.

SB 820 includes a provision to provide growth funding for LEAs, excluding nonclassroom-based charter schools, as long as the LEA projected enrollment or ADA growth in its 2019–20 Second Interim report or 2020–21 budget adopted by June 30, 2020. This limitation on growth funding has a particular impact on charter schools who, unlike school districts, are not required to accept all students who apply.

Education Code Section (EC §) 47605(e)(2)(B) includes a provision that requires a charter school that has more students wishing to attend than it has capacity to hold a public random drawing to determine which students will be admitted. SB 820 takes a page from this provision for those charter schools that now find themselves with more students enrolled than is sustainable given their fiscal capacity due to the lack of or limited growth funding. In this case, the charter school must conduct a public random drawing in order to determine which new students will remain enrolled in the charter school for the 2020–21 school year.

Growth Funding (Section 13)

A quick side bar regarding growth funding . . . If a charter school has ceased operation during or after the 2019–20 school year and is not providing instruction in the 2020–21 school year, the sponsoring LEA—as defined in EC § 47635(i)—absorbs the ADA of the former charter school.

Further, as noted in “[The 2020–21 State Budget and Charter Schools—Part 2](#),” in the July 2020 Fiscal Report, SB 98 included new charter school definitions as a result of changes enacted by [Assembly Bill \(AB\) 1507 \(Chapter 487/2019\)](#). SB 820 includes language for how ADA will be allocated for divided charter schools. Ultimately, the total ADA attributable to the restructured and remaining portions of a divided charter school cannot exceed the total ADA of the original charter school for the 2019–20 fiscal year. This calculated ADA will be used for any calculations for the affected charter schools that require the use of ADA.

Certificated Employees (Section 16)

[AB 1505 \(Chapter 486/2019\)](#) added a requirement that all charter school teachers be credentialed by July 1, 2020. It also, however, provided that teachers already employed by charter schools during the 2019–20 school year had until July 1, 2025, to obtain their certification. SB 820 clarifies that as it pertains to distance learning—where instruction must be provided under the immediate supervision of a certificated employee—the flexibility provided to charter school teachers employed during the 2019–20 school year apply. Therefore, those teachers, while not yet certificated, can provide instruction as part of distance learning.

Newly Operational Charter School Funding (Section 17)

For newly operational charter schools—either authorized by a school district or county office on or before June 30, 2020, or approved by the State Board of Education at its July 8 and 9, 2020, meeting, and beginning instruction in the 2020–21 school year—the California Department of Education (CDE) will use the certified enrollment as of Census Day, October 7, 2020, reduced by the statewide average rate of absence by respective grade span (i.e., K–8 or 9–12), as applicable.

These newly operational charter schools will receive advance funding per EC §47652 for July 2020 through January 2021, and be subject to the same deferrals as other LEAs for February through June 2021.

Rescission Notification (Section 18)

SB 98 allowed charter schools to delay adding grade levels as noted in their charter petition for the 2020–21 school year. SB 820 allows charter schools who provided that notification to rescind it. No later than September 30, 2020, the charter school must notify, in writing, its chartering authority, the CDE, and the parents or guardians of students—who indicated their intent to enroll in the charter school or affected grade levels—of the charter school’s decision to rescind the decision to add grade levels as proposed in its charter petition.

School Plan for Student Achievement (Section 73)

LEAs are required to complete a School Plan for Student Achievement (SPSA). Single-school districts and charter schools are able to use their Local Control and Accountability Plan (LCAP) to serve as the SPSA, provided certain requirements are met. As LEAs are not required to complete an LCAP for the 2020–21 school year, single-school districts and charter schools are required to complete an SPSA for 2020–21 in addition to their Learning Continuity and Attendance Plan (Learning Continuity Plan). SB 820 requires the stakeholder process used for the Learning Continuity Plan to also be utilized for the adoption of the SPSA.

Nonclassroom-based Charter School Funding (Section 75)

Per [SB 740 \(Chapter 892/2001\)](#), nonclassroom-based charter schools must take part in a funding determination process to calculate their funding amounts. SB 820 provides that nonclassroom-based charter schools with funding determinations that expire on June 30, 2021, or June 30, 2022, will receive their current funding for two years upon submission of a complete funding determination request no later than June 30, 2021, or June 30, 2022, as applicable. If the charter school submits a late funding determination request, it will receive 85% funding for two fiscal years.

As of the posting of this article, Governor Gavin Newsom has not signed SB 820 into law, though he is expected to do so. Once signed, the provisions of SB 820 go into effect immediately, so we would encourage charter schools and their chartering authorities to begin planning for the required changes.

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Latest Budget Bill Provides Relief for LEA Early Learning Programs

By Patti F. Herrera, EdD
September 24, 2020

The recent signing of Senate Bill (SB) 820 (Chapter 110/2020) provides some relief for early learning programs operated by or on the campuses of local educational agencies (LEAs), including school districts, county offices of education, and community colleges. SB 820 specifies the conditions that must be met in order to secure continued funding from the state.

Specifically, SB 820 amends the provisions for holding funding for direct contractors harmless during COVID-19 that were enacted as part of the 2020–21 State Budget. The bill amends Education Code Section (EC §) 8209 requiring the State Superintendent of Public Instruction (SSPI) to reimburse contractors the lesser of 100% of the contract maximum reimbursable amount or net reimbursable program costs if they meet certain conditions. The conditions now—and importantly—includes programs that operate on an LEA campus that has either been closed as a result of state or local public order or guidance or by mandate of the LEA.

For many, if not all, LEA-operated programs this is welcomed news since the previous “hold harmless” language only recognized programs that were closed as a result of a public health order. SB 820’s provision implicitly acknowledges that LEA-operated programs are affected by local decisions contemplating the full spectrum of its K–12 educational programs and staffing needs, not just the early learning program.

SB 820 adds the following language to EC § 8209(f)(1), extending the requirement for the SSPI to reimburse early learning contractors that meet the following conditions:

(C) (i) The program operates on the campus of a local educational agency that is closed by local or state public health guidance or order and the local educational agency has required the early learning and care program to close.

(ii) To ensure continuity of care and access to services during the COVID-19 pandemic, the governing board or body of the local educational agency requiring a closure pursuant to clause (i) shall discuss in a public hearing and prepare a plan for safely reopening early learning and care programs as soon as safely possible, but no later than when local education agency campuses open for in-person instruction.

When programs are closed, or are open but serving less children than are enrolled as a result of group size limitations or families choosing to shelter in place, the law requires providers to offer

distance learning to enrolled children as a condition of reimbursement. The California Department of Education (CDE) has issued [Management Bulletin 20-17](#) on program quality for the 2020–21 school year, including provisions for distance learning, and further requires providers to submit their distance learning plans to the Early Learning and Care Division (ELCD) on or before October 1, 2020.

Additionally, the ELCD released [Management Bulletin 20-18](#) stipulating the conditions for reimbursement pursuant to SB 820. For programs affected by LEA campus closures, the CDE requires contractors to submit a “Verification of Closure” with assurances that the LEA will discuss the closure in a public hearing and will prepare a plan for safely reopening the affected program, which can be completed no later than the reopening of the LEA’s educational program for in-person instruction. The Verification of Closure must also include a signature of the LEA’s governing authority.

Compliance with the provisions of SB 820 and ELCD’s Management Bulletins are crucial for funding reimbursement this year.

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Ask SSC . . .

Is It Likely the Deadline for the Coronavirus Relief Fund for Learning Loss Mitigation Will Be Extended?

By Kyle Hyland, Michelle McKay Underwood, and Leilani Aguinaldo
September 22, 2020

- Q.* I am glad to hear that the Learning Loss Mitigation funds have some additional flexibility, but one thing is unclear: will the use of the Coronavirus Relief Fund for learning loss be extended?
- A.* While some of the spending timelines were very clearly extended through Senate Bill (SB) 820 (Chapter 110/2020), the federal Coronavirus Relief Fund dollars are less certain (see [“COVID-19 Resources for LEAs”](#)). Here’s a review of the timelines that have clearly changed with SB 820:
- The statutory timeline for the use of Governor’s Emergency Education Relief funds apportioned to eligible local educational agencies (LEAs) based on students with disabilities (\$355 million) was updated to reflect March 13, 2020, to September 30, 2022—this is a full-year extension that aligns with the California Department of Education’s published timeline for expenditure
 - Proposition 98 funds apportioned based on Local Control Funding Formula (LCFF) allocations shall be used from March 1, 2020, to June 30, 2021—this is a half-year extension

SB 820 did not directly change the timeline for the federal Coronavirus Relief Fund dollars—which provides \$2.8 billion based on Supplemental and Concentration Grant funding, \$1.1 billion based on students with disabilities, and \$440 million for learning loss based on the LCFF—and currently must be used from March 1, 2020, to December 30, 2020. The new caveat, however, is that the use of these funds can be changed if “otherwise provided in federal law.”

While considered in various versions of the next round of COVID-19 relief packages, the current political climate and the short remainder of the Congressional calendar does not lend itself towards resolution before the end of the calendar year and the current timeline to expend funds. It is possible that legislation to continue to fund the federal government by

“continuing resolution” may include such an extension, but it is more likely that a “clean” continuing resolution will not include language deemed unessential to keep the lights on for the federal government past September 30, 2020.

In short, LEAs should plan to use these funds according to SB 820 timelines and not plan on a timeline extension from the federal government.

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Slim Majority of Likely Voters Support Split Roll

By Kyle Hyland
September 18, 2020

According to the Public Policy Institute of California’s (PPIC) latest monthly survey (conducted September 4 through September 13), a slim majority of likely voters (51%) support Proposition 15, the split roll initiative that will be decided by voters this November. The new polling data comes just days after Governor Gavin Newsom officially endorsed the proposition (see “[Governor Newsom Endorses the Split Roll Initiative](#)” in the September 2020 Fiscal Report).

The 51% support is a slight decrease from the PPIC’s [April survey](#) that showed 53% of likely voters supported the split roll initiative. The poll’s margin of error is +/-3.5%, which is a significant swing when the polling percentages are this close to the necessary 50% plus 1 needed for voter approval. The PPIC’s finding is ten percentage points higher than a recent [poll](#) conducted by Probolsky Research (conducted August 27 through September 2), which found that only 41% of likely voters support the measure, 49% oppose, and 10% are undecided. The discrepancy between the PPIC and Probolsky polls show just how uncertain the initiative’s fate currently is and perhaps signals that the final vote tally will be close.

The PPIC survey also found that Californians are not optimistic about the current state of the economy as 77% of likely voters say that California is experiencing an economic recession, with one-third (34%) indicating that it is a serious recession and another third (32%) saying that it is a moderate recession. This data does not seem to bode well for any proposition (such as Proposition 15) or measure perceived as a tax increase, especially as the March 3 primary showed that voters are experiencing tax fatigue as only one-third of local school bonds were approved (historically local school bonds have an 85% passage success rate) and the \$15 billion statewide K–16 school bond was defeated 53%-47 %, which is the first time a statewide school bond has failed since 1994.

The September PPIC survey also found that Governor Newsom enjoys a 60% approval rating among likely voters and a 62% approval rating for his handling of the COVID-19 pandemic. While those numbers have dropped a few points from the PPIC’s May survey (64% overall approval rating and a 69% approval rating for his COVID-19 response), his overall approval rating is 17 percentage points higher than last September’s poll that had him at 43% among likely voters. This significant increase in approval is likely a combination of his handling of the COVID-19 pandemic and a “rally round the flag effect,” in which the support of a public figure increases due to a crisis or disaster.

While Governor Newsom enjoys strong approval numbers, the Legislature is 15 points lower with a 45% approval rating among likely voters and a 43% disapproval rating. The discrepancy between the Governor's and the Legislature's approval ratings could be attributed to a number of significant bills that were not taken up at the end of the 2019–20 Legislative Session, including a housing measure by Senate President pro Tempore Toni Atkins (D-San Diego) that would have streamlined the process for a homeowner to create a duplex or subdivide an existing lot; a bill that would have raised \$3 billion for wildfire and climate change projects; and a proposal that would have increased police accountability (see "[Legislature Wraps up the 2019–20 Legislative Session](#)" in the September 2020 *Fiscal Report*).

The full results of the September PPIC survey where you can see how Californians feel about other issues such as reinstating affirmation action, concern of contracting COVID-19, and their view of the presidential race can be found [here](#).

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Governor Newsom Signs Workers' Compensation and Family Leave Bills into Law

By Kyle Hyland and Danyel Conolley
September 24, 2020

On Thursday, September 17, 2020, Governor Gavin Newsom signed three bills relating to Workers' Compensation, expanded family leave, and COVID-19 exposure notification that will have implications for the state's local educational agencies (LEAs).

SB 1159—Workers' Compensation for COVID-19 Injury

Perhaps the bill with the most significant cost implications is [Senate Bill \(SB\) 1159 \(Chapter 85/2020\)](#), which establishes a disputable presumption that an employee who becomes ill from COVID-19 contracted the virus at their workplace and is thus eligible for Worker's Compensation. For LEAs, the presumption is only applied if all of the following circumstances are met:

- The employee tests positive for COVID-19 within 14 days of working at the employee's place of employment (excluding the employee's home) at the employer's direction
- The day in which the employee performed labor or services was on or after July 6, 2020 ([Executive Order N-62-20](#), which expired on July 5, 2020, covered any positive test occurring between March 19 and July 5, 2020)
- The employee's positive test occurred during a period of an "outbreak" at the employee's specific place of employment, as defined by the bill

Employers may dispute the presumption with such evidence as workplace measures to reduce potential transmission of COVID-19 and an employee's exposure to COVID-19 outside of the workplace. The bill requires an employee to exhaust their paid sick leave benefits before they can receive any temporary disability benefits. For employees of LEAs, paid sick leave benefits includes leave taken under the Families First Coronavirus Response Act (FFCRA), and industrial accident and illness leave provided by the statute (Education Code Sections [EC §] [44984](#) and [45192](#)). This new law will likely lead to an increase in premium rates that LEAs pay for Workers' Compensation insurance since it reduces an employee's burden to prove that they contracted COVID-19 in the workplace.

SB 1159 also underscores the importance for LEAs to be afforded some protection against liability and damages for injury relating to COVID-19, especially if they have established health and safety procedures consistent with COVID-19 health directives and guidance. Unfortunately, the

Legislature balked at hearing a bill that would have provided these protections for LEAs (see [“COVID-19 Liability Bill Does Not Receive a Hearing”](#) in the August 2020 *Fiscal Report*) and there has been no indication that the Newsom Administration plans to address this issue. This means that the best bet for LEAs to receive any liability protections is at the federal level through an additional COVID-19 relief package. However, with negotiations at an impasse and the Republican-controlled Senate shifting their priorities to fill the Supreme Court vacancy left by Justice Ruth Bader Ginsburg’s recent passing, we likely will not see another relief package before the November election.

As an urgency bill, SB 1159 took effect immediately upon the Governor’s signature and is in place until January 1, 2023.

SB 1383—Expansion of California Family Rights Act

The Governor also signed [SB 1383 \(Chapter 86/2020\)](#) into law, which expands the California Family Rights Act (CFRA) to allow employees to use unpaid job protected leave to care for a domestic partner, grandparent, grandchild, sibling, or parent-in-law who has a serious health condition. It also reduces the employer threshold for this leave from 50 to 5 employees, making it unlawful for any employer with 5 or more employees to refuse an employee request to take up to a total of 12 workweeks in any 12-month period for family care and medical leave. This change will significantly impact LEAs with 5-49 employees in that they now must provide the CFRA to qualified employees. Employees must have at least 12 months of service and must have worked at least 1,250 hours in order to be eligible for this leave.

While the bill does not change the unpaid requirement, it does significantly expand the eligible family members that an employee can care for. The changes to the CFRA create potential for employees who are covered under the Family and Medical Leave Act (FMLA) and CFRA to be entitled to a greater amount of protected leave.

LEAs have a few months to prepare for implementation of this new law as its provisions do not go into effect until January 1, 2021; however, it is important for employers to review existing leave policies now in order to implement the necessary changes in procedures.

AB 685—COVID-19 Exposure Notification

Another bill signed by the Governor last Thursday, September 17, 2020, was [Assembly Bill \(AB\) 685 \(Chapter 84/2020\)](#), which requires employers to provide written notice and instructions to employees who may have been exposed to COVID-19 at their worksite and enhances the Division of Occupational Health and Safety’s (Cal/OSHA) ability to enforce health and safety standards to prevent workplace exposure to and spread of COVID-19.

Specifically, the bill requires an employer to take all of the following actions within one business day of receiving a notice of potential COVID-19 exposure:

- Provide written notice to all employees and the employers of subcontracted employees who were on the premises at the same worksite as the qualifying individual within the infectious period

- Provide written notice to the exclusive representative of the employees who were on the premises at the same worksite as the qualifying individual which shall contain the same information as would be required in a Cal/OSHA Form 300 injury and illness log
- Provide all employees who may have been exposed and their exclusive representative with information regarding COVID-19-related benefits to which the employee may be entitled, including, but not limited to, Workers' Compensation, COVID-19-related leave, company sick leave, state-mandated leave, or supplemental sick leave
- Notify all employees, the employers of subcontracted employees, and the exclusive representative on the disinfection and safety plan the employer intends to implement

AB 685 will not go into effect until January 1, 2021, and several provisions of the bill will become inoperative on January 1, 2023.

Bill Signing Deadline

Despite the historically low number of bills sent to Governor Newsom this year, there are still a handful of significant education measures that are awaiting his action—including AB 1835 (Weber, D-San Diego), which would clarify that unspent supplemental and concentration grant dollars be used on services for unduplicated pupils in subsequent years, and AB 331 (Medina, D-Riverside), which would add the completion of a semester-long course in ethnic studies to the list of state high school graduation requirements. The Governor has until next Wednesday, September 30, 2020, to sign, veto, or allow bills to become law without his action.

Bill Update

SCHOOL SERVICES OF CALIFORNIA, INC.

**Legislative Report Prepared for:
Fresno Unified School District
Status as of: September 30, 2020**

Bills that Passed the Legislature

<i>Bill No./ Author</i>	<i>Title</i>	<i>Position</i>	<i>Current Status</i>	<i>Page</i>
AB 331 Medina	Pupil Instruction: High School Graduation Requirements: Ethnic Studies	Support	To Enrollment	22
AB 908 O'Donnell	Pupils: Extracurricular Activities: Work Permits		Chapter 64, Statutes of 2020	22
AB 1350 Gonzalez	Retroactive Grant of High School Diplomas	Support	Chapter 66, Statutes of 2020	22
AB 1835 Weber	Education Finance: Local Control Funding Formula: Supplemental and Concentration Grants	Oppose	To Enrollment	23
AB 3308 Gabriel	School Districts: Employee Housing	No Position	Chapter 199, Statutes of 2020	23
SB 793 Hill	Flavored Tobacco Products	Support	Chapter 34, Statutes of 2020	23
SB 1159 Hill	Workers' Compensation: COVID-19: Critical Workers	Watch	Chapter 85, Statutes of 2020	23
SB 1383 Jackson	Unlawful Employment Practice: California Family Rights Act	Watch	Chapter 86, Statutes of 2020	24

AB 331 (Medina)**Amended:** 8/28/2020**Title:** Pupil Instruction: High School Graduation Requirements: Ethnic Studies**Status:** To Enrollment**Position:** Support**Summary:**

This bill adds a one-semester ethnic studies course as a state high school graduation requirement commencing with the 2029–30 school year but authorizes local educational agencies (LEAs) to require a full-year ethnic students course. LEAs must offer at least a semester-long ethnic studies course commencing with the 2025–26 school year. AB 331 also lists the types of courses that may fulfill the ethnic studies course requirement.

AB 908 (O'Donnell)**Amended:** 8/1/2020**Title:** Pupils: Extracurricular Activities: Work Permits**Status:** Chapter 64, Statutes of 2020**Position:****Summary:**

This bill, an urgency measure:

1. Authorizes a school district to extend its probationary period for pupils to demonstrate satisfactory progress, for purposes of extracurricular and co-curricular activities, through the conclusion of the 2020–21 school year;
2. Authorizes documentation required for purposes of pupil work permits to be submitted electronically during an extended school closure due to a natural disaster, pandemic, or other emergency; and
3. Prohibits a work permit from being denied based on a pupil's grades, grade point average, or school attendance when the pupil's school has been physically closed for an extended time due to natural disaster, pandemic, or other emergency.

AB 1350 (Gonzalez)**Amended:** 8/1/2020**Title:** Retroactive Grant of High School Diplomas: COVID-19 Crisis**Status:** Chapter 66, Statutes of 2020**Position:** Support**Summary:**

This bill authorizes a local educational agency to retroactively grant a high school diploma to a person whom was in their senior year of high school during the 2019–20 school year; in good academic standing and on track to graduate at the end of the 2019–20 school year, as of March 1, 2020; and unable to complete the statewide graduation requirements as a result of the COVID-19 crisis.

[AB 1835 \(Weber\)](#)

Title: Education Finance: Local Control Funding Formula: Supplemental and Concentration Grants

Status: To Enrollment

Position: Oppose

Summary:

Requires local educational agencies to identify unspent supplemental and concentration grant funds and requires those funds to continue to be expended to increase and improve services for unduplicated students.

[AB 3308 \(Gabriel\)](#)

Amended: 8/25/2020

Title: School Districts: Employee Housing

Status: Chapter 199, Statutes of 2020

Position: No Position

Summary:

Clarifies that the state policy created by the Teacher Housing Act of 2016 definitely authorizes school districts and developers who are recipients of these credits to open occupancy to school district employees first, if the school district owns the land.

[SB 793 \(Hill\)](#)

Amended: 7/27/2020

Title: Flavored Tobacco Products

Status: Chapter 34, Statutes of 2020

Position: Support

Summary:

This bill prohibits the sale of flavored tobacco products.

[SB 1159 \(Hill\)](#)

Amended: 8/30/2020

Title: Workers' Compensation: COVID-19: Critical Workers

Status: Chapter 85, Statutes of 2020

Position: Watch

Summary:

Senate Bill (SB) 1159 creates a rebuttable presumption that illness or death related to COVID-19 is an occupational injury and therefore eligible for Workers' Compensation benefits. SB 1159 creates two presumptions: one that is specific to frontline workers (peace officers, firefighters, healthcare providers, homecare workers, and IHSS workers) and a general presumption for employees who contract COVID-19 in the midst of a workplace outbreak.

SB 1383 (Jackson)

Amended: 6/29/2020

Title: Unlawful Employment Practice: California Family Rights Act

Status: Chapter 86, Statutes of 2020

Position: Watch

Summary:

This bill makes various changes to the California Family Rights Act, New Parent Leave Act, and Pregnancy Disability Leave including the following:

- Expands the definition of “family care and medical leave” to include leave to care for a grandparent, grandchild, sibling, or domestic partner who has a serious health condition
- Deletes from existing law a provision specifying that, if both parents are employed by the same employer and are entitled to leave, the employer is not required to grant leave in connection with the birth, adoption, or foster care of a child that would allow the parents leave to be greater than 12 weeks
- Repeals the entire provisions of the New Parent Leave Act enacted in 2017

SCHOOL SERVICES OF CALIFORNIA, INC.

**Legislative Report Prepared for:
Fresno Unified School District
Status as of: September 30, 2020
Remaining Bills for the 2019–20 Legislative Session**

<i>Bill No./ Author</i>	<i>Title</i>	<i>Position</i>	<i>Current Status</i>	<i>Page</i>
Accountability and Assessments				
AB 2022 McCarty	Advanced Placement Test Fee Reimbursement Program	Support	Assembly Appropriations Committee—Bill Did Not Meet Deadline	29
AB 2472 Jones- Sawyer	Public Schools: Accountability: County Superintendents of Schools	Watch	Assembly Education Committee—Bill Did Not Meet Deadline	29
Charter Schools				
AB 2990 C. Garcia	Charter Schools: Educational Enrichment Activities	Watch	Assembly Floor—Motion to Reconsider—Bill Did Not Meet Deadline	29
Early Childhood Education				
AB 123 McCarty	Early Childhood Education: Childcare and Development Programs	Support	Senate Appropriations Committee—Suspense File—Bill Did Not Meet Deadline	30
AB 125 McCarty	Early Childhood Education: Reimbursement Rates		Senate Appropriations Committee—Bill Did Not Meet Deadline	30
SB 174 Leyva	Early Childhood Education: Reimbursement Rates		Assembly Appropriations Committee—Bill Did Not Meet Deadline	30
Employees				
AB 843 Rodriguez	Student Financial Aid: Assumption Program of Loans for Education	Support	Senate Education Committee—Bill Did Not Meet Deadline	31

AB 1623 Rivas, Robert	Teaching Credential: Teacher Recruitment: Golden State Teacher Grant Program	Support	Senate Education Committee—Bill Did Not Meet Deadline	31
AB 2682 Medina	Certificated School Employees: Probationary Employees		Assembly Education Committee—Bill Did Not Meet Deadline	31
SB 796 Leyva	School and Community College Employees: Absences Due to Illness or Accident		Senate Education Committee—Bill Did Not Meet Deadline	32
SB 805 Portantino	School Employees: Leaves of Absence: Emergencies and Mandatory Evacuation Orders	No Position	Senate Appropriations Committee—Suspense File—Bill Did Not Meet Deadline	32
SB 943 Chang	Paid Family Leave: COVID-19	No Position	Senate Appropriations Committee—Suspense File—Bill Did Not Meet Deadline	32
Facilities				
AB 2184 O'Donnell	School Facilities: Design-Build Contracts		Assembly Education Committee—Bill Did Not Meet Deadline	32
Instruction				
AB 1930 Medina	Public Postsecondary Education: University of California and California State University: Student Eligibility Policy	Support	Senate Appropriations Committee—Bill Did Not Meet Deadline	33
AB 2709 Weber	Full-Day Kindergarten	Watch	Assembly Education Committee—Bill Did Not Meet Deadline	33
AB 3292 Dahle, Megan	Pupil Attendance: Excused Absences: Cultural Ceremonies or Events	Support	Assembly Education Committee—Bill Did Not Meet Deadline	33
SB 1153 Rubio	Elementary Education: Kindergarten	Support	Senate Education Committee—Bill Did Not Meet Deadline	34
Mental Health				
AB 8 Chu	Pupil Health: Mental Health Professionals	Watch	Senate Health Committee—Bill Did Not Meet Deadline	34

Miscellaneous				
AB 1384 O'Donnell	Local Educational Agencies: Liability for COVID-19: Related Injuries	Support	Senate Judiciary Committee—Bill Did Not Meet Deadline	34
AB 2093 Gloria	Public Records: Writing Transmitted by Electronic Mail: Retention	Support	Assembly Appropriations Committee—Bill Did Not Meet Deadline	34
SB 2 Glazer	Statewide Longitudinal Student Database	Watch	Assembly Education Committee—Bill Did Not Meet Deadline	35
Special Education				
AB 428 Medina	Special Education Funding	Support	Senate Appropriations Committee—Suspense File—Bill Did Not Meet Deadline	35
State Budget, Education Finance, and LCFF				
AB 39 Muratsuchi	Education Finance: Local Control Funding Formula: Aspirational Funding Level: Reports	Support	Senate Floor—Inactive File—Bill Did Not Meet Deadline	36
AB 1834 Weber	Education Finance: Local Control Funding Formula: Supplemental and Concentration Grants	No Position	Assembly Education Committee—Bill Did Not Meet Deadline	36
AB 1837 Smith	School Safety: Emergency Response Team		Senate Education Committee—Bill Did Not Meet Deadline	36
AB 2052 O'Donnell	Pupil Instruction: Instructional Time Requirements	No Position	Senate Education Committee—Bill Did Not Meet Deadline	36
AB 2291 Medina	Special Education Funding	Support	Assembly Education Committee—Bill Did Not Meet Deadline	37
AB 2500 McCarty	Transitional Kindergarten: Average Daily Attendance	Support	Assembly Education Committee—Bill Did Not Meet Deadline	37
AB 2626 Bauer- Kahan	Digital Divide: Distance Learning: California Research Bureau: Communications Technology Grant Program		Senate Education Committee—Bill Did Not Meet Deadline	37
AB 2646 Levine	Education Finance: Supplemental Education Funding		Assembly Education Committee—Bill Did Not Meet Deadline	37

AB 2685 Weber	Education Finance: Local Control Funding Formula: Supplemental Grants: Lowest Performing Pupil Subgroup or Subgroups	Support	Assembly Education Committee—Bill Did Not Meet Deadline	38
AB 3179 McCarty	Education Finance: School District Finances: Educational Employment Relations Act	No Position	Assembly Education Committee—Bill Did Not Meet Deadline	38
SB 499 McGuire	School Meals: California-Grown for Healthy Kids Program	Watch	Assembly Education Committee—Bill Did Not Meet Deadline	38
SB 884 Dodd	Education Finance: Emergencies: Public Safety Power Shutoffs	Support	Assembly Appropriations Committee— Suspense File—Bill Did Not Meet Deadline	39
SCA 5 Hill	Taxation: School Districts: Parcel Tax	Support	Senate Floor—Inactive File—Bill Did Not Meet Deadline	39
Student Health and Nutrition				
AB 1937 Rivas, Luz	Homeless Children and Youths and Unaccompanied Youths: Reporting	Support	Assembly Education Committee—Bill Did Not Meet Deadline	39
AB 1995 Rivas, Luz	Pupil Nutrition: Reduced-Price Meals	Support	Assembly Education Committee—Bill Did Not Meet Deadline	39
AB 2116 Levine	Pupil Health: Seizure Disorders		Assembly Education Committee—Bill Did Not Meet Deadline	40
AB 3006 Berman	School Meals: Free or Reduced-price Meals	Support	Assembly Education Committee—Bill Did Not Meet Deadline	40
AB 3218 Quirk-Silva	Homeless Children and Youths: Reporting	Support if Amended	Assembly Education Committee—Bill Did Not Meet Deadline	40

Accountability and Assessments

[AB 2022 \(McCarty\)](#)

Amended: 5/11/2020

Title: Advanced Placement Test Fee Reimbursement Program

Status: Assembly Appropriations Committee—Suspense File—Bill Did Not Meet Deadline

Position: Support

Summary:

Establishes the Advanced Placement Test Fee Reimbursement Program to reimburse local educational agencies for providing free Advanced Placement tests to low-income students.

[AB 2472 \(Jones-Sawyer\)](#)

Title: Public Schools: Accountability: County Superintendents of Schools

Status: Assembly Education Committee—Bill Did Not Meet Deadline

Position: Watch

Summary:

Certain provisions of the *Williams* settlement legislation, such as annual county superintendent visits and reviews, apply to schools ranked in deciles 1–3 as determined every three years by the base Academic Performance Index (API). Instead of using the API, this bill seeks to identify schools subject to county superintendent monitoring by referring to schools identified for federal comprehensive support and improvement and additional targeted support and improvement.

Charter Schools

[AB 2990 \(Garcia, Cristina\)](#)

Amended: 6/4/2020

Title: Charter Schools: Educational Enrichment Activities

Status: Assembly Floor—Motion to Reconsider—Bill Did Not Meet Deadline

Position: Watch

Summary:

Prohibits a charter school from providing financial incentives to a pupil I for educational enrichment activities; requires a nonclassroom-based charter school to enter into an agreement for the provision of an educational enrichment activity only with a vendor that has been properly vetted and approved; requires the governing body of a nonclassroom-based charter school to establish policies and procedures to ensure educational value, pupil safety and fiscal reasonableness before approving any contract for educational enrichment activities; and prohibits educational enrichment activity funds from being used for tuition at a private school or for activities, materials and programs that are religious in nature.

Early Childhood Education

[AB 123 \(McCarty\)](#)

Amended: 8/1/2020

Title: Early Childhood Education: Childcare and Development Programs

Status: Senate Appropriations Committee—Suspense File—Bill Did Not Meet Deadline

Position: Support

Summary:

Assembly Bill 123 makes various changes to state preschool and childcare programs:

- Deems recipients of Medi-Cal or CalFresh as eligible for subsidized childcare
- Authorizes state preschool programs to serve younger two-year-olds in extenuating circumstances
- For 2020–21 only, requires the California Department of Education to allow state preschool programs and general childcare providers to serve children age 0–12 in a commingled classroom so as to safely meet family needs during the pandemic
- Authorizes state preschool providers and general childcare providers to waive family fees if serving students via distance learning only

[AB 125 \(McCarty\)](#)

Amended: 6/18/2019

Title: Early Childhood Education: Reimbursement Rates

Status: Senate Appropriations Committee—Bill Did Not Meet Deadline

Position:

Summary:

This bill reforms the state child care and preschool reimbursement rate system into a single regionalized rate system that adequately compensates the workforce for the cost of providing care and education and improves the system quality by providing improvement incentives to fund continuing education and professional development for teachers along with efforts to improve program standards.

[SB 174 \(Leyva\)](#)

Amended: 6/13/2019

Title: Early Childhood Education: Reimbursement Rates

Status: Assembly Appropriations Committee—Bill Did Not Meet Deadline

Position:

Summary:

This bill reforms the state child care and preschool reimbursement rate system into a single regionalized rate system that adequately compensates the workforce for the cost of providing care and education and improves the system quality by providing improvement incentives to fund continuing education and professional development for teachers along with efforts to improve program standards.

Employees

[AB 843 \(Rodriguez\)](#)

Amended: 5/16/2019

Title: Student Financial Aid: Assumption Program of Loans for Education

Status: Senate Education Committee—Bill Did Not Meet Deadline

Position: Support

Summary:

As amended, this bill authorizes the California Student Aid Commission (CSAC) to award 7,200 new warrants for the Assumption Program of Loans for Education (APLE). Additional loan assumption benefits of an unspecified amount also would be provided to a person who teaches, mathematics, science, Special Education, bilingual education, or career technical education in a school district that is determined to be in need of differentiated assistance.

[AB 1623 \(Rivas, Robert \)](#)

Amended: 5/16/2019

Title: Teaching Credential: Teacher Recruitment: Golden State Teacher Grant Program

Status: Senate Education Committee—Bill Did Not Meet Deadline

Position: Support

Summary:

This bill establishes the Golden State Teacher Grant Program to provide grants to students enrolled in a teacher credentialing program who commit to teaching bilingual education, math, STEM, science, or Special Education.

[AB 2682 \(Medina\)](#)

Title: Certificated School Employees: Probationary Employees

Status: Assembly Education Committee—Bill Did Not Meet Deadline

Position:

Summary:

Changes classification as a permanent employee for certain certificated employees, including:

- A probationary employee employed in an assignment that is less than full time and who, in any one school year, has served for at least 75% of the number of days required of the assignment in which the employee is employed is deemed to have served a complete school year
- A probationary employee of an adult education program is deemed to have served a complete school year if the employee serves for at least 75% of the hours constituting a full-time equivalent position for adult education programs in the school district
- Service by an instructor at regional occupational centers or programs are included in computing the service required for classification as a permanent employee

SB 796 (Leyva)**Amended:** 2/19/2020**Title:** School and Community College Employees: Absences Due to Illness or Accident**Status:** Senate Education Committee—Bill Did Not Meet Deadline**Position:****Summary:**

This bill would require a certificated or classified school employee who exhausts all available sick leave and continues to be absent from duties on account of illness or accident for an additional period of five months to receive the employee's full salary during those five months.

SB 805 (Portantino)**Amended:** 5/19/2020**Title:** School Employees: Leaves of Absence: Natural Disasters and Evacuation Orders**Status:** Senate Appropriations Committee—Suspense File—Bill Did Not Meet Deadline**Position:** No Position**Summary:**

As amended, prohibits school districts from requiring an employee to use sick, vacation, or other paid leave if the school is forced to close because of a mandatory evacuation order or other designated emergencies, or if the employee is unable to report to work because they reside in an area affected by a mandatory evacuation order or other designated emergencies. Also requires the school district to ensure the employee is provided their regular pay for any days missed.

SB 943 (Chang)**Amended:** 5/19/2020**Title:** Paid Family Leave: COVID-19**Status:** Senate Appropriations Committee—Suspense File—Bill Did Not Meet Deadline**Position:** No Position**Summary:**

Authorizes Paid Family Leave benefits for specified workers who take time off work to care for a child whose school is closed because of COVID-19. The bill was amended on May 19 to apply only until December 31, 2020.

AB 2184 (O'Donnell)**Title:** School Facilities: Design-Build Contracts**Status:** Assembly Education Committee—Bill Did Not Meet Deadline**Position:****Summary:**

Authorizes a school district, as an alternative to price of the project, to instead weigh as a factor the proposing design-build entity's design cost, general conditions, overhead, and profit as a component of the project price. If this alternative is used, the contract is required to be subject to further negotiations and requirements.

Instruction

[AB 1930 \(Medina\)](#)

Amended: 8/1/2020

Title: Public Postsecondary Education: University of California and California State University: Student Eligibility Policy

Status: Senate Appropriations Committee—Bill Did Not Meet Deadline

Position: Support

Summary:

This bill, an urgency measure, requires the California State University (CSU) Trustees and requests the University of California Regents, to engage in a specified process before adding any undergraduate student eligibility requirements. Specifically, the CSU would be required to engage and coordinate with the other educational segments impacted by the policy to understand the impacts of the changes, including the California Department of Education and school districts, in order to try to align their respective student eligibility policies.

[AB 2709 \(Weber\)](#)

Title: Full-Day Kindergarten

Status: Assembly Education Committee—Bill Did Not Meet Deadline

Position: Watch

Summary:

Requires school districts offering kindergarten to implement at least one full-day kindergarten program, commencing with 2023–23. A minimum schoolday for full-day kindergarten is the same number of minutes per schoolday that is offered to pupils in first grade.

[AB 3292 \(Dahle, Megan\)](#)

Title: Pupil Attendance: Excused Absences: Cultural Ceremonies or Events

Status: Assembly Education Committee—Bill Did Not Meet Deadline

Position: Support

Summary:

Adds participation in a cultural ceremony or event to the list of excused school absences.

[SB 1153 \(Rubio\)](#)

Title: Elementary Education: Kindergarten

Status: Senate Education Committee—Bill Did Not Meet Deadline

Position: Support

Summary:

Requires students to complete kindergarten before starting first grade.

Mental Health

[AB 8 \(Chu\)](#)

Amended: 5/16/2019

Title: Pupil Health: Mental Health Professionals

Status: Senate Health Committee—Bill Did Not Meet Deadline

Position: Watch

Summary:

This bill requires schools to have at least one mental health professional for every 600 pupils on or before December 31, 2024.

Miscellaneous

[AB 1384 \(O'Donnell\)](#)

Amended: 7/29/2020

Title: Local Educational Agencies: Liability for COVID-19-Related Injuries

Status: Senate Judiciary Committee—Bill Did Not Meet Deadline

Position: Support

Summary:

This bill exempts a local educational agency (LEA) from monetary liability and damages related to COVID-19 if an LEA establishes health and safety policies and procedures consistent with applicable federal, state, and local requirements and the LEA ensures that reasonable efforts are undertaken to implement these policies and procedures.

[AB 2093 \(Gloria\)](#)

Title: Public Records: Writing Transmitted by Electronic Mail: Retention

Status: Assembly Appropriations Committee—Bill Did Not Meet Deadline

Position: Support

Summary:

Requires all public agencies, for purposes of the California Public Records Act, to retain and preserve for at least two years every public record that is transmitted by electronic mail.

SB 2 (Glazer)**Amended:** 5/23/2019**Title:** Statewide Longitudinal Student Database**Status:** Assembly Education Committee—Bill Did Not Meet Deadline**Position:** Watch**Summary:**

This bill would require the Office of Higher Education Coordination, Accountability, and Performance (Office), as proposed to be established by Senate Bill 3 (Allen), to assume the responsibilities previously assigned to the now defunct California Postsecondary Education Commission and to convene a review committee to advise the Office regarding the creation of a statewide longitudinal student database. The bill would require that every education segment (early childhood education, California Department of Education, California Community Colleges, California State University, and University of California) include a representative on the review committee.

Special Education

AB 428 (Medina)**Title:** Special Education Funding**Status:** Senate Appropriations Committee—Suspense File—Bill Did Not Meet Deadline**Position:** Support**Summary:**

This bill would implement several of the recommendations from the California Special Education Task Force and provide support to California's students with special needs by:

- Establishing a funding mechanism to support Special Education preschool programs by adding preschoolers to the Assembly Bill (AB) 602 funding formula
- Addressing long-standing inequities by equalizing Special Education funding rates to the 95th percentile over a five-year period
- Providing a supplemental grant to support students with greater needs, including students on the autism spectrum, and students who are blind, visually impaired, and intellectually disabled

Amending the current AB 602 calculation to allow the greater of the current or prior school year average daily attendance (ADA) for each district in a multiple district Special Education Local Plan Area (SELPA) to be used in determining total SELPA ADA

State Budget, Education Finance, and LCFF

[AB 39 \(Muratsuchi\)](#)

Amended: 8/30/2019

Title: Education Finance: Local Control Funding Formula: Aspirational Funding Level: Reports

Status: Senate Floor—Inactive File—Bill Did Not Meet Deadline

Position: Support

Summary:

This bill would specify new, higher Local Control Funding Formula (LCFF) base grant amounts beginning with the 2020–21 fiscal year, which would also increase the supplemental and concentration grant amounts and result in various other changes to funding calculations for purposes of the LCFF.

[AB 1834 \(Weber\)](#)

Title: Education Finance: Local Control Funding Formula: Supplemental and Concentration Grants

Status: Assembly Education Committee—Bill Did Not Meet Deadline

Position: No Position

Summary:

Requires the California Department of Education to develop a tracking mechanism for local educational agencies to report the types of services on which they spend their supplemental and concentration grant funds.

[AB 1837 \(Smith\)](#)

Amended: 6/4/2020

Title: School Safety: Emergency Response Team

Status: Senate Education Committee—Bill Did Not Meet Deadline

Position:

Summary:

As amended June 4, requires the Superintendent of Public Instruction to establish a State Assistance for Emergency Response Team within the California Department of Education to provide guidance and support to local educational agencies experiencing emergencies.

[AB 2052 \(O'Donnell\)](#)

Amended: 6/4/2020

Title: Pupil Instruction: Instructional Time Requirements

Status: Senate Education Committee—Bill Did Not Meet Deadline

Position: No Position

Summary:

Authorizes local educational agencies (LEAs) to meet minimum instructional day requirements by adding remaining instructional minutes to remaining instructional days in a school year when the LEA is unable to meet instructional day requirements under specified conditions. June 4 amendments allow for no more than 15 instructional days within the same school year to be added using this authorization.

AB 2291 (Medina)

Title: Special Education Funding

Status: Assembly Education Committee—Bill Did Not Meet Deadline

Position: Support

Summary:

This bill is a reintroduction of Assembly Bill 428 (2019). This bill:

- Establishes a funding mechanism for preschoolers with disabilities
- Equalizes special education funding rates to the 95th percentile
- Provides a supplemental grant to support students with greater needs, including students on the autism spectrum, and students who are blind, visually impaired, and intellectually disabled

AB 2500 (McCarty)

Title: Transitional Kindergarten: Average Daily Attendance

Status: Assembly Education Committee—Bill Did Not Meet Deadline

Position: Support

Summary:

Provides for average daily attendance for all TK students who turn five years old during the school year.

AB 2626 (Bauer-Kahan)

Amended: 7/7/2020

Title: Digital Divide: Distance Learning: California Research Bureau: Communications Technology Grant Program

Status: Senate Education Committee—Bill Did Not Meet Deadline

Position:

Summary:

As amended July 7, this bill establishes the Bridging the Digital Divide Grant Program for purposes of reducing the gap in access to distance learning due to the COVID-19 initiated school closures. The bill would provide grant funds to local educational agencies to purchase devices and other technology for low-income students to access distance learning.

AB 2646 (Levine)

Title: Education Finance: Supplemental Education Funding

Status: Assembly Education Committee—Bill Did Not Meet Deadline

Position:

Summary:

Provides supplemental funding for school districts and county offices of education based on the Local Control Funding Formula (LCFF) using enrollment minus what the district received under LCFF using average daily attendance.

AB 2685 (Weber)

Title: Education Finance: Local Control Funding Formula: Supplemental Grants: Lowest Performing Pupil Subgroup or Subgroups

Status: Assembly Education Committee—Bill Did Not Meet Deadline

Position: Support

Summary:

Adds the lowest performing subgroup of students as “unduplicated pupils” under the Local Control Funding Formula. The Superintendent of Public Instruction shall annually identify the lowest performing subgroup using the most recent math and English language arts California Assessment of Student Performance and Progress results.

AB 3179 (McCarty)

Title: Education Finance: School District Finances: Educational Employment Relations Act

Status: Assembly Education Committee—Bill Did Not Meet Deadline

Position: No Position

Summary:

This bill, if a county superintendent of schools disapproves a school district’s budget for a subsequent year, would continue the authority of the county superintendent of schools to stay or rescind any action of the school district governing board that is determined to be inconsistent with the ability of the school district to meet its obligations for the current or subsequent fiscal year, without interruption, until the next subsequent year’s budget is approved by the county superintendent of schools.

SB 499 (McGuire)

Amended: 5/17/2019

Title: School Meals: California-Grown for Healthy Kids Program

Status: Assembly Education Committee—Bill Did Not Meet Deadline

Position: Watch

Summary:

Existing law authorizes schools participating in certain federal school meals programs to establish a base year for purposes of calculating the number of pupils at the school who are eligible for free or reduced price meals by determining each pupil’s eligibility status in that base year and using that number to report eligibility for up to each of the following three school years. This bill would additionally allow schools participating in those federal school meals programs to establish a base year by carrying over the number of pupils at the school who were eligible for free or reduced price meals from the school year in which the school applied to use a federal universal school meal provision.

SB 884 (Dodd)**Amended:** 6/18/2020**Title:** Education Finance: Emergencies: Public Safety Power Shutoffs**Status:** Assembly Appropriations Committee—Suspense File—Bill Did Not Meet Deadline**Position:** Support**Summary:**

Adds public safety power shutoffs to the list of emergency conditions for which a local educational agency (LEA) can seek a waiver to offset a loss in average daily attendance. Amendments on June 18, 2020 delete the Disaster Relief Instructional Recovery Program.

SCA 5 (Hill)**Amended:** 4/22/2019**Title:** Taxation: School Districts: Parcel Tax**Status:** Senate Floor—Inactive File—Bill Did Not Meet Deadline**Position:** Support**Summary:**

This bill would place a proposition on the ballot that would lower the parcel tax threshold for school and community college districts from two-thirds to 55%.

Student Health and Nutrition

AB 1937 (Rivas, Luz)**Amended:** 3/9/2020**Title:** Homeless Children and Youths and Unaccompanied Youths: Reporting**Status:** Assembly Education Committee—Bill Did Not Meet Deadline**Position:** Support**Summary:**

Requires schools to identify all homeless students using a housing questionnaire that is provided to all parents or guardians. Requires a local educational agency (LEA) to ensure that personnel who provide services to homeless youth receive annual training about the homeless education program, and an LEA must post on its website a list of liaisons for homeless youth in that school district or county.

AB 1995 (Rivas, Luz)**Title:** Pupil Nutrition: Reduced-Price Meals**Status:** Assembly Education Committee—Bill Did Not Meet Deadline**Position:** Support**Summary:**

Requires school districts and county offices of education to provide meals for free to students eligible to receive a reduced-price meal.

AB 2116 (Levine)

Title: Pupil Health: Seizure Disorders

Status: Assembly Education Committee—Bill Did Not Meet Deadline

Position:

Summary:

For schools that have a student enrolled who has a seizure disorder, this bill:

- Requires all schools to have at least one employee who has received training on seizure recognition, treatment, and response
- Requires schools to provide training to school personnel with direct contact and supervision of students on recognizing the signs and symptoms of seizures and the appropriate steps for seizure first aid
- Authorizes a school nurse who has received training on seizures to administer seizure-related medication
- Requires schools to collaborate with a parent of a student diagnosed with a seizure disorder to create a seizure action plan
- Requires schools to provide to all students an age-appropriate seizure education program

AB 3006 (Berman)

Amended: 5/4/2020

Title: School Meals: Free or Reduced-Price Meals

Status: Assembly Education Committee—Bill Did Not Meet Deadline

Position: Support

Summary:

Allows schools participating in the federal school meals program to establish a base year by carrying over the number of students at the school who were eligible for free or reduced price meals from the school year in which the school applied to use a federal universal school meal provision. Grants a supplemental state reimbursement for local educational agencies that participate in a federal universal school meal program.

AB 3218 (Quirk-Silva)

Title: Homeless Children and Youths: Reporting

Status: Assembly Education Committee—Bill Did Not Meet Deadline

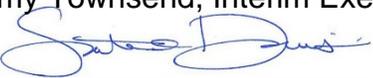
Position: Support if Amended

Summary:

Requires local educational agencies to establish homeless education program policies that are consistent with specified state laws that apply to homeless students, including attending the school of origin. It also requires training for staff who work with students on the homeless education program policies and recognition of signs that a student is homeless or at risk of becoming homeless.

Fresno Unified School District
Board Communication

BC Number AS-3

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Tammy Townsend, Interim Executive Officer
Cabinet Approval: 

Date: October 09, 2020
Phone Number: 457-6204

Regarding: Learning Continuity and Attendance Plan County Update

The purpose of this communication is to provide the Board an update regarding the 2020/21 Learning Continuity and Attendance Plan (LCP).

As previously communicated to the Board on July 10, 2020 and July 31, 2020, districts were not required to complete a Local Control and Accountability Plan (LCAP) for the 2020/21 school year. Instead, districts were required to complete and adopt a Learning Continuity and Attendance Plan. On September 09, 2020, the Board of Education held a public hearing to discuss the draft LCP and on September 16, 2020, the Board of Education adopted the plan.

Immediately after adoption, the LCP was submitted to the Fresno County Superintendent of Schools (FCSS) for review. On October 01, 2020, Fresno Unified was notified by Marvin Baker, Director of LCAP and Compliance, that Fresno Unified School District had "addressed all of the required elements of the LCAP as outlined in the instructions and in Senate Bill 98 and that no further action was required."

The district will be completing a Budget Overview for Parents, which will be submitted to the Board in December, along with the First Interim Financial Report.

If you have any questions or require additional information, please contact Tammy Townsend at 457-6204.

Approved by Superintendent
Robert G. Nelson Ed.D. _____

Date: _____

Fresno Unified School District
Board Communication

BC Number C-1

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Amy Idsvoog, Executive Officer
Cabinet Approval: *NH*

Date: October 09, 2020
Phone Number: 457-3498

Regarding: The Renaming of the Early Learning Center at Fresno and A Streets

The purpose of this communication is to provide the Board with an update on the renaming of the district's Early Learning Center at Fresno and A streets. The Early Learning Center, which opened in 2015, offers high quality programs for ages 6 weeks to 8 years old. The center is currently providing instruction through its distance learning model as a result of COVID-19.

In accordance with AR 7310, the Office of Communications sought community input around the renaming of the Early Learning Center through an online survey. The online survey was available on the district's website August 26, 2020 through September 28, 2020. 160 suggestions were submitted honoring 34 individuals. Four names received three or more nominations. Those names are:

- La Vera Williams also submitted under La Vera Etheridge Williams
- Francine and Murray Farber
- Jewell Medicine Horse Williams
- Laura Mitchell

In accordance with BP 7310, the Governing Board shall name school or individual facilities. As part of the October 21 Board of Education agenda, the Board will have the opportunity to discuss and determine the Early Learning Center's new name.

As a reminder, Board Policy (BP) 7310 states the Governing Board shall name schools or individual facilities in recognition of:

1. Individuals, living or deceased, who have made outstanding contributions to the county or community
2. Individuals, living or deceased, who have made contributions of state, national or worldwide significance
3. The geographic area in which the school or building is located

If you have any questions, please feel free contact Chief Information Officer Nikki Henry at 250-1488.

Approved by Superintendent
Robert G. Nelson Ed.D. _____

Robert G. Nelson

Date: 10/09/2020

Renaming Early Learning Center
Nomination Profiles

The following four individuals received three or more nominations. In addition to the full list of nominations, Communications has included a short profile on these top nominees.

LaVera Ethridge Williams -- (Also nominated under LaVera Williams and LaVera Ethridge) Fresno native, community advocate, mentor, business owner. In 1968, became the first African American woman to own and open a childcare center in West Fresno. Lavera's Educational Center was the first childcare center in a chain of family owned and operated centers throughout Fresno. She is known for her contributions to education and community service. Fresno Unified purchased the facility from Ms. Williams and opened it as our existing Early Learning building on A Street.

Francine and Murray Farber -- (Also submitted separately under Francine Farber) Francine is a retired school administrator and community volunteer, including supporting First 5. She is the past president of League of Women Voters. Francine and husband, Murray, are supporters of schools and community. After providing a \$1 million endowment to Fresno Unified in 2012, the Farbers launched Steve's Scholars, a scholarship fund honoring their late son for students from Tehipite Middle School. They have also provided financial support to Fresno Unified arts programs and donated bikes to students in need through Mike's Bikes in honor of another late son.

Jewell Medicine Horse Williams -- Mrs. Williams, an activist for Native American issues and lobbyist for Native American healthcare, died at age 82 in 2016. A resident of Fresno, she was from the Crow Tribe of Southeastern Montana. Volunteered for underprivileged people in the Fresno area. Dedicated to serving the under-served, she became involved with Sequoia Community Health Foundation, which would later become Clinica Sierra Vista. Instrumental in bringing the organized powwow to Fresno State more than 25 years ago. Mrs. Williams dedicated her life to the advancement and well-being of Native Americans.

Laura Mitchell—Laura works for Fresno Unified in the Early Learning Department and has dedicated her life to the young children and their families in our community. She worked in childcare as a student and during college, as she worked on her degree in child development. Worked as a teacher's assistant in the district's Child Development Centers -- which she now leads as a manager in Early Learning. Laura has mentored and nurtured staff members who are now teachers and teacher leaders throughout Fresno County. She was instrumental in opening the childcare center on Fresno and A streets.

Fresno Unified School District
Board Communication

BC Number EA-1

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Kristi Imber-Olivares, Director
Cabinet Approval:

Date: October 09, 2020

Phone Number: 457-3896

Regarding: Equity and Access Board Communication Timeline for 2020/21 Update

The purpose of this communication is to provide the Board an update on our timeline for Board Communications aligned to the following categories: Academic, College and Career, Climate and Culture, Differentiated Assistance/Comprehensive Support and Improvement (CSI), and Dimensions of Equity (see table below). The revised timeline reflects some of the adjustments made to our assessment windows to as State and COVID-19 Health guidance continues to evolve and change.

Fall 2020: Dates and Topics

- August 14, 2020 - Dimensions of Equity Update
- August 28, 2020 - Differentiated Assistance and CSI Update
- September 04, 2020 - Climate and Culture Performance Summary
- September 11, 2020 - Student Voice Collaborative Update
- September 18, 2020 - College and Career Performance Summary
- October 16, 2020 - Climate and Culture Update
- October 23, 2020 - Academic Progress Update
- October 23, 2020 - Dimensions of Equity Update
- October 30, 2020 - Differentiated Assistance/CSI
- October 30, 2020 - Climate and Culture Progress Update
- October 30, 2020 - College and Career Progress Update
- October 30, 2020 - Student Voice Collaborative Update

Spring 2021: Dates and Topics

- January 15, 2021 - Dimensions of Equity Update
- January 22, 2021 - Academic Progress Update
- January 22, 2021 - Climate and Culture Progress Update
- January 22, 2021 - College and Career Progress Update
- January 29, 2021 - College and Career Performance Summary
- January 29, 2021 - Student Voice Collaborative Update
- February 05, 2021 - Dimensions of Equity Update
- February 05, 2021 - Differentiated Assistance and CSI Update
- February 05, 2021 - CA Dashboard Update
- February 19, 2021 - Academic Progress Update
- March 26, 2021 - Student Voice Collaborative Update
- April 16, 2021 - Academic Progress Update
- April 16, 2021 - Climate and Culture Progress Update
- April 23, 2021 - College and Career Progress Update

- April 23, 2021 - Differentiated Assistance and CSI Update
- June 18, 2021 - Dimensions of Equity Update
- June 18, 2021 - Student Voice Collaborative Update
- June 18, 2021 - Climate and Culture Progress Update
- June 25, 2021 - Academic Progress Update
- June 25, 2021 - Differentiated Assistance and CSI Update
- June 25, 2021 - College and Career Progress Update

If you have further questions or require additional information, please contact Lindsay Sanders at 457-3471.

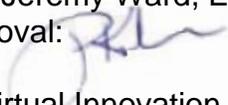
Approved by Superintendent

Robert G. Nelson Ed.D. 

Date: 10/09/2020

Fresno Unified School District
Board Communication

BC Number SL-1

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Jeremy Ward, Executive Officer,
Cabinet Approval: 

Date: October 09, 2020

Phone Number: 248-7465

Regarding: Virtual Innovation Program

The purpose of this communication is to provide the Board with an overview of the Virtual Innovation Program (VIP), in addition to more detailed information on how specific student populations are being recruited for program participation and support.

The Virtual Innovation Program engages students in the design thinking and engineering processes to create solutions for problems facing our local community. Challenges are designed for students in every grade level (PreK through grade 12) to ideate, create, modify, and present their solutions around a common essential question. Students can engage with VIP through a variety of ways, including classroom teachers, after-school programs, student clubs, and at home. An incentive program is being developed for students to earn digital badges by completing challenges. Students can also earn prizes based on their participation and completion levels.

College and Career Readiness (CCR) is collaborating to ensure student populations are targeted for engagement in the VIP and a myriad of marketing strategies are being employed to encourage participation. Districtwide communications and targeted outreach will include special education students, English learners, and foster and homeless students. Program design elements are outlined below.

- Information about VIP is advertising through *Employee Zone*, *District Updates*, *Building Futures*, Peach Jar flyers, and numerous media coverage avenues.
- CCR is partnering with the Goal 2 Department to connect VIP for secondary students through after-school clubs.
- CCR is sharing VIP information with Parent University to ensure resources reach our community members in their home language.
- Special Education teachers on special assignment are included in the content development process to ensure accommodations and accessibility for all students.
- After-school staff and Teaching Fellows are calling all site English Learners, Foster/Homeless, and African American students, extending an invitation to participate in VIP and offering additional assistance to students and families in the design thinking process.
- CCR coordinated with site principals on a School Messenger script for site families to receive VIP information from their home school leadership team.
- CCR connected with industry partners: Court Appointed Special Advocates, Transitions Children's Services, Fresno County Economic Opportunities

Commission, Youth Leadership Institute, and Reading and Beyond to reinforce communication from home school sites and district platforms.

- Professional Learning for after-school staff provided strategies and best practices for engaging specific student populations in design thinking.
- Sentence frames, pictures, videos, and graphic organizers are being developed for each VIP challenge to support literacy strategies.

The fall semester schedule provides four-week cycles:

- September 14 - October 9: Rapid Ideation Challenges - Learning the design thinking and engineering processes through rapid 30-minute challenges focusing on personal consumption within their homes and designing solutions to conserve energy and consume less water.
- October 12 – November 6: Energy Conservation Challenge- Creating solutions to consume less energy or create more renewable energy.
- November 9 – December 11: Farm-to-Table Challenge- Designing solutions to ensure all families have access to healthy, nutritional dietary options.
- January 4 – January 8: Winter Innovation Challenge @ Home- An engineering challenge will be released during the third week of winter break. Prizes will be awarded to grade-level winners based on creativity, innovation, and presentation skills.

Spring 2021 VIP challenges are being designed; the first spring challenge will launch on February 1, 2021. For ongoing updates, launch videos, grade level considerations, and more, visit the CCR website at: <https://ccr.fresnounified.org/vip/>

If you have any questions or require additional information, please contact Jeremy Ward at 248-7465.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 10/09/2020

Fresno Unified School District
Board Communication

BC Number SL-2

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Ed Gomes, Instructional Superintendent
Cabinet Approval: 

Date: October 09, 2020

Phone Number: 457-3781

Regarding: Fresno Unified Awarded Supporting Effective Educator Development Funding Through UnboundEd to Improve Middle School Leadership in Mathematics Instruction

The purpose of this communication is to provide the Board with information on the award of Supporting Effective Educator Development (SEED) grant funding to support Middle School Leadership in Mathematics. Funding is for three years.

The Department of Education awards SEED funding to increase the number of highly effective educators in implementation of evidence-based opportunities. In June of 2020, we applied for funding support to improve school leadership in mathematics instruction. This was an opportunity for Fresno Unified School District, during a time of budget challenges, to deliver high quality training to Middle School Leaders and some Elementary School Leaders on best practices to improve math instruction during the virtual learning setting along with in person instruction.

We received great news last week that UnboundEd has selected Fresno Unified for SEED funding. We are thrilled to be able to partner with UnboundEd on this three-year training to support Middle School math leadership. Below are some highlights of this opportunity:

- Virtual Standards Institute Summit starting in Winter of 2021 to improve knowledge base on mathematics content through state standards
- A 13-month cohort program, the **Equity Influencer Residency**, likely beginning in Winter or Spring of 2021
- Virtual, synchronous professional development and asynchronous professional development modules
- Bi-weekly project status meetings with district senior leadership
- Participating middle school principals, vice principals, and their supervisors

If you have any questions or require additional information, please contact Edward Gomes at 457-3781.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 10/09/2020

Fresno Unified School District
Board Communication

BC Number SL-3

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Brian Beck, Assistant Superintendent
Cabinet Approval: 

Date: October 09, 2020
Phone Number: 457-3226

Regarding: Distance Learning for Students Receiving Special Education Services

The purpose of this communication is to provide the Board with information regarding the implementation of Individualized Education Programs (IEPs) during Distance Learning.

The special education (SPED) staff has been working diligently since the start of the 2020/21 school year to meet the needs of students with disabilities who we know were disproportionately impacted by school closure in the spring. This work includes catching up on 1,634 IEP meetings that could not be held during that time which accounts for approximately 18% of district IEPs. As of October 7, staff had conducted 646 IEP meetings and reduced to approximately 11% with the goal of being entirely caught up by the end of the semester. These meetings are critical as they provide opportunity for staff and parents to look in depth at an individual student's progress toward goals and make adjustments.

In addition, SPED services are monitored closely to ensure that IEPs are implemented during distance learning. Fundamentally, students with disabilities are general education students first, who have additional supports and accommodations to access core curriculum and instruction, or an alternative program based on student need. To this end, the following actions have been taken:

- Each student is assigned a case manager who has the responsibility of monitoring IEP implementation by collaborating with teachers, service providers, and families.
- Students with disabilities follow the same distance learning schedules, participate in classes with their peers, and may receive additional support during the scheduled afternoon blocks.
- Specialized academic instruction service minutes are tracked in ATLAS.
- Related services (speech therapy, etc.) are documented in Service Tracker which is specialized software for tracking and reporting related IEP services.
- Eligibility assessments are conducted in-person and/or virtually.
- All after-school programs, electives, and other supplemental programs are available and accessible to students with IEPs, including any accommodations or supports necessary.
- Students receiving designated instructional services are being scheduled to receive in-person services with staff in cases where services are ineffective or unable to be provided remotely.

The SPED teachers and staff continue to work on behalf of students and families during distance learning to meet the needs of students while making plans for a return to in-person instruction as soon as health and safety conditions permit.

If you have any questions or require additional information, please contact Brian Beck at 457-3226.

Approved by Superintendent
Robert G. Nelson Ed.D. 

Date: 10/09/2020

Fresno Unified School District
Board Communication

BC Number SL-4

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Dr. Sean Virnig, Executive Director
Cabinet Approval: 

Date: October 09, 2020
Phone Number: 457-3227

Regarding: Special Education Digital Assessments

The purpose of this communication is to provide the Board with an update regarding Special Education eligibility assessments and the work to implement assessments digitally.

Special Education staff, including Psychologists, classroom teachers, and designated instructional services (DIS) staff conduct student assessments to determine special education eligibility. To streamline the assessment process and reduce the sharing of materials, the Special Education department (SPED) is exploring to what degree assessments can be conducted through digital means. At this point, the following actions have been taken:

1. **For classroom teachers:** Ordered digital versions of the Kaufman Test of Educational Achievement (KTEA) which is the academic assessment utilized by SPED classroom teachers.
2. **For Psychologists and DIS staff:** Formed a Digital Assessment Committee (DAC) to explore options as the digital forms of most current assessments used by staff are not compatible with district technology (i-Pad based).

The DAC is comprised of school psychologists, SPED teachers, and Instructional Technology staff, with teachers representing half of the Committee. To date, the DAC has completed the following:

- Met at least twice weekly beginning September 9, 2020.
- Contacted various assessment publishers for technical guidance and information.
- Conducted a districtwide survey September 16-21, 2020, to 490 SPED assessors that yielded a response rate of 71%.
- Identified in-person assessment and in-person electronic administration as the types of assessment that operationalize best practices for conducting digital SPED assessments. Moreover, remote assessments were not recommended as a primary method.
- Solicited purchase quotes from assessment publishers.
- Conducted further research on assessment use by other school districts and SELPAs.
- Thoroughly reviewed best practice recommendations from professional organizations.
- Identified and vetted assessments for purchase and implementation considerations for pricing, training opportunities, devices needed, and ease of use for staff and students.

On Friday, October 2, 2020, an email update of the committee's work was provided to all SPED assessors. The DAC expects to conclude their work and provide recommendations for next steps for implementing digital assessments by October 16, 2020.

If you have any questions or require additional information, please contact Dr. Sean Virnig at 457-3227.

Approved by Superintendent
Robert G. Nelson Ed.D. 

Date: 10/09/2020

Fresno Unified School District
Board Communication

BC Number OS-1

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Karin Temple, Chief Operating Officer
Cabinet Approval: *K Temple*

Date: October 09, 2020
Phone Number: 457-3134

Regarding: Update on Career Technical Education State Grants and Projects

The purpose of this communication is to provide the Board updated information regarding the status of State facility grants for the district's Career Technical Education (CTE) programs. On September 30, 2020, the State Allocation Board approved CTE facility grants for Fresno Unified, shown below.

School	Grant Award (millions)	Total Est. Project Cost (millions)	CTE Programs	Project Status
Duncan	\$3	\$14	Health Sci/Med Tech	Ready to advertise for bidding
Edison	\$6.3	\$17.5	Eng/Arch, Health Sci/Med Tech, Info/Comm	Project concepts developed, next steps programming and design
Fresno	\$1.9*	\$11	Eng/Arch	2-story, 18,000 sf building in construction, targeted for completion August 2021
Sunnyside	\$3	\$8	Health Sci/Med Tech	Project concepts developed, next steps programming and design

*The \$1.9 million is the third of three grants, for a total \$4.3 million grant award. The other programs to be housed in the Fresno High CTE facility are construction trades and arts/media/entertainment.

At the October 21, 2020 Board meeting, CTE and Facilities staff will present an update on the district's CTE programs and facilities including potential new facilities. The Board will have the opportunity to provide direction to staff to move forward with design/construction of the Duncan, Edison and/or Sunnyside projects. None of these projects has been identified for funding and therefore the Board would need to prioritize them. The projects were not identified for Measure M funding because, at the time Measure M projects were being discussed, the possibility of state grant funding was unknown. Funding for one or more of the CTE projects can be made available by reducing the scope of other future projects and focusing on highest priority needs.

If you have questions or need further information, please contact Karin Temple at 457-3134.

Approved by Superintendent
Robert G. Nelson Ed.D.

Robert G. Nelson

Date: 10/09/2020

Fresno Unified School District
Board Communication

BC Number OS-2

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Karin Temple, Chief Operating Officer
Cabinet Approval: *K Temple*

Date: October 09, 2020
Phone Number: 457-3134

Regarding: 2019/20 Law Enforcement Agreements

The purpose of this communication is to provide the Board information regarding payments made to law enforcement agencies with whom the district contracted during 2019/20, in response to an inquiry at the October 7, 2020 Board meeting.

Staff indicated to the Board during Spring 2020 budget discussions of the intent to negotiate with the Fresno Police Department (FPD) to pay 40% of the contracted cost for Police Officers on school campuses during the period of school closure. This was based on the district's estimate of the hours Officers were actively engaged in services. However, FPD did not agree, as the Officers continued to be dedicated to the school campuses and the City was continuing to bear the full cost to provide the assigned Officers. To avoid a breach of contract and potential disruption in the partnership, the total contracted amounts were eventually paid (50% of the cost of Officers assigned to middle schools and 95% of the cost of Officers assigned to high schools, per the agreements).

The district also had agreements with Fresno County for a Deputy Sheriff at Wawona K-8 School and Probation Officers on high school campuses. The County billed the district 40% of the contracted cost for the Deputy for the period March 16-June 30, 2020, and did not bill for the Probation Officers.

If you have questions or need further information, please contact Karin Temple at 457-3134.

Approved by Superintendent
Robert G. Nelson Ed.D.

Robert G. Nelson

Date: 10/09/2020