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Robert G. Nelson, Ed.D.

## **BOARD COMMUNICATIONS – MARCH 12, 2021**

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

### **SUPERINTENDENT – Robert G. Nelson, Ed.D.**

S-1 Robert G. Nelson Superintendent Calendar Highlights

### **ADMINISTRATIVE SERVICES – Santino Danisi, Interim Chief Financial Officer**

AS-1 Kim Kelstrom School Services Weekly Update Report for  
March 05, 2021

AS-2 Kim Kelstrom March Legislative Committee Meeting

### **EQUITY & ACCESS – Lindsay Sanders, Chief Equity & Access**

EA-1 Andrew Scherrer Diversity, Equity, and Inclusion Praxis Collaborative  
Update for Quarter 3

### **SCHOOL LEADERSHIP – Kim Mecum, Chief Academic Officer**

SL-1 Sandra Toscano New English Learner Resources

SL-2 Carlos Castillo Graham Yalle Visual and Performing Arts Academy  
Charter School Petition

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: March 12, 2021

Phone Number: 457-3884

Regarding: Superintendent Calendar Highlights

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

- Met with students in Ann Sin's advisory class at eLearn Academy to talk about leadership
- Met with Executive Cabinet and Cabinet teams
- Attended CART Annual Joint Board Meeting
- Participated in weekly call with Fresno County Superintendents
- Attended the virtual President's Advisory Board on African American Student Success at California State University Fresno
- Gave interview with Joe Garofoli, San Francisco Chronicle, regarding reopening of schools for a story to mark the one-year anniversary of California starting sheltering-in-place due to the pandemic
- Gave interview with Wealthy Gener, KSEE24, regarding hiring of Deputy Superintendent Misty Her
- Met with leadership from the following unions, CSEA, FTA, Trades, SEIU and IAMAW
- Attended the CORE Board Meeting

Approved by Superintendent  
Robert G. Nelson Ed.D.



Date: 03/12/21

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: March 12, 2021

Phone Number: 457-3907

Regarding: School Services Weekly Update Report for March 05, 2021

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 March 05, 2021 is attached and includes the following articles:

- Deal Reached on Reopening Grants – March 01, 2021
- California's Make-or-Break Reopening Has Arrived – March 04, 2021
- California Teacher Shortages Could Make Reopening Schools for In-Person Instruction Difficult – March 05, 2021

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: 03/12/21



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DATE: March 5, 2021

TO: Robert G. Nelson  
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: ***SSC's Sacramento Weekly Update***

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## **Governor Signs School Reopening and Expanded Learning Deal**

On Monday, March 1, 2021, Governor Gavin Newsom and legislative leaders announced they had reached a deal to provide \$2 billion for In-Person Instruction Grants and \$4.6 billion for Expanded Learning Opportunities Grants. The announcement ended months of negotiations between the Governor, the Legislature, and education stakeholders (see the “Deal Reached on Reopening Grants” *Fiscal Report* article below for the details of the bill).

This morning, Governor Newsom joined legislative leaders, State Superintendent of Public Instruction Tony Thurmond, and State Board of Education President Linda Darling-Hammond, at a virtual signing ceremony to sign [Assembly Bill \(AB\) 86](#) into law, which contains the provisions of the compromise.

As a budget bill, AB 86 went into effect immediately upon signature of the Governor.

## **Senate to Debate the American Rescue Plan Over the Weekend**

Into the wee hours of the morning last Saturday, February 26, 2021, the U.S. House of Representatives approved President Joe Biden’s \$1.9 trillion stimulus package, dubbed the “American Rescue Plan.” The vote was 219-212, with all Republicans voting no and all but two Democrats voting in the affirmative.

The relief package includes nearly \$129 billion for K–12 education via the Elementary and Secondary School Emergency Relief (ESSER) Fund. The ESSER dollars would be distributed in the same manner as the prior two apportionments whereby states must allocate at least 90% of their share to local educational agencies (LEAs) in proportion to their Title I, Part A funding. However, unlike the prior two iterations, the bill requires LEAs to set aside at least 20% of their funding to address learning loss, while the California Department of Education would be required to set aside 5% of its share to carry out activities to address learning loss.

The bill was sent to the Senate where it has already been amended. Once it is passed by the Senate, both chambers will have to reconcile those changes, likely with the House voting on the Senate version, before the relief package can go to President Biden for his signature. Some of the key amendments that the Senate made include removing the proposal to gradually raise the federal minimum wage to \$15 per hour (the Senate parliamentarian ruled that this proposal could not be done via the reconciliation process) and the narrowing of the criteria for who will receive a stimulus check, which was a concession made to conservative Democrats to ensure that they will vote for the bill.

In order for Senate Democrats to avoid a Republican filibuster (a parliamentary procedure that requires 60 votes to close debate) on this measure, they are moving the relief package through the budget reconciliation process. This process allows Senate Democrats to proceed without needing the support of 10 Republicans. However, before the Senate can officially vote on the bill, the reconciliation process requires up to 20 hours of debate where Senators on both sides of the aisle can offer amendments, which are then considered via an up or down vote. It is not expected that any amendments will be approved during this “vote-a-rama,” so once it is concluded the Senate will vote on the bill sometime this weekend. The measure is not expected to receive any Republican support, meaning Vice President Kamala Harris will likely have to cast the decisive 51<sup>st</sup> vote in order to approve the measure.

The Democrats have set a self-imposed deadline of March 14 to get this relief package signed into law, which is the day when the current \$300 federal unemployment benefit bonus expires. This means that they have just over a week to get the measure out of Congress and into the hands of President Biden for his signature in order to meet this deadline.

*Leilani Aguinaldo*

## Deal Reached on Reopening Grants

By Leilani Aguinaldo, Patti F. Herrera, EdD, Matt Phillips, CPA, and Dave Heckler  
School Services of California Inc. 's *Fiscal Report*  
March 1, 2021

On March 1, 2021, Governor Gavin Newsom announced a deal with the Legislature had been reached to provide \$2.0 billion for In-Person Instruction Grants and \$4.6 billion for Expanded Learning Opportunities Grants, bringing an end to months of negotiations between the Governor, the Legislature, and key education stakeholders who have prioritized safely reopening schools for millions of students across California. [Assembly Bill \(AB\) 86](#) was amended on March 1 to reflect the deal lawmakers came to over the weekend.

### In-Person Instruction Grants

In order to receive the In-Person Instruction Grants, local educational agencies (LEAs) must offer in-person instruction to students by April 1. An LEA that is unable to meet these requirements for in-person instruction by April 1 remains eligible for incrementally decreased grant amounts as long as the required in-person instruction is offered by May 15. The grant is reduced by 1% for each day of instruction between April 1 and May 15 that the LEA does not provide in-person instruction in accordance with grant requirements. An LEA forfeits the In-Person Instruction Grant if it does not offer in-person instruction by May 15 or if does not provide continuous in-person instruction through the remainder of the school year.

The table below identifies the requirements to offer in-person instruction as a condition of receiving the grant, based on the color tiers in the Blueprint for a Safer Economy.

	Purple	Red	Orange	Yellow
<b>Students</b>	Transitional Kindergarten (TK) – Grade 12 specialized cohorts*  TK – Grade 2 for adjusted daily case rate < 25 per 100,000	TK – Grade 12 specialized cohorts*  TK – Grade 5 or 6 (depending on local elementary school model)  At least one middle or high school grade level		
<b>Asymptomatic COVID-19 Testing</b>	Must conduct in accordance with the testing cadence in <a href="#">Table 3 of the K–12 School Guidance</a> (p. 43)	Must describe testing cadence in LEA COVID-19 Safety Plan (CSP)		

\*Specialized cohorts mean cohorts serving foster youth, homeless students, students at risk of neglect or abuse, English learners, disengaged students, students with disabilities, and students without access to technology to participate in distance learning

In a big shift compared to the prior proposals for the In-Person Instruction Grants (see [“SB 86 Provides Legislative Proposal for In-Person Instruction”](#) in the February 2021 *Fiscal Report*), the compromise includes no reference to a requirement for a collective bargaining agreement (CBA) as a condition of receiving the funds. However, LEAs should note that even in the absence of any explicit requirement for a CBA in order to be eligible for the grant, existing requirements to collaborate and negotiate with labor partners under the Educational Employment Relations Act (EERA) remain.

AB 86 contains two distinct grandfathering provisions. LEAs that are providing in-person instruction by April 1, or have a board adopted plan for in-person instruction by that date and have posted their COVID-19 Safety Plan (CSP), are not required to adopt the required testing cadence in the purple tier. A second provision specifies that neither the funding conditions nor the issuance of any nonmandatory guidance issued by the Department of Public Health requires LEAs that have publicly posted CSPs on or before March 31 to revise their plans.

The \$2.0 billion for the In-Person Instruction Grants will be distributed to LEAs in proportion to their Local Control Funding Formula (LCFF) entitlement. Funds will be distributed in May using 2020–21 First Principal (P-1) Apportionment and preliminary Fall 1 California Longitudinal Pupil Achievement Data System (CALPADS) data, and remaining funds will be distributed in August using 2020–21 Second Principal (P-2) Apportionment and final Fall 1 CALPADS data. In-Person Instruction Grants may be used until August 31, 2022. Grant recipients must report to the California Department of Education by June 1 on when they reopened for in-person instruction, and this certification will impact funds received in August. A look-up table is available below to view an estimate for the maximum amount of In-Person Instruction Grant your LEA may receive if you comply with the grant requirements by April 1.

### **Expanded Learning Opportunity Grants**

Much of the compromise for the Expanded Learning Opportunity Grant program aligns with previous proposals to provide \$4.6 billion for learning recovery (see “[Expanded Learning Time Grant Proposal Details Released](#)” in the January 2021 *Fiscal Report*). LEAs will receive \$1,000 for each homeless student enrolled, and after provided funds for the state special funds, the remaining \$4.6 billion will be distributed in proportion to an LEA’s LCFF entitlement. Like the formula for In-Person Instruction Grants, funding for the May and August allocations will be based on 2020–21 P-1 and P-2 Apportionments and Fall 1 preliminary and final CALPADS data.

The grants may be used for various strategies to accelerate learning and address student needs, such as extended learning time, professional development, programs to address social-emotional learning, and access to school meals. At least 85% of the funds must be used for activities provided in-person, and up to 15% of funds may be used for activities provided remotely. Similar to a requirement in Senate Bill (SB) 86, at least 10% of grant proceeds must be used to employ paraprofessionals, but full-time status is prioritized rather than required. If an LEA foregoes receiving the In-Person Instruction Grant, then up to ten percent of the Expanded Learning Opportunity Grant may be used for costs associated with reopening for in-person instruction.

Funds are available for use until August 31, 2022; however, LEAs will be required to adopt a plan by June 1, 2021, detailing the use of the Expanded Learning Opportunity Grant. A look-up table below is provided to see an estimate of your LEA’s share of the Expanded Learning Opportunity Grant.

### **Additional Details**

In addition to the details regarding the two grants, the legislation codifies the state’s prioritization of school staff for COVID-19 vaccines. The language also puts in statute the 10% set aside of vaccines for school staff that the Governor announced recently. Notably, the bill also states explicitly that vaccines for school staff are not a condition of reopening for in-person instruction, which is consistent with Governor Newsom’s statements throughout negotiations.

The announcement of a compromise between the Governor, the Senate, and the Assembly brings to a close months of negotiations that started at the end of December 2020, when the Governor first announced a plan to incentivize in-person instruction. The Legislature is expected to vote on the compromise this week. Once signed into law, the grants will provide LEAs with resources to support bringing more of California's students back to the classroom.

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*Note: After almost a year of living under COVID-19 restrictions, California is starting to gradually reopen the state back up due to declining coronavirus cases and an increase of vaccinations.*

## **California's Make-or-Break Reopening Has Arrived**

By Lauren Hepler, Ricardo Cano, and Ben Christopher  
*CalMatters*  
March 4, 2021

Lawmakers, businesses and educators are scrambling to understand California's latest surprise shift in pandemic strategy, directly tying economic reopening rules to getting more people in low-income communities vaccinated. The changes are technical — involving health index rankings and vaccine targets and case rates required for businesses to reopen — but the practical effect could be speeding up school and business reopenings.

As states like Texas abandon pandemic precautions altogether, Gov. Gavin Newsom is attempting to bounce back from California's deadliest bout of the virus by incorporating equity in distributing limited vaccine supply in a state where white, affluent people have disproportionately received early doses. The shift also rankled one union-aligned lawmaker who criticized the administration's timing of the announcement just before passage of a compromise school reopening plan.

Newsom, who appears to be facing a recall, defended the complexities of his administration's latest change.

"I wish, you know, I was Herman Cain and I had a 9-9-9 plan," Newsom said today at a press conference in Stockton, referring to the late Republican presidential candidate who ran on a single-sentence tax plan. "It should be complex in a state that happens to be the most diverse state in the world's most diverse democracy. It requires nuance. It requires specific strategies."

If it all works, the state's new reopening approach, which comes just weeks after a \$7.6 billion state stimulus deal, could help stabilize the working class, buoy struggling businesses and provide much-needed relief to working parents. But it's a tricky balancing act that economists say would defy past economic recoveries, which have widened inequality in the state.

### **Stabilizing businesses, relief to working parents**

Under the reopening plan first unveiled by state officials in a secretive late-night phone call on Wednesday, California will redirect 40% of vaccines to areas hit hardest by the virus. Once 2 million vaccines have been distributed in places that rank in the bottom 25% of a statewide Healthy Places Index, the four-level color-coded system that the state uses to set reopening rules will be relaxed slightly, allowing businesses to move faster from the most restrictive purple tier into the next tier, red, that allows for some indoor dining, gyms and other activities. Currently, 40 counties with 35 million people are in the purple tier.

If all goes well, state officials plan to ease requirements for counties to move into least restrictive orange and yellow tiers. Though the rules for which businesses may open in which tier are staying the same for now, Newsom's top economic adviser Dee Dee Myers said the state could ease rules for outdoor activities in the coming days and evaluate additional changes based on infection and vaccine trends.

"This will give us a chance to start to open those businesses cautiously, allow for more economic activity, bring people back to work, with safety as kind of the North Star," Myers said.

### **Pressure to reopen schools**

Across the state, school districts scrambled to understand what the combination of the new reopening bill and the changing reopening rules might mean for teachers, parents and students.

Relaxed rules to reach the red tier add pressure to local school districts to physically reopen campuses to older students sooner.

Most counties, if not all, could likely shift to the less-restrictive red tier by an April 1 deadline laid out under the school reopening deal struck by Newsom and the legislative leaders. That means that, in order to get their full share of the \$2 billion in incentive funds approved by lawmakers, schools would have to offer some in-person instruction to elementary students and at least one full middle- or high-school grade by the end of the month.

The timing of Newsom's announcement, which came just hours before the school vote, irked some allies of labor. Assemblymember Lorena Gonzalez, a San Diego Democrat, called the last-minute change dishonest given that the loosened schedule would force some schools to expand class sizes and increase in-person instruction time.

"So if you get calls from your teachers union a little upset, they have the right to be upset," Gonzalez said before voting for the bill. "You don't negotiate a deal and then change the parameters of that deal on the day that we're voting on it."

Lawmakers gathered in the morning to vote on an exhaustively negotiated school reopening bill, which passed the Senate, 36-0, and 72-4 in the Assembly, with all no's coming from Republicans.

### **Frustration mounts**

Though AB 86 passed both chambers with bipartisan support, several lawmakers questioned whether the bill went far enough to ensure all of California's K-12 students will have an opportunity for in-person instruction this spring. The deal does not require schools to physically reopen and leaves the decision to local boards, superintendents and labor unions. Frustrated parent advocates that have mobilized around the issue called the deal "a failure."

Sacramento Assemblymember Kevin Kiley, a Republican fresh off the release of new book "Recall Newsom: The Case Against America's Most Corrupt Governor," also took the opportunity to mount an attack.

"We are killing our kids for no good reason. Gavin Newsom's monstrous school closures are among the greatest government crimes of the 21st century," he said, without providing evidence of that claim.

Half of the state's 100 largest school districts currently plan to offer some in-person instruction to their students by the first week of April, according to a CalMatters tally. These districts are responsible for educating roughly 3.5 million students.

Six of California's 10 largest school districts – Long Beach, Capistrano, Elk Grove, Fresno, Corona-Norco and San Juan – will physically reopen for some students by the first week of April or are currently open.

Los Angeles, San Francisco and San Diego remain in negotiations with local unions for in-person returns. The San Bernardino City Unified school board voted in November to remain in distance learning for the rest of the school year.

### **Businesses scramble — again**

Many business groups around the Capitol were still racing to understand what, exactly, the latest reopening plan meant. One early voice calling for clarity was the state's tourism lobby, which asked for longer-term guidance on events in a letter highlighting the sector's role bringing in \$66 billion in spending the year before the pandemic. In an echo of salons, craft brewers and other industries who have sued over state reopening rules, tourism agencies and hotels that signed onto the letter blamed officials' lack of precision for hurting business.

"This silence sends a misleading signal that California is closed indefinitely," wrote the authors of the letter distributed by the California Travel Association. "Other states are exploiting this perception to poach corporate meeting(s) and events that would otherwise take place in California in 2022 and well into the future."

Some community and labor groups that have been forced to quickly scale up direct services to out-of-work Californians offered tentative support.

In San Jose, Maria Noel Fernandez has cultivated a team of several dozen people working on collaborative efforts to demystify and translate public health guidance for small businesses and their employees. There's been more reason for optimism lately with more vaccines arriving and talk of jobs coming back.

"There's desperation for the vaccine, and I think the cutting in line and what's being seen across the state is very real, but it's reflective of where we all are: We want to get out of this pandemic," said Fernandez, director of organizing and civic engagement for labor group at the Partnership for Working Families. "What's more encouraging is seeing actual clinics opening up in these communities. Action is what gives me hope."

The biggest challenge for the state, said economist Sarah Bohn, will be juggling the survival of small businesses and increasing hiring with more difficult long-term challenges like closing race and income gaps.

"We can't just aim at getting back to the unemployment rate before this started," said Bohn, vice president of research and a senior fellow at the Public Policy Institute of California. "History is kind of against us in an equitable recovery."

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*Note: According to a study released by the Learning Policy Institute, a decrease in the number of teacher candidates earning credentials, as well as the possibility of increased retirements and resignations, will make it difficult for schools to hire all the teachers they need as they implement their reopening plans.*

## **California Teacher Shortages Could Make Reopening Schools for In-Person Instruction Difficult**

By Diana Lambert  
*EdSource*  
March 5, 2021

The ongoing teacher shortage, exacerbated by the Covid-19 pandemic, means more under-prepared teachers will be in California classrooms when school campuses fully reopen, according to a study released today by the Learning Policy Institute.

A decrease in the number of teacher candidates earning credentials, as well as the possibility of increased retirements and resignations, will make it difficult for schools to hire all the teachers they need, according to the report — “California Teachers and Covid-19: How the Pandemic is Impacting the Teacher Workforce.”

It will be particularly difficult to find teachers for special education, math, science and bilingual education, subjects that historically have had teacher shortages, the report states.

The shortage of teachers could make it difficult to reopen campuses, which are required to have smaller class sizes to accommodate physical distancing. Additional teachers are also needed to tutor students who fell behind academically during distance learning, according to the report.

In a few cases, California school districts that have already reopened campuses have had to close them again because of a shortage of teachers and substitutes.

“The Covid-19 pandemic has further strained an already faltering pipeline of qualified teachers,” said Linda Darling-Hammond, president of both the Learning Policy Institute and the State Board of Education.

Since 2015, teacher shortages have continued to grow across the country, Darling-Hammond said. There has been a sharp decrease in the number of people going into teacher preparation programs as well as high attrition rates, she said. To fill vacancies, school districts hired under qualified teachers working on waivers or on intern, limited-assignment, short-term or provisional intern permits.

Teachers working with provisional intern permits and intern credentials have not completed the testing, coursework and student teaching required for a preliminary or clear credential. Limited assignment permits and waivers allow credentialed teachers to teach outside their subject areas to fill a staffing need.

Because the short-term permits and provisional intern permits can be issued only if a credentialed teacher cannot be found, they are a strong indicator of teacher shortages, said Desiree Carver-Thomas, one of the authors of the report.

Between 2012 and 2019 the number of teachers in the state working with “substandard” credentials increased from 4,724 to 13,912, according to data from the California Commission on Teacher Credentialing. The

number working on provisional intern and short-term staffing permits increased seven-fold, Carver-Thomas said.

“These teachers, who have not completed preparation for teaching, are likely to be less knowledgeable about how to close growing learning gaps caused by the pandemic crisis,” states the report.

Researchers from the Learning Policy Institute interviewed school superintendents and human resources administrators from the state’s eight largest school districts and nine of the state’s small rural districts for the report. The districts surveyed serve more than a third of the state’s students, according to researchers.

The school officials said the biggest hurdle to earning a teaching credential for teacher candidates is the required tests, as well as the need for additional financial assistance to complete teacher preparation programs.

Since the pandemic began many teacher candidates have been unable to complete required exams because testing centers were either closed or had a backlog of appointments due to social distancing requirements. Others have not been able to complete student teaching or required coursework because school campuses are closed.

Since last March, when communities went into lockdown because of the Covid-19 outbreak, the California Commission on Teacher Credentialing, state legislators and Gov. Gavin Newsom have taken a number of actions designed to help teacher candidates move into the classroom and prevent a worsening of the teacher shortage.

Prior to the pandemic, about 40% of students seeking to become teachers gave up because they failed to pass the required tests at various steps along the path to getting their credential, according to [data](#) from the California Commission on Teacher Credentialing. For prospective math or science teachers, that number was about 50%.

The report’s authors also said that teachers are retiring early or resigning because of the steep learning curve needed to transition to distance and hybrid teaching. Other teachers have indicated they might retire early if in-person instruction begins before they feel safe returning to school campuses, Carver-Thomas said.

Teachers also are leaving the profession because their workloads have increased, causing teacher burnout, according to district officials interviewed for the report. They say teacher workloads have doubled since the pandemic, in part because of the extra hours required to design lesson plans for in-person as well as for distance learning instruction.

A lack of substitute teachers on top of considerable teacher shortages could upend efforts to reopen schools for in-person learning, Carver-Thomas said. The substitute shortage has grown worse during the pandemic, especially for smaller, rural districts.

Substitutes are leaving because they are tired of waiting to be called for the scarce jobs available during distance learning or are uncomfortable with the technology required, according to an EdSource report. Some substitutes in districts that have reopened campuses fear returning to the classroom during the pandemic or can’t find child care for children who are home half the week in hybrid instruction.

“Teacher shortages were not created overnight, nor will they be solved with quick, band-aid solutions,” Carver-Thomas said. “Policymakers should attend to both long-term solutions for growing a high-qualified teacher workforce and to meeting the immediate needs of a state school system reeling from a year of instability and strife.”

The report recommends:

- The state continue to invest in scholarships for teachers who work in low-income communities or who teach subjects with a shortage of teachers; teacher residency programs; and district programs that help school staff earn a bachelor’s degree and teaching credential.
- The state reduce the number of tests required to earn a teaching credential and allow teacher candidates to demonstrate their competence with coursework instead of exams, in most cases.
- School districts hire more teachers and staff to decrease workloads. Offer incentives for substitute teachers, including increasing their pay and paying for their training. School districts should also offer high-quality professional development to support teachers in distance learning and hybrid instruction, among other things.

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: March 12, 2021

Phone Number: 457-3907

Regarding: March Legislative Committee Meeting

The purpose of this communication is to provide the Board information shared at the March 04, 2021 Legislative Committee Meeting.

**Economic and Budget Update** – Ms. Leilani Aguinaldo provided an update on the Governor’s budget and economic outlook.

The Governor’s early incentive proposals to return to school have been revised by the legislature and submitted as AB 86 which was signed by the Governor on March 05, 2021. In-Person Instruction Grants provide \$2 billion to offer in-person instruction to students by April 01, 2021 and is reduced by 1% for each day of instruction between April 01, 2021 and May 15, 2021. School districts that have spring break in the first week of April will be allowed to begin on the first regular day of instruction. In addition, the Expanded Learning Opportunity Grant provides \$4.6 billion for learning recovery and can be used for various strategies to accelerate learning and address student needs.

The State Board of Education is considering applying for a federal assessment and accountability waiver for the 2020/21 school year. The waiver will request the following: waive federal penalties if the student participation rate for the English Language Arts and Mathematics Smarter Balanced assessments are below 95%; extend the 2020/21 testing window for the California Assessment of Student Performance and Progress exams and the English Language Proficiency Assessments for California to July 30, 2021; waive the California Science Test for 2020/21; and allow schools identified for Comprehensive School Improvement to continue with this status for an additional year.

The Department of Finance reports for the first seven months of the fiscal year, state revenues are \$10.5 billion above projections and \$1.1 billion have already been apportioned through the Governor’s Golden State Stimulus.

**Legislative Update** – Ms. Aguinaldo provided an update on the legislative process. The following bills were discussed:

- AB 599 (Jones-Sawyer) – Williams Settlement – (Watch) – Establishes a new list of schools in compliance with the Williams settlement that would require county superintendents to annually inspect those schools and submit a report.
- AB 1284 (Rubio, Blanca) Certificated School Employees Permanent Status – (No Position) – Extends the probationary period for certificated employees from two years to three years and allows the probationary period to continue for up to five school years.
- AB 1505 (Rodriguez) Certificated School Employee Evaluation COVID-19 Exemptions – (No Position) – Requires school districts that closed schools during the pandemic to exempt all certificated employees with permanent status from formal evaluations.
- SB 224 (Portantino) Mental Health Education – (Watch) – Requires all students to receive mental health education at least once in elementary school, middle school, and in high school.

- SB 309 (Leyva) College Readiness – (No Position) – Establishes the A-G Completion Improvement Grant Program, a \$200 million program to provide additional supports to help increase the number of pupils completing A-G requirements.
- SB 532 (Caballero) High School Coursework and Graduation Requirement Exemptions – (Support) – Requires districts to inform homeless or foster students of their rights to remain at school for a fifth year to graduate.
- SB 545 (Wilk) Pupil Retention COVID-19 Impact – (No Position) – Authorizes parents to proactively seek to retain their student in 2021/22 due to the pandemic.
- SB 723 (Rubio) Tutoring Program Learning Loss Mitigation – (No Position) – Requires the California Department of Education to administer the tutoring program to provide supplemental individualized learning assistance to address COVID-19 learning loss.
- AB 516 (Dahle, Megan) Excused Absences for Cultural Ceremonies or Events – (Watch) – Adds participation in a cultural ceremony or event to the list of required excused absences.
- SB 732 (Bates) Broadband – (Support) – Requires the California Department of Education to develop a program for districts to issue no-cash vouchers to assist those households with the impacts of distant or remote learning due to the pandemic. The vouchers may be used to purchase broadband service or the hardware and software necessary to enable eligible students to accomplish distant or remote learning.
- AB 531 (Quirk-Silva) Unspent Local Control Funding Formula Supplemental and Concentration Grants – (No Position) – Requires districts to identify and report unspent supplemental and concentration grants and carryover funds in the following year to improve services for unduplicated pupils.
- AB 533 (Quirk-Silva) Tracking Unspent Local Control Funding Formula Supplemental and Concentration Grants – (No Position) – Requires the California Department of Education to develop a tracking mechanism to report types of services utilized with supplemental and concentration grant funds.
- AB 839 (O'Donnell) Career Technical Education – (Support) – Changes funding for the Career Technical Education Incentive Grant starting in 2021/22.
- AB 1112 (Carrillo) Before and After School Programs – (Watch) – Requires the department to establish an annual process and methodology for determining amounts and daily rates by July 01, 2023.
- SB 692 (Cortese) Local Control and Accountability Plans State Priorities – (No Position) – Adds a state priority and indicator for least restrictive environment, as measured by the percentage of pupils ages 6-21 with Individualized Educational Programs who are served inside a regular classroom at least 80% of the day.
- AB 508 (Rivas, Luz) Reduced-Price Meals – (Support) – Requires a school district to provide free meals to students eligible for reduced-priced meals.
- AJR 8 (Rivas, Luz) Federal National School Lunch Program – (Support) – Urges the federal government to provide school lunches free of charge to all elementary, middle, and high school students in the United States.
- SB 364 (Skinner) End Child Hunger Act of 2021 – (Support) – Establishes a program that allows free breakfast and lunches to continue to beyond the pandemic.
- AB 102 (Holden) Dual Enrollment – (Support) – Extends dual-enrollment at school districts indefinitely.

The School Services Legislative Committee March 2021 report is attached. The next Legislative Committee meeting is scheduled for April 01, 2021. If you have any questions or require further information, please contact either Kim Kelstrom at 457-3907 or Santino Danisi at 457-6225.

Approved by Superintendent

Robert G. Nelson Ed.D.



Date: 03/12/21

# Fresno Unified School District

**LEGISLATIVE COMMITTEE MEETING  
MARCH 4, 2021**

**2021-2022 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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**March 3, 2021**

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# The FISCAL REPORT an informational update

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## Deal Reached on Reopening Grants

By Leilani Aguinaldo, Patti F. Herrera, EdD, Matt Phillips, CPA, and Dave Heckler  
 March 1, 2021

On March 1, 2021, Governor Gavin Newsom announced a deal with the Legislature had been reached to provide \$2.0 billion for In-Person Instruction Grants and \$4.6 billion for Expanded Learning Opportunities Grants, bringing an end to months of negotiations between the Governor, the Legislature, and key education stakeholders who have prioritized safely reopening schools for millions of students across California. [Assembly Bill \(AB\) 86](#) was amended on March 1 to reflect the deal lawmakers came to over the weekend.

### In-Person Instruction Grants

In order to receive the In-Person Instruction Grants, local educational agencies (LEAs) must offer in-person instruction to students by April 1. An LEA that is unable to meet these requirements for in-person instruction by April 1 remains eligible for incrementally decreased grant amounts as long as the required in-person instruction is offered by May 15. The grant is reduced by 1% for each day of instruction between April 1 and May 15 that the LEA does not provide in-person instruction in accordance with grant requirements. An LEA forfeits the In-Person Instruction Grant if it does not offer in-person instruction by May 15 or if does not provide continuous in-person instruction through the remainder of the school year.

The table below identifies the requirements to offer in-person instruction as a condition of receiving the grant, based on the color tiers in the Blueprint for a Safer Economy.

	Purple	Red	Orange	Yellow
<b>Students</b>	Transitional Kindergarten (TK) – Grade 12 specialized cohorts* TK – Grade 2 for adjusted daily case rate < 25 per 100,000	TK – Grade 12 specialized cohorts* TK – Grade 5 or 6 (depending on local elementary school model) At least one middle or high school grade level		
<b>Asymptomatic COVID-19 Testing</b>	Must conduct in accordance with the testing cadence in <a href="#">Table 3 of the K–12 School Guidance</a> (p. 43)	Must describe testing cadence in LEA COVID-19 Safety Plan (CSP)		

\*Specialized cohorts mean cohorts serving foster youth, homeless students, students at risk of neglect or abuse, English learners, disengaged students, students with disabilities, and students without access to technology to participate in distance learning

In a big shift compared to the prior proposals for the In-Person Instruction Grants (see [“SB 86 Provides Legislative Proposal for In-Person Instruction”](#) in the February 2021 *Fiscal Report*), the compromise includes no reference to a requirement for a collective bargaining agreement (CBA) as a condition of receiving the funds. However, LEAs should note that even in the absence of any explicit requirement for a CBA in order to be eligible for the grant, existing requirements to collaborate and negotiate with labor partners under the Educational Employment Relations Act (EERA) remain.

AB 86 contains two distinct grandfathering provisions. LEAs that are providing in-person instruction by April 1, or have a board adopted plan for in-person instruction by that date and have posted their COVID-19 Safety Plan (CSP), are not required to adopt the required testing cadence in the purple tier. A second provision specifies that neither the funding conditions nor the issuance of any nonmandatory guidance issued by the Department of Public Health requires LEAs that have publicly posted CSPs on or before March 31 to revise their plans.

The \$2.0 billion for the In-Person Instruction Grants will be distributed to LEAs in proportion to their Local Control Funding Formula (LCFF) entitlement. Funds will be distributed in May using 2020–21 First Principal (P-1) Apportionment and preliminary Fall 1 California Longitudinal Pupil Achievement Data System (CALPADS) data, and remaining funds will be distributed in August using 2020–21 Second Principal (P-2) Apportionment and final Fall 1 CALPADS data. In-Person Instruction Grants may be used until August 31, 2022. Grant recipients must report to the California Department of Education by June 1 on when they reopened for in-person instruction, and this certification will impact funds received in August. A look-up table is available below to view an estimate for the maximum amount of In-Person Instruction Grant your LEA may receive if you comply with the grant requirements by April 1.

### **Expanded Learning Opportunity Grants**

Much of the compromise for the Expanded Learning Opportunity Grant program aligns with previous proposals to provide \$4.6 billion for learning recovery (see [“Expanded Learning Time Grant Proposal Details Released”](#) in the January 2021 *Fiscal Report*). LEAs will receive \$1,000 for each homeless student enrolled, and after provided funds for the state special funds, the remaining \$4.6 billion will be distributed in proportion to an LEA’s LCFF entitlement. Like the formula for In-Person Instruction Grants, funding for the May and August allocations will be based on 2020–21 P-1 and P-2 Apportionments and Fall 1 preliminary and final CALPADS data.

The grants may be used for various strategies to accelerate learning and address student needs, such as extended learning time, professional development, programs to address social-emotional learning, and access to school meals. At least 85% of the funds must be used for activities provided in-person, and up to 15% of funds may be used for activities provided remotely. Similar to a requirement in Senate Bill (SB) 86, at least 10% of grant proceeds must be used to employ paraprofessionals, but full-time status is prioritized rather than required. If an LEA foregoes receiving the In-Person Instruction Grant, then up to ten percent of the Expanded Learning Opportunity Grant may be used for costs associated with reopening for in-person instruction.

Funds are available for use until August 31, 2022; however, LEAs will be required to adopt a plan by June 1, 2021, detailing the use of the Expanded Learning Opportunity Grant. A look-up table below is provided to see an estimate of your LEA's share of the Expanded Learning Opportunity Grant.

### **Additional Details**

In addition to the details regarding the two grants, the legislation codifies the state's prioritization of school staff for COVID-19 vaccines. The language also puts in statute the 10% set aside of vaccines for school staff that the Governor announced recently. Notably, the bill also states explicitly that vaccines for school staff are not a condition of reopening for in-person instruction, which is consistent with Governor Newsom's statements throughout negotiations.

The announcement of a compromise between the Governor, the Senate, and the Assembly brings to a close months of negotiations that started at the end of December 2020, when the Governor first announced a plan to incentivize in-person instruction. The Legislature is expected to vote on the compromise this week. Once signed into law, the grants will provide LEAs with resources to support bringing more of California's students back to the classroom.

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**Ask SSC . . .**

**Will Spring Break Harm Our In-Person Instruction Grant Funds?**

By Michelle McKay Underwood  
March 2, 2021

**Q.** Our district has a scheduled break from March 29 – April 9. We already have board approval for an April 12 start date for hybrid in-person instruction. For In-Person Instruction Grant purposes, will we be penalized the 1% per day if we don't provide in-person instruction on the days we are on spring break?

**A.** No. Assembly Bill 86 and Senate Bill 86 state that you must offer in-person instruction based on the scheduled instructional days in your school calendar as of March 1, 2021 (see "[Deal Reached on Reopening Grants](#)" in the March 2021 *Fiscal Report*). April 1 falls within the spring break period for many local educational agencies, and the legislation accounts for that as follows:

43521 (c)(2)(B) (i) From April 1, 2021, to May 15, 2021, inclusive, a local educational agency's apportionment of funds pursuant to paragraph (1) shall be reduced by 1 percent for each day of instruction provided for in the school calendar that the local educational agency does not provide in-person instruction pursuant to paragraph (3), as identified in the school calendar adopted for the 2020–21 school year that is in effect on March 1, 2021.

Since you already had that break of instructional days built into your calendar, you will not be penalized.

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**Ask SSC . . .**

**My County Just Reached the Red Tier. How Long  
Do I Have to Reopen My Schools?**

By Leilani Aguinaldo and Patti F. Herrera, EdD  
February 25, 2021

The [California Department of Public Health guidance](#) for reopening schools for in-person instruction was recently updated to allow for a three-week window for reopening when a school is eligible. Under the prior version of the guidance that was issued on January 14, 2021, once a county reached the red tier, schools had to wait five days before they were eligible to reopen for in-person instruction. With the latest revision to the guidance, schools may reopen the day after their county has reached the needed threshold to allow reopening. This applies to counties that reach the red tier, in which case all schools operating grades transitional kindergarten (TK)–12 may reopen. It also applies for counties with a case rate that falls below 25 per 100,000, in which case grades TK–6 are allowed to reopen in the purple tier as long as certain criteria are met. The local educational agency (LEA) must submit its completed COVID-19 Safety Plan to the local health officer and state Safe Schools for All Team to start the elementary reopening process, which applies in the purple tier only.

The three-week window for reopening starts the Wednesday after a county meets the needed threshold. Once the three-week window starts, schools may reopen anytime within that period, even if the county falls back into the purple tier or if adjusted case rates increase beyond 25 per 100,000 during that time.

Instituting a three-week period to reopen allows for LEAs to move forward with planning and final preparations without feeling rushed to reopen within a few days because of the worry that the county case rates may rise above the threshold again. Hopefully this revision will provide some stability for LEAs that currently are waiting to reopen.

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**SBE to Seek a Federal Accountability Waiver  
and Assessment Flexibilities**

By Kyle Hyland  
February 26, 2021

The State Board of Education (SBE) held a meeting on Wednesday, February 24, 2021, to consider the state’s options to pursue a federal assessment and accountability waiver for the 2020–21 school year.

The meeting came just two days after the U.S. Department of Education (ED) sent a [letter](#) to all chief state school officers that frames the assessment and accountability waivers and flexibilities that the ED will consider for the current school year.

The ED is inviting states to apply for an accountability waiver, which would allow states to forgo the implementation and reporting of assessment results in their accountability system as part of federal requirements. States also would not be required to identify schools for federal comprehensive support and improvement, targeted support and improvement, and additional targeted support and improvement.

However, the letter stipulates that the ED is not inviting blanket assessment waivers for the 2020–21 school year. Instead, they recommend states use their flexibility to administer shortened assessments, offer remote administration, and extend testing windows. The rationale for not offering blanket waivers is that the ED wants to provide information to parents, educators, and the public about student performance and also to help target resources and supports. Despite this, the letter also states, “certainly, we do not believe that if there are places where students are unable to attend school safely in person because of the pandemic that they should be brought into school buildings for the sole purpose of taking a test.”

The SBE adopted a condensed version of the English language arts (ELA) and mathematics Smarter Balanced assessments in November 2020 in response to the Trump Administration’s letter telling states not to expect testing waivers for 2020–21 (see “[SBE Adopts Condensed Smarter Balanced Exams for Spring 2021](#)” in the November 2020 *Fiscal Report*). The short forms of the summative assessments were adopted to maximize flexibility for local educational agencies (LEAs) to administer the tests given the variety of instructional models applied across the state, with LEAs offering either distance learning, in-person instruction, or a hybrid model.

In response to the federal guidance letter, the SBE passed several motions to direct California Department of Education staff to send a waiver request to the ED that, if approved, will remove

the high stakes federal accountability requirements. California's waiver request to the ED will include the following:

- Decouple federal accountability requirements from this year's assessments, including suspending the requirement to identify schools for support and improvement using 2020–21 data
- Waive federal penalties if the student participation rate for the ELA and mathematics Smarter Balanced assessments are below 95%
- Extend the 2020–21 test administration window for the California Assessment of Student Performance and Progress (CAASPP) exams and the English Language Proficiency Assessments for California (ELPAC) to July 30, 2021
- Waive the California Science Test for the 2020–21 school year

Additionally, at its March 17–18 meeting, the SBE will consider a plan for 2020–21 school year assessments that provides data to parents, educators, and the public by monitoring the progress of students in ELA and math. The SBE seeks to be able to uniformly report this assessment data in both aggregated and disaggregated forms. In the meantime, as the SBE continues to deliberate the assessments plan, the testing window for the Smarter Balanced assessments opened on February 22, 2021, and some LEAs have already begun administering the summative math assessment.

It is important to note that if the ED does approve the waiver, those flexibilities would only extend to the federal accountability and assessment requirements. State legislation or an executive order from Governor Gavin Newsom would be needed in order to waive the state accountability and assessment requirements that are in California statute. Under current state law, the requirement to administer the CAASPP and ELPAC this school year still remains.

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## DOF Releases February Finance Bulletin

By Robert McEntire  
February 19, 2021

The Department of Finance issued its first monthly *Finance Bulletin* of the 2021 calendar year. It memorializes the financial results for the first seven months of the 2020-21 fiscal year, while providing a summary of changes in economic conditions in the 2020 calendar year.

The *Finance Bulletin* highlighted that the economic decline in 2020 was driven chiefly by losses in service sector jobs, causing U.S. gross domestic product (GDP) to fall by 3.5%, making it the largest decrease in modern history. Labor conditions at the state and national level rebounded considerably, but labor participation rates have dropped 2.0 percentage points below the prior year. Slower than expected growth in November and December caused California's unemployment rate to reach 9.0% in December (up 0.9 percentage points) compared to 6.3% across the U.S. in January 2021. There are 5.6 million fewer people employed nationally and 1.5 million fewer Californians employed in December than in February 2020. Nearly a third of Californians who remain unemployed have left the labor force.

Housing units authorized in California averaged 102,800 per month in 2020, an 8.8% dip from 2019. Segregation of the data shows that single-family units increased 0.3% to 58,500, while multifamily units decreased by 18.5% to 44,300. Consistent with recent history, limited supply and low-interest rates continue to contribute to increasing housing prices. California's median average home price for a single-family home grew 11.3% to \$659,380 in 2020. Median home prices at year-end were \$717,930, setting new record highs five times for the year. As one would expect, high sales volume often corresponds with price increases, and home sales volume averaged 411,870 units in 2020, 3.5% over the prior year.

A booming economy and housing market often spark concerns about inflation. However, annual inflation slows at the state and federal levels, with California slowing from 3.0% in 2019 to 1.7% in 2020. National inflation also slowed from 1.8% in 2019 to 1.2% in 2020.

Despite minor slowing in recovery over November and December, the state's General Fund continues to enjoy robust revenues that outperform the forecasted numbers used in the recently-released 2021–22 Governor's Budget proposal. For the first seven months of the year, state revenues are \$10.5 billion (9.9%) above projections, while revenue collections from January are \$7.45 billion (40.9%) higher than forecast. Closer examination of the "Big Three" taxes year-to-date show personal income tax (PIT) receipts are \$9.8 billion above estimates while sales and use tax (SUT) and corporation tax (CT) receipts are \$167 million and \$493 million over their forecast,

respectively. The *Finance Bulletin* notes that \$1.1 billion of the overages have already been apportioned through the Governor’s Golden State Stimulus.

As an education community, we should take a moment to enjoy positive news—even if the moment is brief. Recent media attention has focused on the idea that continued stimulus will overheat the economy and drive-up inflation which would impact prices of goods and services, and ultimately impact the major indices of the stock market. The next major marker for tax collections will be April when taxpayers make their final tax payments for the 2020 calendar year. At that point, the financial landscape will be much clearer, and we’ll know whether the recent revenue collections were simply an acceleration of tax payments, or if California’s revenues are really that strong.

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## Newsom's Budget Promotes Universal TK

By Patti F. Herrera, EdD, and Matt Phillips, CPA  
March 1, 2021

When Governor Gavin Newsom unveiled his 2021–22 State Budget proposal on January 8, 2021, he proposed financial incentives for local educational agencies (LEAs) to expand access to pre-kindergarten programs for four-year-old children in their communities through transitional kindergarten (TK). His investments follow on the recommendations included in the recently released Master Plan for Early Learning and Care, which he championed, to achieve universal preschool through TK for all four-year-olds in California—an early campaign promise.

While the Governor's proposal falls shy of this important, if not lofty goal, he wants California to take some critical steps toward achieving it through three investments that aid in the operation of expanding TK, ensuring that there are sufficient facilities to house students, and increasing the number of highly qualified teachers to teach them.

### TK Budget Package

Specifically, the Governor's budget package includes:

- \$250 million in one-time Proposition 98 funds to provide incentive grants equal to 50% of the Local Control Funding Formula (LCFF) K–3 grade span base grant and an LEA's entitlement to supplemental and concentration grants to pay for the cost of expanding TK to four-year-olds whose 5th birthdays occur after December 2. The incentive grants would be provided over a three-year period beginning in 2022–23.
- \$200 million in one-time non-Proposition 98 funds to provide grants to build new or renovate existing classrooms with priority for expanded TK programs and full-day kindergarten programs.
- \$50 million in one-time Proposition 98 funds to increase the number of teachers eligible to teach TK and provide training for TK and kindergarten teachers to support inclusive classrooms, dual language learners, and key pedagogical practices relating to social-emotional learning, trauma, restorative justice, and implicit bias.

In addition to these financial incentives, Governor Newsom proposes to grant authority to the Commission on Teacher Credentialing to evaluate how LEAs are complying with the requirements that teachers first assigned to a TK classroom after July 1, 2015, either have 24 units in early

childhood education or child development, professional experience serving preschool-age children equivalent to 24 units, or a child development teacher permit. And as a result of COVID-19's impact on the teaching profession and in recognition of the state's stubborn teacher shortage crisis, the Governor proposes extending the deadline for all teachers subject to the requirement to comply by two additional years, to August 1, 2023.

### **Building on Earlier TK Policies**

Newsom's TK budget package signifies his commitment to his early campaign promises to improve California's early learning system and builds on prior state policy changes that paved the path for universal TK. Two previous budget actions have had a significant impact on expanding TK.

- **Funding for Expanded TK.** In 2015, the state authorized LEAs to enroll at any time during the school year any four-year-old whose 5th birthday occurs after December 2 in TK and generate average daily attendance for apportionment purposes for them after they turn five years old (see "[Expanded Transitional Kindergarten: New Opportunity for Districts](#)" in the October 2015 *Fiscal Report*).

While this authority opened the door for many LEAs to expand TK, the prorated funding provisions, or absence of funding in some examples, inhibited their ability to do so on a wide-scale basis because the cost of expanding TK was more than the funding they would receive. Thus, the Governor's limited-time incentive grants would cover much of the currently unreimbursed costs LEAs bear when they enroll young TK students.

- **Commingling TK and State Preschool.** One of the ways LEAs have been able to take advantage of the authority to expand TK through early enrollment is through additional authority to commingle TK and State Preschool classes that serve both types of students. State policy now authorizes LEAs to:
  - Be exempt from childcare facilities licensing requirements for classes serving four-year-olds as long as the facilities meet kindergarten and Field Act requirements
  - Enroll State Preschool children in a TK program as long as they are not receiving funding from both programs simultaneously

These two policy shifts removed significant barriers to expanding TK, such as different facilities standards that would otherwise bar them from housing younger four-year-olds and enrolling State Preschool-eligible students in TK so as to leverage a funding stream to pay for the part of the year that those students do not generate LCFF funding.

Again, the Governor's 2021–22 TK budget package advances efforts toward universal TK, but falls shy of achieving it in full. However, Assembly Member Kevin McCarty (D-Sacramento)—a long-standing early learning advocate—introduced [Assembly Bill \(AB\) 22](#) that over a period of time would expand TK access to every four-year-old in the state.

The Governor's proposed investments, as well as AB 22, pique the interest of LEAs experiencing year-over-year declines in student enrollment, creating a funding crisis for them as their yearly

LCFF apportionments get reduced. Even more, the COVID-19 pandemic appears to have had a disproportionate effect on TK and kindergarten enrollment as parents struggle to help young children navigate online instruction or don't want to expose them to hours of screen time. The effects of natural declining enrollment, exacerbated by the pandemic-induced drops in student enrollment, will continue to impact LEA funding for the coming years. For these LEAs, securing additional students through expanded TK may be just what they need.

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## Changes to Unspent Supplemental and Concentration Grants on the Horizon

By Leilani Aguinaldo, Brianna García, and Robert McEntire, EdD  
February 17, 2021

The Department of Finance recently released trailer bill language following the 2021–22 Governor’s Budget proposal that attempts to address concerns surrounding unspent Local Control Funding Formula (LCFF) supplemental and concentration grant funds and ensure agencies meet their minimum proportionality percentage (MPP) requirement by serving the students who generated them. In his [veto message](#) of Assembly Bill (AB) 1835 (Weber, D-San Diego), Governor Gavin Newsom explicitly agreed with the bill’s concepts and signaled that he would offer a simpler solution that addresses its objectives sooner than the bill proposed and with more transparency.

Since the LCFF was first proposed and throughout budget debates, some advocates have pursued restrictions on the use of supplemental and concentration grants, such as trying to include “supplement, not supplant” language in the law, and requiring separate tracking for supplemental and concentration grant funds. However, then-Governor Jerry Brown, an ardent proponent of local control, resisted such efforts. Ultimately, the LCFF statute and implementing regulations were enacted and require local educational agencies (LEAs) to principally direct the funds to increase or improve services for English learners, foster youth, and low-income students.

Since then, LEAs have worked to deploy supplemental and concentration grants in accordance with the law by enumerating actions to increase or improve services in their Local Control and Accountability Plans (LCAPs), with the ultimate goal of closing the student achievement gap. Importantly, law explicitly allows LEAs to satisfy this requirement quantitatively by demonstrating that they spent the funds on the students who generated them or qualitatively by showing an improvement in services provided in proportion to the increase in funding derived from supplemental and concentration grant funds. Despite local efforts, some LEAs have not been able to fully implement the actions identified in their LCAPs for a variety of reasons, such as challenges with hiring staff or acquiring necessary resources to support actions in their LCAP. Because supplemental and concentration grants are unrestricted funds, current law does not require explicit tracking of unspent funds and permits LEAs to use any unspent portion for any purpose in subsequent years. Despite the legality of this practice, it is common among LEAs—as was highlighted in a 2019 State Auditor [report](#).

The recent trailer bill language, while not likely in its final form, provides clear intent of what Governor Newsom envisions to strengthen LEAs' MPP requirements. The language offers a framework for LEAs to identify and calculate unmet LCAP obligations—either as a result of unspent supplemental and concentration grant funds or unimplemented, or partially implemented, improvements in services. The trailer bill language requires LEAs to complete a series of calculations to determine the amount of supplemental and concentration grant funds that are attributable to an unimplemented or partially implemented action that must be carried over to subsequent fiscal years. We anticipate that the calculation for measuring service improvements as a share of an LEA's annual MPP may pose challenges for some.

In response to the new trailer bill language, Assemblymember Sharon Quirk-Silva (D-Orange County) introduced AB 531 that calculates the carry over using quantitative measures only, as well as AB 533 that requires the State Board of Education to develop a tracking mechanism for unspent supplemental and concentration grant funds by January 1, 2022, to be in effect by July 1, 2022.

As additional information becomes available, such as changes to the proposed trailer bill language, we will provide updates so LEAs can best prepare for pending changes.

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The **FISCAL REPORT** *an informational update*

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## **Trailer Bill Language Released for FAFSA and CADAA Requirement**

By Kyle Hyland  
February 18, 2021

According to the California Student Aid Commission (CSAC), year-over-year completion rates for the Free Application for Federal Student Aid (FAFSA) and the California Dream Act Application (CADAA) are down roughly 10% and 45%, respectively, leaving millions of dollars in state and federal financial aid for higher education unclaimed.

To mitigate the significant drop in FAFSA and CADAA completion rates, Governor Gavin Newsom, in his 2021–22 State Budget proposal, wants to require local educational agencies (LEAs) to certify that all high school seniors complete either a FAFSA or CADAA.

Earlier this month, the Department of Finance released the trailer bill language for this proposal, which stipulates that beginning with the 2021–22 school year, LEAs are required to confirm that all high school seniors complete either the FAFSA or CADAA.

The language states that a parent or guardian (or the student if they are 18 years old or older) may opt out of the requirement by submitting a written waiver request to the LEA. Additionally, if an LEA determines that a student is unable to complete a requirement under this law due to extenuating circumstances, then the LEA shall exempt that student (or parent or guardian) from completing an application or a waiver request.

The language also requires LEAs to direct students to relevant support and assistance services made available through outreach programs operated by the CSAC and to ensure that information shared by parents, legal guardians, and students are handled according to state and federal privacy laws.

The proposed Governor’s Budget does not provide any funding to implement this requirement, which means that if the current version were to be included as part of the final 2021–22 State Budget, a test claim would have to be filed and approved by the Commission on State Mandates in order for LEAs to receive reimbursement.

In a recent [report](#) on the Governor’s CSAC budget proposals, the Legislative Analyst’s Office—the Legislature’s nonpartisan policy and fiscal advisor—recommends that the Legislature adopt this proposal in concept, but work with the Newsom Administration to ensure that it does not create unnecessary costs for LEAs and to plan for increased Cal Grant spending in the out-years.

Neither of the Senate and Assembly education budget subcommittees have taken up this proposal in a hearing, but the issue will be discussed in both budget subcommittees in the coming weeks.

# ***Bill Update***

**SCHOOL SERVICES OF CALIFORNIA, INC.**

**Legislative Report Prepared for:  
Fresno Unified School District  
Status as of: March 3, 2021**

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## Accountability and Assessments

### [\\*AB 599 \(Jones-Sawyer\)](#)

**Amended:** 2/25/2021

**Title:** Public Schools: Accountability: County Superintendents of Schools

**Status:** Assembly Education Committee

**Position:**

#### **Summary:**

Seeks to establish a new list of schools in compliance with the *Williams* settlement that would require county superintendents to annually inspect those schools on the list in the county, and submit a report that describes the state of those schools. This bill proposes to include on the list schools identified for federal comprehensive support and improvement, and additional targeted support and improvement.

## Employees

### [AB 95 \(Low\)](#)

**Title:** Employees: Bereavement Leave

**Status:** Assembly Labor and Employment Committee

**Position:** Support

#### **Summary:**

Requires an employer with 25 or more employees to grant up to 10 business days of unpaid bereavement leave upon the death of a spouse, child, parent, sibling, grandparent, grandchild, or domestic partner.

### [AB 388 \(Medina\)](#)

**Title:** Certificated School Employees: Probationary Employees

**Status:** Assembly Education Committee

**Position:** Watch

#### **Summary:**

Changes the process for obtaining permanent status for certain certificated employees including the following:

- 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

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**AB 438 (Reyes)**

**Title:** School Employees: Classified Employees: Layoff Notice and Hearing

**Status:** Assembly Public Employment and Retirement Committee

**Position:**

**Summary:**

Applies to classified employees the same layoff process that currently applies to certificated staff.

---

**\*AB 1284 (Rubio, Blanca)**

**Title:** Certificated School Employees: Permanent Status

**Status:** Assembly Desk

**Position:**

**Summary:**

Extends the probationary period for certificated employees from two years to three years, and makes permanent status permissive if the employee is reelected for the next school year. Allows the probationary period to continue for up to five school years.

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**\*AB 1505 (Rodriguez)**

**Title:** Certificated School Employee Evaluations: COVID-19: Exemptions

**Status:** Assembly Desk

**Position:**

**Summary:**

This bill would require school districts that have closed their schools and implemented distance learning due to the COVID-19 pandemic to exempt all certificated employees with permanent status, and all employees with certificated status who have worked in the same position for at least two years, from formal evaluations during distance learning. The bill would prohibit resuming formal evaluations of the exempted certificated employees until schools have reopened.

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**SB 205 (Leyva)**

**Title:** School and Community College Employees: Absences Due to Illness or Accident

**Status:** Senate Education Committee

**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.

## Facilities

### [AB 75 \(O'Donnell\)](#)

**Title:** Education Finance: School Facilities: Kindergarten-Community Colleges Public Education Facilities Bond Act of 2022

**Status:** Assembly Education Committee

**Position:**

**Summary:**

As introduced, AB 75 would place a bond on the 2022 ballot providing an unspecified amount of funds that focus primarily on new construction, modernization, career technical education, and charter school projects.

## Instruction

### [AB 10 \(Ting\)](#)

**Amended:** 1/12/2021

**Title:** Pupil Instruction: In-Person Instruction: Distance Learning

**Status:** Assembly Education Committee

**Position:**

**Summary:**

Requires local educational agencies (LEAs) to offer in-person instruction within two weeks of the issuance of a state or local public health order allowing school campuses to be open. Current law requires LEAs to implement a tiered reengagement strategy for students that are absent from distance learning for more than three schooldays or 60% of a school week. AB 10 requires these tiered reengagement strategies to include offering at least 50% of instructional minutes each week via in-person instruction. The bill also expands the use of tiered reengagement strategies to also apply after March 1, 2021, to unduplicated pupils who are performing significantly below grade level.

### [AB 22 \(McCarty\)](#)

**Amended:** 2/3/2021

**Title:** Childcare: Preschool Programs and Transitional Kindergarten: Enrollment

**Status:** Assembly Education Committee

**Position:** Support

**Summary:**

Expands transitional kindergarten to all four-year-olds.

### [\\*AB 86 \(Committee on Budget\)](#)

**Amended:** 3/1/2021

**Title:** Covid-19 Relief and School Reopening, Reporting, and Public Health Requirements

**Status:** Senate Budget and Fiscal Review Committee

**Position:**

**Summary:**

AB 86 reflects the reopening and extended learning time deal reached by Governor Gavin Newsom and legislative leaders. The bill distributes \$2.0 billion for In-Person Instruction Grants and \$4.6 billion for Expanded Learning Opportunity Grants.

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**AB 101 (Medina)**

**Title:** Pupil Instruction: High School Graduation Requirements: Ethnic Studies

**Status:** Assembly Education Committee

**Position:** Support

**Summary:**

Adds the completion of a one-semester course in ethnic studies to the high school graduation requirements commencing with pupils graduating in the 2029–30 school year, including for pupils enrolled in a charter school.

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**AB 104 (Gonzalez, Lorena)**

**Amended:** 1/21/2021

**Title:** Pupil Instruction: Learning Recovery Opportunities: COVID-19

**Status:** Assembly Education Committee

**Position:**

**Summary:**

This bill includes the following:

- Requires local educational agencies (LEAs) to implement an interim policy for retaining students in the same grade in the 2021–22 school year, and requires LEAs to consult with parents, students, and the student’s teacher in deciding whether to retain a student as requested by a parent.
- For courses required for high school graduation, allows a student to request to change a letter grade to Pass or No Pass. Requires the California State University and encourages the University of California and private postsecondary institutions to accept the changed grades for admission purposes.
- Requires LEAs to exempt all juniors and seniors from all coursework and other requirements adopted by the LEA governing board that are in addition to the statewide graduation requirements, unless the LEA finds that the student is able to complete the additional requirements by the end of the student’s 4<sup>th</sup> or 5<sup>th</sup> year of high school.
- Establishes the COVID-19 Pupil Learning Recovery Act of 2021 for grants to LEAs for supplemental instructional programs and support interventions to meet the behavioral, social, emotional, and basic needs of eligible students. The supplemental instruction and supports must be provided in person to migrant students and students who are English learners, low income, foster youth, homeless, or disengaged.

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**SB 70 (Rubio)**

**Amended:** 3/2/2021

**Title:** Elementary Education: Kindergarten

**Status:** Senate Education Committee

**Position:** Support

**Summary:**

Starting with the 2022–23 school year, requires completion of kindergarten before entering first grade.

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**\*SB 86 (Committee on Budget and Fiscal Review)**

**Amended:** 3/1/2021

**Title:** COVID-19 Relief and School Reopening, Reporting, and Public Health Requirements

**Status:** Assembly Budget Committee

**Position:**

**Summary:**

SB 86 reflects the reopening and extended learning time deal reached by Governor Gavin Newsom and legislative leaders. The bill distributes \$2.0 billion for In-Person Instruction Grants and \$4.6 billion for Expanded Learning Opportunity Grants.

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**SB 224 (Portantino)**

**Title:** Pupil Instruction: Mental Health Education

**Status:** Senate Education Committee

**Position:**

**Summary:**

Requires all students to receive medically accurate, age-appropriate mental health education from instructors trained in the appropriate courses at least once in elementary school, at least once in middle school, and at least once in high school.

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**SB 309 (Leyva)**

**Title:** School Finance: College Readiness: Grants and Notification

**Status:** Senate Education Committee

**Position:**

**Summary:**

Establishes the A–G Completion Improvement Grant Program, a \$200 million program to provide additional supports to local educational agencies to help increase the number of California high school pupils—particularly unduplicated pupils—who graduate high school meeting the A–G subject matter requirements for admission to the University of California and the California State University.

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**\*SB 532 (Caballero)**

**Title:** Pupil Instruction: High School Coursework and Graduation Requirements: Exemptions

**Status:** Senate Education Committee

**Position:**

**Summary:**

This bill would require a local educational agency (LEA) to inform a pupil in foster care or a pupil who is homeless of the pupil's right to remain in the pupil's school of origin pursuant to federal law if the LEA determines the pupil is reasonably able to complete the LEA's graduation requirements within the pupil's fifth year of high school. For a pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, a pupil who is a child of a military family, or a pupil who is a migratory child, the bill would require the LEA to provide an option for the pupil to remain in school for a 5th year to complete the statewide course requirements in order to graduate from high school if the LEA determines that the pupil is reasonably able to complete these requirements, but is not reasonably able to complete the local graduation requirements, within the pupil's fifth year of high school.

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**\*SB 545 (Wilk)**

**Title:** Pupil Retention: COVID-19 Impact

**Status:** Senate Rules Committee

**Position:**

**Summary:**

Authorizes a student to be retained in the grade level in which the student was enrolled in the 2020–21 school year if deemed necessary because of the impact of the COVID-19 pandemic on the student, as determined solely by the student’s parent or guardian.

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**\*SB 723 (Rubio)**

**Title:** Pupil Instruction: Tutoring Program: Learning Loss Mitigation

**Status:** Senate Rules Committee

**Position:**

**Summary:**

This bill would establish the California Leadership, Excellence, Academic, Diversity, and Service-Learning Tutoring Program. The bill would require the California Department of Education to administer the tutoring program to provide supplemental individualized learning assistance, both in-person and online, to address COVID-19 learning loss.

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**Miscellaneous**

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**AB 262 (Patterson)**

**Title:** Human Trafficking: Vacatur Relief for Victims: Fines

**Status:** Assembly Public Safety Committee

**Position:** Support

**Summary:**

Makes various changes to the Penal Code to assist victims of human trafficking in clearing their record:

- A human trafficking victim’s unpaid fines and unmet probation requirements *cannot* prohibit a victim from petitioning the court to clear their record
- Clarifies that after a victim is removed from trafficking, the victim can petition the court to clear their record at any time
- Allows victims to appear at all hearings by counsel if the petition is unopposed

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**\*AB 516 (Dahle, Megan)**

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

**Status:** Assembly Education Committee

**Position:**

**Summary:**

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

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**\*SB 732 (Bates)**

**Title:** Communications: Broadband

**Status:** Senate Rules Committee

**Position:**

**Summary:**

This bill would require the California Department of Education to develop a program for local educational agencies to issue no-cash value vouchers to be distributed to households with eligible pupils to be used during the 2021–22 fiscal year to assist those households with the impacts of distant or remote learning due to the COVID-19 pandemic. The vouchers may be used to purchase broadband service or the hardware and software necessary to access broadband service to enable eligible pupils to undertake distant or remote learning.

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## Special Education

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**SB 237 (Portantino)**

**Title:** Special Education: Dyslexia Screening

**Status:** Senate Education Committee

**Position:** Support

**Summary:**

Requires the State Board of Education to establish by June 30, 2022, an approved list of screening instruments to be used by a local educational agency (LEA) to screen pupils for risk of dyslexia. Beginning in the 2022–23 school year, requires LEAs to screen students in grades K–2 for risk of dyslexia.

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## State Budget, Education Finance, and LCFF

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**\*AB 531 (Quirk-Silva)**

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

**Status:** Assembly Education Committee

**Position:**

**Summary:**

This bill would require local educational agencies (LEAs) to identify unspent Local Control Funding Formula supplemental and concentration grant funds by annually reconciling and reporting to the California Department of Education its estimated and actual spending of those moneys. Unspent funds identified pursuant to these provisions would be required to be expended to increase and improve services for unduplicated pupils, and would require each LEA to report the amounts of unspent funds identified in its Local Control and Accountability Plan.

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**\*AB 533 (Quirk-Silva)****Title:** Education Finance: Local Control Funding Formula: Supplemental and Concentration Grants**Status:** Assembly Education Committee**Position:****Summary:**

By January 1, 2022, the California Department of Education (CDE) shall develop a tracking mechanism for local educational agencies (LEAs) to use to report the types of services on which they spend their supplemental and concentration grant funds. Starting July 1, 2022, each LEA shall annually report to CDE the types of services on which it spends its supplemental and concentration grant funds using that tracking mechanism.

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**\*AB 839 (O'Donnell)****Title:** Career Technical Education: California Career Technical Education Incentive Grant Program**Status:** Assembly Education Committee**Position:****Summary:**

Starting in 2021–22, this bill changes the funding for the Career Technical Education Incentive Grant program to a yet-to-be-determined amount.

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**\*AB 1112 (Carrillo)****Title:** Before and After School Programs: Maximum Grant Amounts**Status:** Assembly Desk**Position:****Summary:**

This bill would repeal the maximum grant amounts for the After School Education and Safety and High School After School Safety and Enrichment for Teens programs and the minimum grant amount for the 21st Century Community Learning Centers program. The bill would instead require the department to determine the grant amounts and daily rate of funding per pupil for those programs on the basis of the amount of funding available for each program. The bill would require the department to establish an annual process and methodology for determining those amounts and rates by July 1, 2023, as provided.

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**\*SB 692 (Cortese)****Title:** Local Control and Accountability Plans: State Priorities: Least Restrictive Environment**Status:** Senate Rules Committee**Position:****Summary:**

This bill would add least restrictive environment (LRE), as measured by the percentage of pupils ages 6–21 with Individualized Educational Programs who are served inside a regular classroom at least 80% of the day, as a state priority under the Local Control Funding Formula. The bill would require the state and local indicators for the LRE priority to be the same as the federal indicator and would require the standards for these indicators to be consistent with the state's targets for the federal indicator.

## Student Health and Nutrition

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### \*[AB 508](#) (Rivas, Luz)

**Title:** Pupil Nutrition: Reduced-Price Meals

**Status:** Assembly Education Committee

**Position:**

**Summary:**

Would require a school district to provide free meals to students who are eligible for a reduced-priced meal. The state would be required to provide sufficient funding to school districts to cover the cost of providing the free meal.

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### \*[AJR 8](#) (Rivas, Luz)

**Title:** School Meals: Federal National School Lunch Program

**Status:** Assembly Desk

**Position:**

**Summary:**

This measure would urge the federal government to provide school lunches free of charge to all elementary, middle school, and high school students in the United States.

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### \*[SB 364](#) (Skinner)

**Title:** Pupil Meals: End Child Hunger Act of 2021

**Status:** Senate Rules Committee

**Position:**

**Summary:**

This bill would express the intent of the Legislature to later enact legislation that would (1) establish the California Universal School Meal Program that will allow free breakfast and lunches to continue to be available to all children beyond the COVID-19 public health crisis and (2) establish the Better Out of School Time (BOOST) Nutrition Program to prevent child hunger during regularly scheduled school breaks lasting a week or longer, or a campus closure caused by a natural or public health disaster or state of emergency declared by the Governor.

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: Andrew Scherrer, Executive Director  
Cabinet Approval:

Date: March 12, 2021

Phone Number: 457-3471

Regarding: Diversity, Equity, and Inclusion Praxis Collaborative Update for Quarter 3

The Purpose of this communication is to provide the Board a progress update on the work of diversity, equity, and inclusion in Fresno Unified. In preparation for the end of the school year, the Diversity, Equity, and Inclusion (DEI) Praxis Collaborative Advisory Team continued to focus attention on each of four areas of the framework: Cultural Proficiency, Culturally Responsive Practices, Multicultural Experiences, and Social Action in support of the year one goal for all district employees in 2020/21: "Building Your Equity Lens". Additionally, the team is designing and planning for the year two goal for the district in 2021/2022: "Applying Your Equity Lens".

The following are 2020/21 progress updates for Cultural Proficiency as the foundational learning and professional learning:

- Tier 1
  - All employees have been provided the link to the NAVEX diversity module with the expected completion at the end of January. To date, almost 60% of all employees have already completed the module, and schools and departments have been asked to make time for this introductory foundational aspect of Cultural Proficiency training.
  - As an update on school site training, all sites have completed Module #1 (3 hours). For Module #2, 84 sites have completed the training and 15 are in progress. For the final module, Module #3, 20 sites have completed the training and 79 are in progress. This module is due to be completed by the end of the semester.
  - For Departments, many are continuing throughout 2020/21 according to various schedules, and the DEI Advisory Team is ensuring there is co-facilitation or provided facilitation for areas that have not typically had district-wide training. Some updated examples of this collaboration include all of Maintenance and Operations, Facilities, and Nutrition services being trained throughout March and the beginning of April.
- Tier 2
  - The second Intensive (32-hour) training for 2020/21 was completed as of February 25, 2021 with 20 participants. The final Intensive (32-hour) training for 2020/21 will be May 19-20, 2021 and June 16-17, 2021.
- Tier 3
  - The Trainer of Trainer (ToT) (80-hour) training continues towards completion at the end of 2020/21 with almost 60 additional trainers bringing our certified trainers to over 100. Trainers are called upon for needs through the district as site and department leaders reach out to the DEI Advisory for support or assistance.

The following are progress updates for tiers within Culturally Proficient Practices, Multicultural Experiences, and Social Action that are already in motion for 2020/21:

- The Equity and Access Cultural Response Manager provided the first of many “Cultural Connections” (Multicultural Experiences and Culturally Proficient Practices, Tier 2) towards ensuring avenues for learning, discussion, dialogue, and reflection.
- The DEI Advisory Team is continuing to work on and develop the accompanying Administrative Regulation (AR) for the Board Policy 0415 in support of the DEI framework.
- The DEI Advisory Team is hosting the third of many quarterly events (Multicultural Experiences, Tier 2) as a provided “Fireside Chat”.
- The DEI Advisory Team has put out the third issue of the DEI Newsletter (Culturally Responsive Practices, Tier 1) to all employees towards greater connectivity, sharing, and reflecting on diversity, equity, and inclusion needs and concerns in Fresno Unified.
- The DEI Site Steering Committee, including site representatives across the district, have been meeting for important feedback loops toward improving the Cultural Proficiency training supports, and in preparation for equity walks across the district.
- All departments are actively creating and turning in DEI Plans for their respective departments and are provided thinking partnership, collaboration, and check-ins through monthly Steering Committee meetings. A draft plan has been compiled for review with both internal and external partners.

If you have further questions or require additional information, please contact Lindsay Sanders at (559) 457-3471.

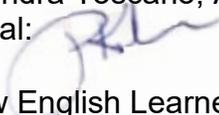
Approved by Superintendent  
Robert G. Nelson Ed.D.



Date: 03/12/21

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 Sandra Toscano, Assistant Superintendent  
Cabinet Approval: 

Date: March 12, 2021

Phone Number: 457-3648

Regarding: New English Learner Resources

The purpose of this communication is to provide the Board information about new professional learning options and department created resources to support English Learner students at every school site. Resources housed on the English Learner (EL) Website, found at [EL Services Staff Website](#) and [EL Services Public Website](#), were created by EL Services Teachers on Special Assignment to adapt supports for the distance learning format and beyond. Additional tools will be regularly added to the menu of choices throughout the year, due to the everchanging educational environment.

Within the Office of Multilingual/Multicultural Education's SharePoint site, we have a brand-new set of professional learning videos on essential English Learner topics, including English Language Development, English Language Proficiency Assessments for California, using ATLAS tools, and many more. These are offered in short time segments so that they can be used in a variety of ways to provide EL professional learning opportunities to Fresno Unified School District teachers and EL specific information to the community. This [EL Video Playlist](#), includes asynchronous training videos and the resources needed to implement them effectively.

Another addition to the department's resources includes "[EL Corner](#)" which provides regular short vignette-type answers to common problems of practice in teaching English Learners. They are designed for various purposes including communicating teachers' expectations about EL, leading discussions in staff meetings, and designing site-based professional learning. This will allow expanded access to professional learning opportunities within all Fresno Unified Schools and provide greater, more consistent baseline support for all English Learners.

These resources will be offered to schools through: District Updates, E-mails, Saturday Pipeline trainings, Monday Menu Professional Learning, Microsoft Teams, and to parents through the English Learner Advisory Committee and District English Learner Advisory Committee.

- [EL Video Playlist Flyer](#)

If you have questions or require additional information, please contact Sandra Toscano at 457-3928.

Approved by Superintendent  
Robert G. Nelson Ed.D. 

Date: 03/12/21



# Fresno Unified School District

Department of English Learner Services

## Check out the English Learner Services Video Series Playlist!

Short  
informative  
video clips!

Supporting  
documents  
included!

Click here to access: [EL Video Playlist](#)

ATLAS Tools	ELPAC	Instruction for English Learners	EL Compliance
ATLAS Tools Overview	ELPAC: An introduction	EL Data Chats for Redesignation	ELAC
ELPAC Progress Status Report	Accessing DFAs	ELD Standards K-12	EL LEP Cumulative Folder
EL Redesignation Report	Domain Information Sheets	Integrated and Designated ELD	
RFEP Students	Reading and Writing Tasks Overview	Preschool Learning Foundations in ELD	
	Reading and Writing K-2	Redesignation Process	
	Speaking and Listening K-2	Scaffolding Student Learning	

For more information, visit our English Learner Services Website at

<https://els.fresnounified.org/>

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: Carlos Castillo, Instructional Superintendent  
Cabinet Approval: 

Date: March 12, 2021

Phone Number: 457-3673

Regarding: Graham Yalle Visual and Performing Arts Academy Charter School Petition

The purpose of this Board Communication is to provide information regarding Graham Yalle Visual and Performing Arts Academy Charter School Petition ("Graham Yalle Academy"), which was received by the District on February 19, 2021. The Petition was submitted to the District by Graham Yalle Visual and Performing Arts Charter School, a California nonprofit public benefit corporation, for the charter term of July 01, 2021 through June 30, 2026.

Graham Yalle Academy would serve students in grades TK-6 and proposes enrollment of 168 students in the first year for grades TK-3 and a maximum enrollment of 432 students starting with the 2024/25 school year. It plans to use progressive education methods to teach Common Core Standards with a focus on the arts, social-emotional learning, adverse childhood experiences, academic excellence, and physical well-being. The proposed address for the temporary site for Graham Yalle Academy is 2540 E. Floradora, Fresno, California 93703, which was previously used as the Knights of Columbus Hall.

The Founding Team for Graham Yalle Academy is Sandra Graham (Founder), Deseree Whitt (Co-Founder), John Whitt Jr. (Co-Founder), Dr. Danny Morris Jr. (Co-Founder), Rick Mays (Founding Member), Dionnetrae Smith (Founding Member), Brenda Cooley (Founding Member) and Ladietra McCoy (Founding Member). The Advisors for Graham Yalle Academy are Kevin Person Sr., Pastor of Praise Church, and Professor Thomas Ellis, Fresno State Professor in the Theater Arts Department.

The following is the timeline for the Graham Yalle Visual and Performing Arts Academy Charter School Petition:

- Receive Date: **February 19, 2021**
- Public Hearing to Determine Support (*no more than 60 days after receipt*): **April 07, 2021**
- Recommendation to the Board from the Charter Review Team: **April 09, 2021**
- Publish the Report of Factual Findings (*at least 15 days before the hearing*): **April 20, 2021**
- Public Hearing to Decide Whether to Grant or Deny (*no more than 90 days after receipt*): **May 05, 2021**

If you have questions or require additional information, please contact Carlos Castillo at 457-3673.

Approved by Superintendent  
Robert G. Nelson Ed.D. 

Date: 03/12/21