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Robert G. Nelson, Ed.D.

BOARD COMMUNICATIONS – May 28, 2021

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

SUPERINTENDENT – Robert G. Nelson, Ed.D.

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S-2 Teresa Plascencia New Proposed Student Advisory Board Policy

AFRICAN AMERICAN ACADEMIC ACCELERATION – Wendy McCulley, Interim Chief of Engagement & External Partnerships

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Kinder Readiness Summer Academy
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Reading Program
AA-3 Wendy McCulley The Office of African American Academy Acceleration –
Summer Math Camp

ADMINISTRATIVE SERVICES – Santino Danisi, Chief Financial Officer

AS-1 Kim Kelstrom School Services Weekly Update Report for
May 21, 2021
AS-2 Kim Kelstrom May Legislative Committee Meeting
AS-3 Tammy Townsend Uniform Complaint submitted by Familias Empoderadas

COMMUNICATIONS – Nikki Henry, Chief Information Officer

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Shared Principal II Services by Maria Lynn Rocha Salazar
as a Fresno Unified School District Employee on loan to
California Office to Reform Education

OPERATIONAL SERVICES – Karin Temple, Chief Operations Officer

OS-1 Karin Temple Preliminary Planning for Summer Swim Program

SCHOOL LEADERSHIP – Kim Mecum, Chief Academic Officer

SL-1 Lisa Nichols Update on African American Student Leadership
Academy-Cohort 2021 Celebrations

SL-2 Brian Beck and
Dr. Sean Virnig Special Education Community Advisory Committee
Stakeholder Engagement

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: May 28, 2021

Phone Number: 457-3884

Regarding: Superintendent Calendar Highlights

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

- Spoke at the Fresno County Democratic Women's Club
- Attended the Fresno Unified Retirement event
- Attended the 2020 Graduation
- Attended Design Science Graduation
- Attended CART Board meeting
- Attended the virtual 2021 California School Recognition Program
- Attended the Fresno County Superintendents Advisory meeting
- Held quarterly meeting with ACSA
- Held interview for Principal
- Held press conference regarding the 2021-22 School Year

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 05/28/21

Fresno Unified School District
Board Communication

BC Number S-2

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Teresa Plascencia, Executive Director
Cabinet Approval: 

Date: May 28, 2021

Phone Number: 457-3736

Regarding: New Proposed Student Advisory Board Policy

The purpose of this communication is to provide the Board with background information regarding the new proposed Student Advisory Board Policy (BP 1220.1).

In early 2020, members of the District's Student Advisory Board (SAB) met with Superintendent Nelson, Assistant Superintendent Bryan Wells, and Campus Culture Manager Leslie Loewen regarding the district's new strategic plan and goals for students. As a result of this meeting, SAB began to work on formulating a board policy to guide the work of SAB and ensure student voice for the future. The following is a brief overview of the SAB's month's long work:

- The Constituent Services Office (CSO) assisted SAB with contacting the California School Board Association (CSBA) for assistance. CSBA was not able to provide any policy samples, however they did provide a recommendation for the numbering for such a policy.
- CSO provided the SAB with current district policies and bylaws related to student engagement and representation.
- SAB created a Policy Subcommittee to review policies and gather feedback from students.
- The Policy Subcommittee provided bi-weekly updates of their progress and gained feedback during each SAB regular meeting
- Additionally, SAB welcomed feedback from Fresno Unified School Board Members, as they too participate in SAB meetings.

During this process, the Policy Subcommittee reviewed and revised several drafts, with a final draft placed on the June 02, 2021 Board of Education Regular Board Meeting for approval.

Since this is a policy driven by students rather than a proposed CSBA policy, the new **teal** colored header is being utilized for the first time to indicate the difference.

If you have any questions or require further information, please contact Teresa Plascencia at 457-3736 or Leslie Loewen at 457-3674.

Approved by Superintendent
Robert G. Nelson Ed.D. 

Date: 05/28/21

Fresno Unified Board Policy (BP) 1220.1 Student Advisory Board (SAB)

The Governing Board recognizes that **student** advisory committees enable both students and educators to better understand the beliefs, attitudes and opinions held by school and **school** community members.

(cf. 1220 – Citizen Advisory Committees)

In order to enhance communication between the Governing Board and the student body and to engage students in the district's educational programs and operations, the Board encourages the involvement of high school students in district governance.

(cf. 9150 – Student Board Members)

The Board shall be provided with an annual update on the status of Student Advisory Board, its annual meeting schedule, and Board Member invitations for participation. The Office of the Campus Culture Manager is the responsible office for finalization of the Student Advisory Board, preparation of the annual meeting schedule, collection of meeting minutes and Board Reports, and the central location for information in this regard.

Selection of Student Advisory Board Members

Student Advisory Board members shall represent a cross section of students from throughout the district as selected by each high school site. With Board approval, the Superintendent or designee may appoint committee members.

Student Advisory Board shall elect Student Board Members annually at the second meeting of the Student Advisory Board. (Education Code 35012)

(cf. 9150 – Student Board Members)

A democratic process of nomination and popular vote shall be utilized to elect the Student Board Members from the Advisory Board.

Role and Responsibilities of Student Board Members

The term of a student Board member shall be one year, commencing the first Student Advisory Board meeting in September. (Education Code 35012)

The Student Advisory Board shall review Board Meeting Agendas and be provided an opportunity for questions and answers from Board Members and staff present at the meeting, and for items to be pulled by elected Student Board Members at subsequent Board Meetings.

Each school site will have the opportunity to host at least one Student Advisory Board meeting annually. School Board Members will be invited to attend all Student Advisory Board meetings, however, due to the Brown Act, the Board President will manage the hierarchy of those who may attend (maximum 3).

The Student Advisory Board will have access to staff and Board Members to provide advisory input on matters directly related to student learning and experience. Student Advisory Board members represent not only themselves and their schools, they also reflect the ideas and the experiences gained from middle and elementary school. The Board recognizes the importance of authentic student voice and students as key stakeholders in their education.

Inclusion of the Student Advisory Board at the onset of decision-making processes maximizes Board and Constituent communication, adds value and increases student agency, demonstrates the importance of and District commitment to student voice, and builds student leadership capacity. Where appropriate, the Student Advisory to student voice, and builds student leadership capacity. Where appropriate, the Student Advisory Board shall have advance notice of key decisions affecting student learning, student environment, and the student experience.

A student Board member are not vicariously liable for injuries caused by the act or omission of the district, nor shall not be liable for any acts of the Board. (Education Code 35012; Government Code 820.9)

(cf. 9323.2 - Actions by the Board)

Student Board Member Development

As necessary, the Superintendent or designee may, at district expense, provide learning opportunities to Student Advisory Board members, through trainings, workshops, and conferences, to enhance their knowledge, understanding, and performance of their Board responsibilities.

The Superintendent or designee may periodically provide an orientation for Student Advisory Board members to give them an understanding of the responsibilities and expectations of committee processes and service.

(cf. 9150 – Student Board Members)

Fresno Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, medical information, military veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment.

Legal Reference:

EDUCATION CODE

33000.5 Appointment of student members to State Board of Education

35012 Board members; number, election and terms; student members

GOVERNMENT CODE

820.9 Liability of Public Entities and Public Employees; School Board members

3540-3549.3 Educational Employment Relations Act

54950-54964 Ralph M. Brown Act

Policy FRESNO UNIFIED SCHOOL DISTRICT
adopted: Spring___, 2021 Fresno, California

Policy Section: 1000 Community Relations

Fresno Unified School District
Board Communication

BC Number AA-1

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Wendy McCulley, Interim Chief of Engagement
& External Partnerships
Cabinet Approval: 

Date: May 28, 2021

Phone Number: 457-3728

Regarding: The Office of African American Academic Acceleration - Kinder Readiness Summer Academy

The purpose of this communication is to provide the Board an update on the 4-week Kinder Readiness Summer Academy. The Office of African American Academic Acceleration (A4) has partnered with the Early Learning Department to launch an in-person summer pilot program focused on preparing incoming kindergartners for the 2021-2022 school year.

Our program is designed to target 60 incoming African American (AA) kindergarten students with no formal Fresno Unified educational experience. Kinder Readiness Summer Academy will begin on July 06, 2021, and conclude on August 03, 2021. The program will be held on Monday through Friday, from 9:00am to 12:00pm. Kinder Readiness Summer Academy will include culturally responsive materials and an Early Learning Support Specialist (ELSS) to support teachers with weekly professional learning opportunities throughout programming. Additionally, the program will host one class at Thomas Elementary and two classes at Kirk Elementary schools and return the 2019-2020 virtual summer pilot program to its original in-person design.

Strategically placing the program at the tail-end of our summer sessions allows learnings to be optimized as students transition into the new school year. More student and parent program benefits are as follows:

Student Benefits:

- Learn and practice skills to prepare students and families for traditional kinder class
- Provide students experience working with a teacher
- Learn foundational academic and SEL skills
- Help provide a more equitable start in school

Parent Benefits:

- Parent workshops to assist with student/parent FUSD portal
- Parents receive materials to support child's learning at home

We are excited to offer this year's Kinder Readiness Summer Academy. If you have questions or require additional information, please contact Wendy McCulley at 457-3728.

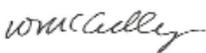
Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 05/28/21

Fresno Unified School District
Board Communication

BC Number AA-2

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Wendy McCulley, Interim Chief of Engagement &
External Partnerships
Cabinet Approval: 

Date: May 28, 2021

Phone Number: 457-3728

Regarding: African American Academic Acceleration Summer Reading Program

The purpose of this communication is to provide the Board information about our 4-week intensive summer reading program. The Office of African American Academic Acceleration (A4) in partnership with Springboard Collaborative is in its 4th year offering reading programs to academically accelerate our African American (AA) students. Program elements include daily reading instruction, family workshops, a rigorous coaching cycle for teachers, and an incentive structure that rewards learning tools to students that meet program goals.

Our A4 reading programs have had consistent growth since inception, however, considering the impact of the COVID-19 pandemic we strategically reduced our enrollment this summer to account for the high rate of African American students' chronic absenteeism throughout the academic year. We have a target enrollment of 360 students who will participate in person or through our distance learning platform. The program will provide an immersive professional development experience for the twenty-four Fresno Unified teachers who will be leading instruction and weekly workshops which train parents to select on-level books and ask questions before, during, and after reading.

Teachers will connect with families through our virtual huddle ups replacing our home visits prior to program start to lay the foundation for a strong family/school partnership and provide individual student action plans. Raz Kids, Wonders, and the Sora digital library will be utilized to support student reading throughout the summer.

Students from all regions will be participating in the reading program at King, Williams, Thomas, and Ayer Elementary with each site hosting 1 virtual classroom. The Summer Reading program will be held from June 14, 2021 through July 14, 2021 from 8:30am until 12:00pm. If you have any questions or require additional information, please contact Wendy McCulley at 457-3728.

Approved by Superintendent
Robert G. Nelson Ed.D. 

Date: 05/28/21

Fresno Unified School District
Board Communication

BC Number AA-3

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Wendy McCulley, Interim Chief of Engagement &
External Partnerships
Cabinet Approval: *wmcculley*

Date: May 28, 2021

Phone Number: 457-3728

Regarding: The Office of African American Academic Acceleration - Summer Math Camp

The purpose of this communication is to provide the Board an update on Math Camp. The Office of African American Academic Acceleration (A4) will launch a virtual summer Math Camp pilot program focused on teaching students coding using fractions. Additionally, students will create a video game utilizing the math and coding concepts they learn in the program.

Math Camp is designed to target current 5th and 6th grade African American (AA) students that are two or more grade levels below in their i-Ready math assessment. Our goal is to create learning experiences, that foster positive attitudes centered around math. Math Camp will be a 3-week session, starting on June 14, 2021, and concluding on July 02, 2021. The program will be held Monday through Friday, from 9:00am to 12:00pm. There is an opportunity for 100 students to participate in the pilot program this year. Class ratios will consist of 10 students to 1 teacher.

A4 is partnering with professors from Fresno Pacific University- AIMS Center for Math and Science Education, Fresno State University- Kremen School of Education and Human Development, and Fresno Unified School District teachers to develop the Math Camp curriculum and to provide professional development for Math Camp teachers. Weekly professional learning and ongoing support for teachers will be available throughout the 3-week program.

The program's success will be measured in the following ways:

- Student Performance - Students will receive a Pre/Post Assessment, which will be administered by the teachers during the first and last days of the program. The assessments will measure student's base-level knowledge of fraction concepts and determine their individual learning goals
- Family Component- A survey will be administered to assess program strengths and opportunities for program improvement for the summer of 2022. More student and parent program benefits are as follows:

Student Benefits

- Learn and practice math and coding skills
- Access to culturally inclusive math and coding curriculum
- Opportunity to meet and interact with gaming and STEM professionals
- Learning incentives based on pre/post assessments, student attendance and parent workshop attendance

Parent Benefits

- Parent workshops will be provided weekly to help parents gain skills and support their student's in learning math and coding concepts

We are excited to launch the summer Math Camp pilot.

If you have questions or require additional information, please contact Wendy McCulley at 457-3728.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 05/28/21

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: May 28, 2021

Phone Number: 457-3907

Regarding: School Services Weekly Update Report for May 21, 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 May 21, 2021 is attached and includes the following articles:

- COVID: Will Bay Area Schools Be Back or Still Have 'Distance Learning' This Fall? – May 08, 2021
- What Does the CDC's New Mask Recommendation Mean for Schools? – May 14, 2021
- How California College Savings Accounts Sow the Seeds of Higher Learning at a Young Age – May 20, 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: 05/28/21



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DATE: May 21, 2021

TO: Robert G. Nelson
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

Legislature Begins to Vet Governor Newsom's Revised Budget

In last week's *Sacramento Update*, we provided a comprehensive analysis and review of Governor Gavin Newsom's May Revision for the 2021–22 State Budget.

This week, both the Assembly and Senate Budget Subcommittees on Education met to get an overview of the Governor's revised budget and hear the perspective from the Department of Finance (DOF), Legislative Analyst's Office, the California Department of Education, and education stakeholders.

While both subcommittees held lengthy hearings to discuss Governor Newsom's proposals, no action was taken. The Legislature will hold additional hearings in the coming weeks where they will decide what proposals they would like to approve, reject, tweak, and add to the 2021–22 State Budget package. However, both subcommittees expressed some consistent concerns and observations around the budget, which signals some of the education priorities that they may be looking to include in the State Budget, which needs to be approved by June 15. Some of the high level issues include:

- **Deferrals.** While Governor Newsom proposes to keep \$2.6 billion in deferrals on the books, many subcommittee members expressed a willingness to retire these deferrals with the windfall of revenues projected in the current and budget year.
- **Concentration Grant-Based Proposals.** Two of Governor Newsom's proposals would utilize the Local Control Funding Formula (LCFF) concentration grant threshold to provide additional funds and corresponding requirements to a subset of California districts. Especially in the Senate, this strategy was questioned as subcommittee members expressed interest in spreading the adult-to-student ratio and expanded learning time funds to more districts.
- **Independent Study.** The members agreed with the Governor's plan to allow the distance learning language to expire at the end of the current fiscal year, effectively requiring local educational agencies (LEAs) to return to in-person instruction five days a week beginning with the 2021–22 school year.

However, there will be negotiations between the Administration, Legislature, and stakeholders to utilize (or perhaps alter) current independent study statute so that parents who are hesitant about sending their children back to the classroom for in-person instruction can keep their children in a remote setting.

- **CalPERS and CalSTRS Employer Relief.** While the Governor is not proposing any additional relief to reduce the California State Teachers' Retirement System (CalSTRS) and California Public Employees' Retirement System (CalPERS) employer rates, several budget subcommittee members signaled that they would like to provide additional funding for pension relief.
- **Special Education COLA.** Governor Newsom is proposing the state's special education funding formula to receive a 4.05% compounded cost-of-living-adjustment (COLA), which is an increase from his January proposal where he only provided special education the 1.5% statutory COLA. However, a handful of members signaled that they would like to see special education receive the 5.07% "mega" COLA that the LCFF is proposed to receive.
- **Student Learning and Health Initiatives.** Assembly Budget Chair Phil Ting (D-San Francisco) and other members pressed the DOF about why the Governor is providing \$2.6 billion for accelerated learning and another \$2 billion for health and safety activities associated with reopening schools. They questions whether this funding was necessary after the Legislature already provided \$6.6 billion via Assembly Bill 86 (Chapter 10/2021) for the In-Person Instruction and Expanded Learning Opportunities Grants and LEAs have received billions of flexible dollars from the three federal relief packages that have been approved since the onset of the pandemic.
- **Universal Transitional Kindergarten.** While mostly positive about the Governor's proposal to provide access to transitional kindergarten to all four-year-olds in California by 2024–25, there were some questions raised about how this proposal would affect preschool providers and the mixed delivery system that California currently utilizes for pre-kindergarten education.

These issues, as well as many others, will be some of the key points that the Legislature will have to work out with the Administration before approving a 2021–22 State Budget package that Governor Newsom will sign into law.

Leilani Aguinaldo

Note: The Legislature and Governor Newsom seem to agree to let the distance learning provisions expire on June 30, 2021, and transition back to in-person instruction as the default learning environment for the 2021–22 school year.

COVID: Will Bay Area Schools Be Back or Still Have 'Distance Learning' This Fall?

Decision looms on allowing remote instruction in fall

By John Woolfolk
Mercury News
May 8, 2021

As frustrated as she is watching her boys stare for hours at teachers on a computer screen while virus cases plummet and California reopens, an even greater worry weighs on Jennifer Keef: Will this still be the Gilroy Unified school experience in the fall?

Gov. Gavin Newsom and other state leaders say they “expect” campuses to reopen fully in the next academic year that will start in August, and note that the state authorization allowing remote “distance learning” during the pandemic expires at the end of June.

But Gilroy Unified and other districts want to keep a partial online “hybrid” teaching format on tap should virus cases erupt again, and have distance learning as an option for families who want it. That has parents like Keef – who are eager for a full school reopening – on edge.

“They keep on saying, ‘Our plan is to open fully, but we want to have a backup plan,’” said Keef, whose boys are in second and seventh grade. “So I just don’t see it actually happening.”

Though California boasts the lowest COVID-19 rate in the U.S., it also has some of the fewest fully open public schools. A recent EdSource analysis of state data found just 13% of public school students have returned to a normal five-day-a-week school schedule.

That has angered many parents whose kids have struggled emotionally and academically with remote learning and helped fuel a Newsom recall election in the fall. A recent Public Policy Institute of California poll found that while most California adults and public school parents approve of how Newsom and school districts handled pandemic closures, majorities say remote learning has hurt kids academically and are concerned schools won’t fully reopen this fall.

A battle looms in the state Legislature in coming weeks on whether to extend the permission for distance learning as Newsom unveils his annual update to the proposed state budget. Lawmakers must approve the budget by mid-June.

The California School Boards Association, which represents board members of nearly 1,000 districts, is lobbying for schools to continue to have the option of distance learning.

State law already has independent study provisions that allow for limited virtual academies, but school boards don’t want their hands tied if they choose to offer a broader remote option, said Troy Flint, the association’s spokesman. It’s not just the virus that threatens to close campuses, he said, noting California is facing another potentially big season of wildfires and harmful air quality from their smoke.

“In the modern era, we need to have multiple methods of serving different students with different needs,” Flint said. “The 19th-century model we’ve been operating on all these years doesn’t serve all families all that well, so we need to have a variety of approaches.”

The school boards have the ear of Sen. Connie M. Leyva, D-Chino, who chairs the Senate Education Committee and the Senate Democratic Caucus.

“I believe that we will continue to need – beyond June 30th – a virtual option for families that are not yet ready to send their students back to full in-person instruction or for students who don’t thrive in a traditional school setting,” Leyva said.

Assemblyman Phil Ting, D-San Francisco, the budget committee chairman who has called distance learning a disaster and worked with Newsom on compromise legislation in March to encourage schools to reopen faster, sees no need for that.

He blames distance learning for the past year’s sharp enrollment decline of 160,000 mostly elementary students, and says the state’s sluggish pace of reopening schools proves that giving districts “the flexibility to open and close doesn’t work.”

Newsom’s office said in a statement that given the state’s progress in vaccinations and reducing virus case rates, the governor “expects schools to be fully reopened for 100% in-person instruction in the fall.”

But parents who want to see their kids back in the classroom – with a teacher, five days a week – aren’t convinced.

Gilroy Unified, which only reopened elementary grades in a hybrid format in mid-April, decided to keep its middle and high school students in remote learning for the remainder of the current academic year.

Other Bay Area districts also have indicated a need to keep the distance learning option.

San Francisco Unified passed a resolution affirming the “firm intention to ensure all students are able to attend full-time, five days a week, in-person learning on the first day of school, August 2021.” But it also cited a need for “backup plans that adhere to anticipated public health guidelines in the event that community transmission rates rise.”

Oakland Unified said that “we are planning for full, in-person instruction, five days a week, for all students,” but also that “we are planning for a distance learning option for this fall.”

Cupertino Union, where angry parents mounted a trustee recall campaign, plans “a return to an in-person schedule that includes five days of live instruction at all schools.” But it’s also exploring a “choice” program “for families who are interested in distance learning for the full 2021-2022 school year.”

Val Ryabov, parent of a Cupertino Union district student, said the district “has been a bit cryptic” about whether the fall is “normal” as in “pre-COVID” versus “new normal” with more computer screen time in the room.

“We just have not seen leadership that prioritized children’s needs all year in most California school districts,” said Megan Bacigalupi, whose sons attend elementary school in Oakland Unified. Bacigalupi is an organizer with Open Schools California, which has sent some 1,500 emails to lawmakers urging a full fall reopening. “So until kids are actually back for five full days, many parents will be understandably skeptical.”

That includes Keef.

“They’ve set metrics for us to open this school year; we met those metrics and we didn’t open,” Keef said. “So how am I supposed to think what they’re saying now is going to happen?”

Note: While the Centers for Disease Control and Prevention have recently relaxed mask guidelines for those that are vaccinated, they are still a few weeks out from providing updates to its guidance for schools for the 2021–22 school year.

What Does the CDC’s New Mask Recommendation Mean for Schools?

By Evie Blad and Stephen Sawchuk
EducationWeek
May 14, 2021

Even as vaccinated adults stop wearing masks in many settings, schools should maintain recommended COVID-19 “layered mitigation strategies,” including masks, through at least the remainder of the 2020-21 school year, the Centers for Disease Control and Prevention said in a Saturday update.

That advice came days after the agency said fully vaccinated adults no longer need to wear masks or maintain social distancing guidelines, indoors or outdoors.

That relaxed recommendation may have created a sense of freedom for vaccinated Americans, but it also created some questions about the next year for K-12 schools, where masks have been a key strategy for slowing the spread of COVID-19.

The CDC will update its guidance for 2021-22 school year “in coming weeks” to give educators time to plan, the Saturday update said.

Mask requirements have been politically tricky for state leaders and district administrators alike.

What’s most concerning: While children are less likely to face severe illness from COVID-19, a majority of students won’t be eligible for vaccines until the fall. States have demonstrated little interest in mandating the shots, and schools are one of the most common places where large numbers of vaccinated and unvaccinated individuals are most likely to interact on a regular basis. There’s also some concern about more contagious variants of the virus, which may be more easily spread by children.

“Although it’s great news that our 12 and up are eligible for a vaccine, there’s obviously a lot of people under age 12 that are in our school setting, so we’re still going to be for a while predominantly unvaccinated students,” North Carolina Health Director Betsey Tilson told the state’s board of education Thursday, according to the News & Observer. “And we see that strength of that mask mandate.”

Even as they awaited further federal recommendations last week, some state leaders, like Virginia Gov. Ralph Northam, said they didn’t intend to relax school mask mandates any time soon. Others, like South Carolina Gov. Henry McMaster had already taken steps to end the requirements, or to allow families to opt out, before the latest actions by the CDC.

Here's what schools need to know.

What has the CDC said about masks in schools?

The CDC has identified universal mask-wearing as one of the most important "layered mitigation strategies" school leaders can put in place to limit the risk of COVID-19 transmission in their buildings.

Updated guidance released by the agency in February stressed face coverings alongside social distancing and hand washing as keys for safe reopening. The CDC later revised its social distancing guidelines, saying it was safe for children to sit 3 feet apart in most cases as long as they wear masks. Those new recommendations still called for adults to maintain 6 feet of distance.

Asked Thursday how schools should respond to the new general guidance for the public, CDC Director Rochelle Walensky stressed that state and local mandates still apply.

"So, my first message is: If you are not fully vaccinated, you are not fully protected. And so, you need to be continuing to wear your mask and practicing all of the mitigation strategies that we've been discussing before," Walensky said.

How many teachers and students are vaccinated?

While not speaking about schools specifically, Anthony Fauci, the nation's chief epidemiologist, stressed to CNN Thursday that unvaccinated children still need to wear masks, even if the adults around them don't.

"The children do, when they're out there playing with their friends and, you know, particularly in an indoor situation they do," Fauci said.

That's a concern for schools because children ages 12- to 15-years-old just became eligible for vaccines this week. It will take some time to get those children through the two-dose Pfizer vaccine sequence, which requires shots spaced at least 21 days apart. The company does not expect to seek emergency use authorization for younger children until September, and other vaccine makers have not yet won approval for patients younger than 18.

The CDC cited a lack of fully vaccinated students as justification for keeping schools' COVID-19 precautions in place Saturday.

While adults are most likely to face severe illness from COVID-19, children still face some risk, particularly if they have underlying health conditions that make them more vulnerable, epidemiologists have said. Masks have helped prevent children from contracting the virus and from unknowingly passing it on to others when they have few symptoms, research has suggested.

Adults in schools are more likely to be vaccinated, especially after state and federal officials prioritized them for early vaccine doses in February and March as part of their efforts to promote in-person instruction. The CDC estimated that nearly 80 percent of the nation's teachers, school staff members, and child-care workers had received at least their first dose of the COVID-19 vaccine by the end of March.

In some areas, the numbers of unvaccinated adults are much higher. A nationally representative EdWeek Research Center survey, conducted in late April, found that 16 percent of teachers and school and district leaders said they are not vaccinated and do not have an appointment.

And there may be reasons for adults to continue wearing masks, even if they are vaccinated, health officials have said. For one, states and districts must largely rely on the honor system, especially in states that have banned “vaccine passports,” which would provide a consistent way of proving one’s vaccinated status. Also, adults may want to set an example.

“Parents, and perhaps even teachers, may want to continue wearing masks to model behavior” for children who haven’t been vaccinated, Walensky said on the Today Show Friday.

What’s the role of CDC guidance?

CDC guidance to schools is nonbinding, and states and districts have varied in how much they’ve adhered to it throughout the pandemic.

In states like Alabama and Arizona that had already loosened up masking requirements, many districts have faced a tough call about whether to continue on their own. Urban districts, in general, appeared more likely to keep their requirements in place —perhaps in part because of more densely packed populations—while rural districts appeared to be less likely.

Before the latest CDC recommendations, some states had kept school mask mandates in place; others had never instituted them; still others rolled theirs back earlier this year.

In South Carolina, McMaster last week signed an executive order allowing parents to opt their children out of district mask requirements. And governors in Arkansas and Utah have already said schools will not be able to require masks in the fall.

Other leaders have taken the opposite approach. Oregon Gov. Kate Brown, for example, said she expects schools to continue the face covering policies laid out in the state’s school guidance. Connecticut Gov. Ned Lamont also said students will need to continue wearing masks.

Minnesota’s largest school system, Minneapolis, announced May 14 it would continue to require masks for the remainder of the school year, citing local city policy. (Gov. Tim Walz relaxed state mask requirements May 13 in accordance with the CDC order.)

The Austin, Texas, school district said it will continue to require masking through the end of the school year, noting the difficulty of tracking vaccinations.

Elsewhere, leaders have taken a wait-and-see approach, saying they are monitoring factors like vaccination rates, virus spread, the growth of more contagious variants, and additional public health guidance as they chart a course for the next school year.

How has divided public opinion complicated discussions about masks in schools?

Masking quickly morphed from a health policy discussion to a political statement in the early days of the pandemic. Rumors and misinformation about face coverings also abounded on social media, complicating efforts by states and districts to take a purely scientific or health-based approach.

In some places, parents and protesters dramatically confronted school boards to push for the end of mask mandates.

But others have said such policies make them more comfortable sending their children to in-person school. Even as districts offer in-person options, Black and Latino families, which have been hardest hit by the pandemic, are the most likely to keep their children home for remote learning, federal data show.

The CDC guidance has been key to forming trust with cautious families, and it's also formed the basis of many districts' agreements with teacher and employee unions as they hammered out how to reopen safely.

National Education Association President Becky Pringle said in a statement Friday that the new CDC mask recommendation for the public "highlights again the critical importance of everyone, including all students who are now eligible, getting vaccinated as quickly as possible."

"CDC's key mitigation measures for safe in-person instruction, including wearing masks, should remain in place in schools and institutions of higher education to protect all students and others who are not vaccinated," she said, noting that only about a third of adults are vaccinated.

Note: Governor Newsom's revised budget includes a proposal to provide all unduplicated pupils a college savings account with an initial deposit of \$500 with a supplemental \$500 for foster and homeless youth.

How California College Savings Accounts Sow the Seeds of Higher Learning at a Young Age

Newsom's proposed state program would give accounts to 3.7 million low-income students

By Ali Tadayon
EdSource
May 20, 2021

Giving low-income youth college savings accounts at a young age has emerged as a strategy across California to not only help families build financial assets, but also stoke tangible college aspirations.

Such programs have sprung up in Oakland, Los Angeles and several other cities since San Francisco became the first in California in 2011 under then-Mayor Gavin Newsom to give every child entering kindergarten at San Francisco Unified a college savings account with \$50 funded by the city and county of San Francisco.

Los Angeles Unified will launch its program Friday by giving more than 13,000 of its 35,000 first-graders an account each with \$50. It will expand to all first graders in the fall, making the program the largest district program in the country. The program has funding to enroll all first graders over the next few years.

Now in his third year as governor, Newsom proposed a \$2 billion statewide program using federal Covid relief funds to give low income students even more college money. Low-income students who qualify for free and reduced-price meals would receive a college savings account with an initial \$500 deposit. Homeless and foster youth would receive an additional \$500 in their college savings accounts. Low-income first graders in Los Angeles would benefit from both the local and the statewide program.

Once it is approved by the Legislature, the state program would be much larger than the one in Los Angeles by enrolling 3.7 million low-income students in 1st through 12th grades during the fiscal year that starts on

July 1. After the first year, the statewide program will start college savings accounts for every incoming first-grader from low-income families funded by \$170 million from the state general fund.

Though most of the programs are too new to gauge whether they are helping students pay for college — the first class in San Francisco to receive the accounts is in 10th grade now — research shows that the college savings accounts are changing the culture about college for low-income families. The families that receive the accounts not only have growing assets for their children’s higher education but also are more likely to have thought about and prepared for college and its costs, according to research published in April by Washington University’s Center for Social Development.

For San Franciscan Diana Ba, who buses and serves tables at restaurants, and her fifth grade daughter, Andrea Fuentes, having the college savings account has kept the goal of college on the horizon. Since Andrea was in kindergarten, they’ve managed to scrape together more than \$1,000 for the account.

Ba had begun going to college in Mexico before immigrating to the U.S. but hasn’t yet been able to finish her studies. She said she wants her daughter to be able to pursue her dreams of going to college to become either a fashion designer, a dancer or an artist without having finances be a barrier.

Andrea even gives her mom cash and change out of her piggy bank to put into the account.

“It feels satisfying that I get to have something in the future, have college or something more,” Andrea said.

San Francisco Treasurer Jose Cisneros said it was earlier research out of Washington University showing that children with savings accounts would be up to seven times more likely to attend college than those without an account that prompted his office to pilot the program.

“For low-income kids, whose parents may not have gone to college, who don’t hear people around them talking about college, building those aspirations is important,” Cisneros said. “It really gives kids a ticket to a whole opportunity, a journey, that tells them this is one more way you can be successful, whether its college, community college, trade school or whatever.”

Though college savings accounts have the potential to substantially grow over decades, students would likely also need financial aid to cover the high costs of going to college. An average year at a University of California school, plus housing, runs between \$34,100 and \$36,700, though most students get at least some financial aid.

By the end of 2020, there were 106 programs throughout the country that provided more than 922,000 students a savings account for college, typically along with seed money, according to economic opportunity nonprofit Prosperity Now , which works to expand economic opportunity for low-income families. The programs kicked off in the U.S. in the early 2000s before gaining traction around 2010, and have been becoming more popular each year.

University of Michigan professor William Elliott, who is considered one of the leading researchers into the benefits of college savings accounts, said a substantial body of research is growing on the positive effects of college savings accounts on low- and moderate-income families. Not only do the accounts bring a higher likelihood of a child going to college, but they also change parents’ outlook from hoping their child will go to college to expecting their child will go to college. Research has also shown that kids who have savings

accounts will have better social-emotional development, and mothers of children with college savings accounts are less likely to suffer from depression, he said.

“You might ask why, and my theoretical answer to that is they have hope for their kids’ futures, which makes them more optimistic about their lives even though they weren’t given money to change their day-to-day activities,” Elliott said.

Governor’s Office spokesman Alex Stack said the savings accounts would operate “in a substantially similar fashion” to 529 plans — which are tax-exempt with investment portfolio options so that the money can grow over time. The accounts under Newsom’s proposal would not be specifically identified as 529 plans, though, Stack said.

According to the draft bill’s explanation for Newsom’s proposal, the funds are not transferable to anyone else and can only be used for documented higher education costs. Undocumented students would also be eligible for the program, which will follow state and federal privacy laws.

The bill also says any funds deposited or investment returns accrued in a child savings account will not affect their state or federal financial aid eligibility.

The funds in the savings accounts would remain the property of the state until the recipient uses them for higher education or reaches the age of 35. If the funds go unused before the recipient turns 35, the account will revert to the program’s overall fund and will be available for other children in the future.

Newsom proposes using one-time federal American Rescue Plan dollars to fund the program for 2021-22, with \$170 million ongoing from the state beginning in 2022-23. The proposal must be approved by the Legislature.

Throughout the country, relatively few families contribute funds to their children’s college savings accounts after they are established — and most who do tend to be wealthier, according to the U.S. Government Accountability Office.

But Elliott said that’s a narrow view of the role of college savings accounts. Even if families aren’t able to put money into the accounts, they are still “engaging with the accounts” by talking to their children about going to college and viewing the accounts as a growing asset. The accounts also allow government transfers into them, in case they are able to get college grants or other funds. And funds can grow if invested over more than a decade.

“Low-income families, at the end of the day, make small amounts of money,” Elliott said. “We can want them to pull up their bootstraps and save their way to college, but they’re not going to do that. The important thing is that they are saving some and that they’re engaged in the process.”

In Los Angeles Unified’s plan, Opportunity L.A., the seed funding will be deposited into students’ deposit-only savings accounts rather than 529 plans. District officials say this would make it easier for undocumented families to participate since they would not need to fill out forms to access and deposit into their accounts. Families can also withdraw funds from these savings accounts in case of a family emergency, according to the Opportunity L.A. website, though restrictions, which haven’t yet been finalized, will apply.

In the case that students also qualify for the statewide program, the district would need to settle on the logistics.

“I am thrilled to see the state’s proposal following L.A.’s lead on this investment in students and look forward to learning more about how the targeted initiative would align with and supplement our local, universal initiative,” said L.A. Unified board member Nick Melvoin. “Over 80% of L.A. Unified’s students are low income, foster youth, or English learners who would qualify for and benefit from the proposed state accounts that would help make financial stability and college success realities.”

The Oakland Promise, a multifaceted initiative to help children get a college degree, offers a Brilliant Baby program which opens a 529 account with \$500 for each newborn of low-income families. In addition, the Oakland Promise offers a Kindergarten to College program that sets aside \$100 for each Oakland Unified School District kindergartner in a college scholarship fund. The Oakland Promise initiative, which is run as a nonprofit, also provides workshops and one-on-one financial coaching to help families start saving for college early.

Yet only a few families have supplemented the Brilliant Baby college savings accounts with their own money, said the program’s director, Amanda Feinstein. But that’s not the program’s focus, she said.

“Our approach is to create an asset that is inspiring and supportive to parents’ aspirations for their children,” Feinstein said. “This is giving families a tangible resource to focus on.”

Mia Bonta, chief executive officer of the Oakland Promise, said some of the families they work with have expressed that the college savings accounts and the financial coaching have been bright spots during the uncertainty caused by the Covid-19 pandemic.

“Families have expressed still being hopeful and feeling a little less anxious even in this moment of devastation that Covid-19 has brought on our communities,” Bonta said.

Staff writer Betty Márquez Rosales contributed to this report.

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: May 28, 2021

Phone Number: 457-3907

Regarding: May Legislative Committee Meeting

The purpose of this communication is to provide the Board information shared at the May 21, 2021 Legislative Committee Meeting.

Economic and Budget Update – Ms. Leilani Aguinaldo provided an update on the Governor’s May Revision.

The May Revision was released on May 14, 2021. The next steps are for the legislature to vote on the State Budget by June 15, 2021 and have the Governor sign the State Budget by June 30, 2021.

The State Budget has made a remarkable recovery from a year ago. Last year, a worrisome budget was presented amid the pandemic and districts were bracing for cuts. The budget now swings from a \$54.0 billion deficit a year ago to a current-year surplus of \$75.7 billion.

Due to the strength in the rate of the economic recovery, the Gann Limit has been triggered for 2021/22. This limits the allowable growth in state and local government spending. Amounts over the limit must be split evenly between education and taxpayer refunds. The May Revision estimates the Gann Limit could be exceeded by \$16.2 billion by 2021/22.

A deposit to the Proposition 98 reserve is planned to be fully funded at \$4.6 billion. A fully funded Proposition 98 triggers the statutory cap for school districts in 2022/23 to 10%.

The Governor proposes to retain a portion of deferrals of \$2.6 billion or 100% of the June apportionment deferred to July.

The Local Control Funding Formula (LCFF) is proposed to increase from the January proposal of 2.84% to 5.07% which includes a 1% “Mega” Cost-Of-Living Adjustment, while Special Education is funded at the Compounded COLA of 4.05% and all other state programs are funded at the Statutory COLA of 1.7%. In addition, the May Revision proposes an augmentation to concentration funds in the LCFF to increase funding from 50% to 65% of base LCFF revenue.

The May Revision proposes Universal Transitional Kindergarten to include 4-year-olds with a first-year implementation in 2022/23 and full implementation by 2024/25. The intention is to achieve universal preschool access for all low-income 3-year-olds in California.

Other initiatives included in the May Revision include increased funding for Educator Workforce, Community Schools, Child Nutrition, Student Learning Intervention, Expanded Learning, College Savings Account Programs, and Health and Safety Grants.

To provide options to families to continue distant learning, independent study will be offered in 2021/22. Improvements to the independent study statutes are proposed.

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

- AB 102 (Holden) Dual Enrollment – (Support) – Extends dual enrollment at school districts indefinitely. This bill did not meet the deadline and will no longer be moving forward.
- AB 1316 (O'Donnell) School Accountability: Financial and Performance Audits: Charter Schools – (No Position) – Makes significant changes to non classroom-based charters and independent study.
- 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. This bill was held in the appropriations committee and will be reviewed in 2021/22.
- AB 839 (O'Donnell) Career Technical Education – (Support) – Changes funding for the Career Technical Education Incentive Grant starting in 2021/22. This bill was held in the appropriations committee and will no longer be moving forward.

The School Services Legislative Committee May 2021 report is attached. The next Legislative Committee meeting is scheduled for June 17, 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: 05/28/21

Fresno Unified School District

**LEGISLATIVE COMMITTEE MEETING
MAY 21, 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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An Overview of the 2021–22 Governor’s May Revision

By SSC Team
May 14, 2021

Preface

The 2021–22 May Revision reflects the state’s undeniable V-shaped recovery from the trough of the short-lived COVID-19 recession. As noted by the visual presentation alongside Governor Gavin Newsom in the release of his updated State Budget plan, California is “roaring back” from the initial dark days of the health pandemic that has gripped the state and its 39 million residents for nearly a year-and-a-half.

Governor Newsom’s “California Comeback Plan” includes a mix of ongoing and one-time investments of \$100 billion made possible by an unanticipated surge in state revenues and robust federal stimulus funding. The May Revision’s economic recovery plan, if enacted, will earn it—and potentially Governor Newsom—a place in national and state history, which, as many speculate, may have been inspired by a near certain and imminent gubernatorial recall election.

Regardless of its drivers, the State Budget plan released today, May 14, 2021, holds a lot of promise for Californians, millions of whom have been economically disaffected by the COVID-19 pandemic, with millions more who have had to endure months of helping their children navigate the rough and often choppy waters of distance learning as they remain sheltered from the health risks of the outside world. Every Californian felt the magnitude of COVID-19’s disruptive temblors. Today, Governor Newsom unveiled a plan that he believes addresses their immediate needs while building the foundations of a more resilient state in the future.

Overview of the May Revision

For those who were tracking Governor Newsom, it may have stirred childhood memories of tracking Santa on Christmas Eve, as he canvassed California to unveil the boldest proposals in the May Revision, including \$12 billion in tax rebates to qualifying Californians and plans to help rebuild small businesses, tackle a persistent homelessness and housing affordability crisis, and a “California For All Kids Plan” that aims to close the readiness and opportunity gaps for historically underserved students. Other welcomed investments in the May Revision address college access, affordability, and workforce readiness through a cornucopia of investments in student housing, the creation of a college savings account program for low-income children, and grants to incentivize partnerships between higher education institutions and businesses to train and prepare the workforce for California’s future economy.

Governor Newsom balances his robust—and arguably aggressive—spending proposals with over \$24 billion in reserves, including a historic deposit into public education’s rainy day fund. The K–14 public education investments correspond with the unprecedented spending levels across the May Revision, including over \$121 billion in budget-year spending for K–12 and an over \$1 billion (or 5.7%) increase for community colleges from 2020–21 levels.

The Economy and Revenues

As a result of the COVID-19 pandemic, the year 2020 incurred a dramatic economic downturn in both the national and state economies. Looking back, it is remarkable that U.S. gross domestic product fell only 3.5% in 2020, despite the economy being turned off completely for a couple of months. While the pandemic has completely changed the manner in which we go about our daily lives, the economic recovery has been swift. Strong economic performance has driven national unemployment from its recent high of 14.8% in April 2020 to 6.1% in April 2021. However, April U.S. job growth was roughly one-quarter of the expected growth and there are concerns about inflation at the national and state level. In California, unemployment has fallen from its high of 16.0% in April 2020 to 8.3% in March 2021, with labor participation at 60.8%, which is 1.7% below pre-pandemic levels.

The state’s General Fund budget has made a remarkable recovery, swinging from a \$54.0 billion deficit a year ago to a current-year surplus of \$75.7 billion. In fact, the rate of the economic recovery is so strong that the Gann Limit has been triggered. Passed in a wave of anti-tax sentiment on the back of Proposition 13, Proposition 4 (the “Gann Limit”) limits the allowable growth in state and local government spending, including for school districts. Amounts over the limit must be split evenly between education and taxpayer refunds. The May Revision estimates that the Gann Limit could be exceeded for the 2020–21 and 2021–22 fiscal years by \$16.2 billion. The May Revision allocates the whole \$16.2 billion estimate, providing tax refunds through the Golden State Stimulus, and allocating the balance of \$8.1 billion to K–14 schools in 2022–23 as a supplement to Proposition 98 funds.

In California, the “Big Three” taxes make up the lion’s share of the revenue that the state relies on to fund most of its major programs, including education and child care. The May Revision projects continued growth in the “Big Three” taxes of personal income, sales and use, and corporations, though the significant increases in the personal income tax in the May Revision include the highly volatile capital gains tax. Also, despite predominantly strong economic indicators, bottlenecks from pandemic closures persist. As a balancing force, the May Revision includes \$24.4 billion in reserves with deposits of \$15.9 billion dollars in the Budget Stabilization Account (Rainy Day Fund).

Proposition 98 Minimum Guarantee

Proposition 98 is estimated to increase by \$17.7 billion above Governor Newsom’s January estimates, boosting per-student state revenues to a historic \$13,977. When federal resources are layered on top of Proposition 98 revenues, the per-student rate jumps to an unprecedented \$21,152, according to estimates provided by the Administration.

Revised from January estimates, the Proposition 98 minimum guarantee increases during the three-year budget window as shown in Table 1 for each of fiscal years 2019–20, 2020–21, and 2021–22.

Fiscal Year	January Estimate	May Revision
2019–20	\$79.5	\$79.3
2020–21	\$82.8	\$92.8
2021–22	\$85.8	\$93.7

These estimates include offsetting General Fund adjustments as a result of changes in property taxes. The May Revision estimates that property tax revenues decreased by \$283 million in 2019–20, by \$298 million in 2020–21, and will decrease by \$315.9 million in 2021–22, largely related to revised Educational Revenue Augmentation Fund calculations catalyzed by changes included in the 2020 Budget Act.

Proposition 98 Supplemental Payments

K–12 and community college leaders may recall that the 2020 Budget Act included a provision requiring the state to augment the minimum guarantee with supplemental payments intended to restore K–14 revenue from anticipated COVID-19 recession losses and permanently increasing the Proposition 98 minimum guarantee from 38% of state General Fund revenues to 40% of state General Fund revenues when it is determined by Test 1.

In January 2021, with evidence that the economic impact of the health crisis was not affecting education funding, Governor Newsom proposed repealing these state obligations, while still providing a one-time \$2.3 billion supplemental payment in recognition of the additional costs faced by school agencies due to the pandemic. The May Revision maintains the proposed repeal and eliminates the one-time supplemental payment, arguing that the education revenues under Test 1 are estimated to be \$9.3 billion higher than what they would be if the minimum guarantee were adjusted for changes in student attendance and per capita personal income (Test 2). The Governor partially offsets the repeal of the supplemental payments with a proposed permanent increase in the minimum guarantee, which is discussed under the Governor’s Universal Transitional Kindergarten (TK) proposal.

Public School System Stabilization Account and Cap on Local Reserves

As with many investments in the May Revision, the state’s obligation to deposit funds in the Public School System Stabilization Account (PSSSA)—or the Proposition 98 reserve—is due in part to unanticipated revenues. According to the May Revision, the state is required to set aside \$1.6 billion more than the January estimate of \$3.0 billion into the PSSSA, for a total reserve of \$4.6 billion. The reserve amount exceeds 3% of the K–12 portion of the Proposition 98 minimum guarantee, which triggers the statutory cap for fiscal year 2022–23—limiting how much K–12 districts can maintain in their local reserves, with a few exceptions.

Deferrals

Building upon the Governor’s Budget in January, the May Revision provides additional funding to further reduce the deferrals that were included in the 2020–21 Enacted Budget. The Governor’s Budget in January proposed paying down \$9.2 billion of the K–12 deferrals. The May Revision proposes paying down an additional \$1.1 billion, which would leave a balance of \$2.6 billion at the end of the 2021–22 fiscal year.

Cost-of-Living Adjustment and Average Daily Attendance

The May Revision increases the cost-of-living adjustment (COLA) provided in the Governor’s Budget in two ways. First, the May Revision recognizes the statutory COLA for 2021–22 is 1.70%—an increase of 0.2% from the Governor’s Budget. Second, “to help local educational agencies (LEAs) address ongoing fiscal pressures,” an additional \$520 million in Proposition 98 General Fund revenues is being proposed to increase the COLA applicable to the Local Control Funding Formula (LCFF) by an additional 1.00%—bringing it to 2.70%. The 2.70% COLA, compounded with the 2019–20 statutory COLA of 2.31%, results in an LCFF COLA of 5.07% for 2021–22.

That said, LEAs will need to keep three different COLAs in mind when calculating revenues for 2021–22:

COLA	Programs
5.07% (mega)	LCFF
4.05% (compounded)	Special education
1.70% (statutory)	Other categorical programs—Child Nutrition, State Preschool, Youth in Foster Care, Mandate Block Grant, Adults in Correctional Facilities Program, American Indian Education Centers, and the American Indian Early Childhood Education Program

The May Revision notes that statewide average daily attendance (ADA) is expected to continue declining.

Local Control Funding Formula

As noted above, the May Revision proposal would provide a 5.07% COLA to the LCFF. The desired effect of the mega COLA is to bring LCFF rates to beyond where they would have been had the 2020–21 statutory COLA been funded. Therefore, the base grants—and subsequent grade span adjustments for Kindergarten K–3 and career technical education—as well as the supplemental and concentration grant amounts will increase from the 2019–20 amounts.

Governor Newsom also proposes a \$1.1 billion augmentation in Proposition 98 funding to the concentration grant for the purpose of increasing the number of adults providing direct services (nurses, teachers, counselors, paraprofessionals, and others) to students. The effect of this infusion is an ongoing increase to the concentration grant factor. Those LEAs that receive these increased

funds would be required to demonstrate how they were used for this purpose in the Local Control and Accountability Plan.

Special Education

While not providing the full increase as general education funding through the LCFF, the Governor's May Revision does propose to apply the compounded COLA of 4.05% to special education funding. This will increase the special education base rate from \$625.00 in the current year to approximately \$650.31 per ADA, pursuant to the current funding formula for students with disabilities.

The Governor's May Revision also notes an increase of \$277.7 million one-time in federal funding to Individuals with Disabilities Act (IDEA) from the American Rescue Plan. The Administration also proposes the following to be funded from other federal IDEA resources:

- \$15 million one-time to provide technical assistance and support to LEAs in developing and administering comprehensive individualized education programs
- \$2.3 million to address special education complaints, perform court-ordered special education monitoring, and to purchase special education monitoring software
- \$1.2 million to improve coordination between the California Department of Education, the California Department of Developmental Services, and LEAs to support the transition from infant to preschool programs, and convene stakeholder workgroups to address data sharing and disseminate best practices to increase access to more inclusive settings for three-, four-, and five-year-olds

Educator Workforce

Governor Newsom's May Revision proposes to invest in the educator workforce by providing \$3.3 billion in a multiyear package to support initiatives that build the teacher pipeline, encourage educator retention, and provide professional training in key areas for administrative, credentialed, and classified staff. This includes an appropriation of \$550 million to boost teacher preparation through teacher residency programs, \$100 million for the classified credentialing programs, and \$500 million for the Golden State Preparation program. In addition, a \$111.1 million one-time Proposition 98 and General Fund allocation is earmarked to support the Pre-K–12 Educational Employment Program, which encourages pathways to the teaching profession, \$20 million for credential fee waivers in 2021–22 for new teachers, and \$15 million to assist teachers in completing coursework required for state certification in computer science.

Important training needs, and the need to retain educational professionals are addressed through a \$1.3 billion multiyear investment. High-need training topics for administrators, classified, and certificated employees include restorative practices, accelerated learning, re-engaging students, and implicit bias. In addition, an investment of \$250 million is appropriated to encourage National Board Certification for teachers in high poverty schools; \$60 million is appropriated for the Classified Summer Assistance Program, which helps supplement classified employee pay over summer recess; and \$25 million will be appropriated over five years for the 21st Century

Leadership Academy. Educator training in the areas of early math, reading, science, instruction, computer science, dyslexia, and LGBTQ+ cultural competency is supported through the appropriation of an undisclosed amount of one-time funding.

Child Care, Preschool, and TK

In keeping with his January proposal, Governor Newsom increases the state’s child care and preschool reimbursement rates by the statutory 1.70% COLA. However, as he announced on Mother’s Day, May 9, 2021, via Twitter, he is also proposing 100,000 new subsidized child care slots, as well as funding an additional 6,500 slots from Proposition 64 cannabis tax revenues. Governor Newsom’s child care package also includes continued protections for families through waived family fees and protections for providers through a variety of stipend and resource programs and continuing the hold harmless provision for direct contractors. Finally, the May Revision maintains current spending levels for the California State Preschool Program with the intention of implementing policy changes consistent with the Master Plan for Early Learning and Care’s recommendation to achieve universal preschool access for all low-income 3-year-olds in California.

Perhaps the boldest early childhood and education proposal is the one to provide universal access to TK to all four-year-olds in California by 2024–25. The Governor proposes increasing the Proposition 98 minimum guarantee by an estimated \$900 million in fiscal year 2022–23 and reaching a total of \$2.7 billion by full implementation in 2024–25 to pay for the costs of California’s new “14th grade.” He also proposes an additional \$380 million Proposition 98 investment, growing to \$740 million by 2024–25, to reduce TK classroom ratios by half by paying for the cost of one additional certificated teacher or classified staff per classroom.

The May Revision proposes repurposing the January Governor’s Budget one-time \$250 million TK incentive grant proposal to instead, provide LEAs resources to enable them to prepare for TK expansion beginning with the 2022–23 school year, as well as maintain a facilities proposal to help LEAs with their student housing needs when new TK students cross their campus gates beginning in 2022–23.

Retirement Systems

Governor Newsom does not include any new funding for the California State Teachers’ Retirement System (CalSTRS) or the California Public Employees’ Retirement System (CalPERS) for LEAs. This reaffirms the current best CalSTRS employer rate estimate for 2021–22 of 16.92% based on the latest recommendation to date from the actuary—a 1.00% increase compared to what LEAs are currently expecting at 15.92%. In contrast, the CalPERS Board approved the employer contribution rate at its April 2021 meeting for 2021–22 at 22.91%—a 0.09% decrease compared to what LEAs are currently expecting at 23.00%.

Community Schools

Governor Newsom significantly increased his \$275 million community schools proposal from January by investing \$3 billion in one-time Proposition 98 funding over several years to further expand the implementation and use of the community school model. The funding would support

grants for up to 1,400 LEAs (more than 60% of LEAs statewide) to convert school campuses into full-service community schools. The investment is consistent with the Governor’s intent to leverage the infrastructure of community schools as a way to provide wraparound services, such as health care and social services, to students and their families.

Child Nutrition

Governor Newsom proposes to increase access to subsidized school meals for students as part of his effort to support the whole child with \$150 million in ongoing funding to increase LEA participation in federal universal meal provisions. Additionally, \$100 million in one-time funding is proposed to provide school kitchen infrastructure upgrades and training for school cafeteria staff.

Broadband

The COVID-19 pandemic forced California and the rest of the globe to adapt to a virtual world in nearly every aspect of life, including K–12 education. In order to expand broadband and reliable internet service statewide, Governor Newsom proposes a \$7 billion investment.

For education, the May Revision proposes a one-time \$35 million (non-Proposition 98) investment, available through 2024–25, to expand broadband access to isolated and underserved communities through a collaborative partnership of LEAs, regional libraries, and telehealth providers. The state will also leverage available federal funds through the E-Rate Program to assist with this initiative.

Federal Programs

California is slated to receive a windfall of federal relief dollars from the \$1.9 trillion America Rescue Plan that was signed into law by President Joe Biden in March 2021. For K–12 education, the state is slated to receive approximately \$15.3 billion for the third iteration of the Elementary and Secondary School Emergency Relief Fund, of which 90% is required to be allocated to LEAs in proportion to their Title I, Part A funding, while the state has direction over how to spend the remaining 10% (see “[Congress Approves the \\$1.9 Trillion American Rescue Plan](#)” in the March 2021 *Fiscal Report*).

Overall, the state has more than \$2 billion in flexible federal funding to spend on education initiatives. Governor Newsom is proposing to use these flexible federal dollars as a part of his \$2.6 billion proposal to provide intensive tutoring for students, which is detailed in the following section.

Student Learning

The May Revision continues the state’s focus on reopening schools for in-person instruction. Governor Newsom proposes an additional \$2 billion in one-time Proposition 98 funds for health and safety activities associated with reopening schools, including testing and vaccine initiatives, enhanced cleaning, personal protective equipment, and improved ventilation. This investment supplements the In-Person Instruction Grant that was established by Assembly Bill (AB) 86. In

addition, the Governor proposes to supplement the Expanded Learning Opportunities Grant from AB 86 with an additional \$2.6 billion to provide interventions for students focused on accelerated learning.

Recognizing that some parents may still be hesitant to send their children back to school in the fall, the May Revision affirms that LEAs may serve these students outside the classroom using existing independent study statutes. To ensure these students receive a high-quality option for nonclassroom-based instruction, improvements to the independent study statutes are proposed.

Afterschool and Summer Programs

The Governor envisions robust afterschool and summer programs for elementary school students with a five-year plan. Funds are proposed to provide no-cost afterschool and summer programs with a priority for LEAs with the highest concentrations of low-income students, English language learners, and youth in foster care. The May Revision includes \$1 billion for this proposal in 2021–22, growing to \$5 billion in 2025–26.

Children and Youth Behavioral Health Initiative

The need for comprehensive mental health supports has been highlighted during the pandemic, prompting Governor Newsom to propose an investment of \$4 billion over five years and many state departments to identify and treat behavioral health needs early, including trauma, depression, anxiety, psychological disorders, and substance use in youth ages 0–25. The intent is to identify children who need help early, provide services where and when needed, and make programs and services available to meet their needs. The Children and Youth Behavioral Health Initiative will be designed to invest in schools' ability to both deliver care directly and partner with Medi-Cal plans.

Closing

Certainly, a \$268 billion investment that leverages over \$75 billion in surplus revenues is cause for celebration, especially when compared to where we were just a year ago. At this time last year, we were feeling dizzy about a potential 10% cut to our General Fund apportionments alongside billions of dollars in deferred state payments, both of which were critical in helping the state address an estimated \$54 billion State Budget shortfall. Also, we certainly cannot ignore the euphoric revenue gains coming from Wall Street, which was unexpectedly shielded from the economic storm of the health pandemic that upended millions of lives across the nation.

There is so much to be grateful for in the May Revision. Local educational leaders can look forward to increased revenues that will help them achieve fiscal resiliency while expanding access to high quality educational and support services to California's six million students, including programs to accelerate and enrich academic learning.

While there is so much to look forward to, we believe that the significant investments in the May Revision—namely, the increased ongoing education spending obligations tied to some of the investments—can create out-year risks for the state and for local leaders if the economic assumptions underlying the May Revision prove tenuous..

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Unemployment Insurance Rates on the Rise

By Matt Phillips, CPA and Leilani Aguinaldo
April 5, 2021

The Employment Development Department (EDD) recently released the Annual Report to the Fund Participants (Report) regarding the School Employees Fund (SEF) for the fiscal year that ended June 30, 2020. The Report includes a rate increase from 0.05% to 1.23% in the 2021–22 fiscal year—a historically large increase.

The SEF is a joint, pooled-risk fund administered by the EDD which allows school employers to deposit funds into the pool, and the pool reimburses the State’s Unemployment Insurance Fund for the cost of unemployment insurance benefits paid to former or furloughed employees of SEF participants. As of the 2019–20 fiscal year, the SEF included more than 1,400 local educational agencies (LEAs), and nearly one million employees, inclusive.

The Report highlights that payments into the fund have hovered around \$40 million annually, while payments to beneficiaries skyrocketed to more than \$237 million in 2019–20. The increase in payments is attributed to the COVID-19 pandemic. For comparison, payments to beneficiaries totaled \$87.8 million in 2018–19, an amount in line with payments since 2015–16. Absent significant credits from the various federal stimulus, the SEF reserves would be nearly depleted. As of June 30, 2020, the SEF reserves were \$211.5 million, down from \$466.5 million in 2015–16.

[California Unemployment Insurance Code Section 823\(b\)\(2\)](#) establishes the annual contribution rate. The contribution rate is a mechanical calculation comparing the payments from the SEF for the two preceding calendar years, divided by total wages. In no event shall the contribution rate be less than five one-hundredths of one percent (0.05%).

The last time LEAs experienced an unemployment rate increase above the statutory minimum of 0.05% was during the Great Recession. At the time, school districts were reimbursed for payments to the SEF in accordance with Education Code Sections 42241.7 and 43001.8. These sections provided a line-item addition to the revenue limit calculation, thereby negating any adverse impacts from changes in unemployment insurance rates. Unfortunately, these sections were eliminated with the advent of the Local Control Funding Formula (LCFF), which results in school districts bearing the brunt of increases to the contribution rate.

In the 2019–20 fiscal year school districts made unemployment insurance payments of nearly \$22.5 million based on the 0.05% rate. If the rate in 2019–20 was 1.23%, payments would have increased to more than \$550 million. For contextual purposes, the proposed 3.84% cost-of-living-

adjustment applied to the LCFF in 2021–22 is estimated to cost approximately \$2 billion, which means that an increase in the unemployment insurance rates will erode 25% of new ongoing funding for school districts.

The full Report can be accessed [here](#).

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CalSTRS Contribution Rate Increase Expected for 2021–22

By Michelle McKay Underwood
April 20, 2021

As part of the 2014–15 State Budget, the California State Teachers’ Retirement System (CalSTRS) Full Funding Plan (AB 1469) was put in place to propel the retirement system to be fully funded in 32 years. The plan included statutory employer and state contribution rates initially, and then gave authority to the CalSTRS Board—for the first time—to increase contribution rates (with some constraints) to fully exhaust the unfunded liability by 2046.

Initially, the employer contribution rate was set to increase evenly over a seven year period, with equal increases detailed in statute; at the end of that ramp up period the CalSTRS Board could increase or decrease the contribution rate by a percentage point each year, with a maximum employer contribution rate of 20.25% as follows:

“For fiscal year 2021–22 and each fiscal year thereafter, the board shall increase or decrease the percentages . . . to reflect the contribution required to eliminate by June 30, 2046, the remaining unfunded actuarial obligation . . . as determined by the board based upon a recommendation from its actuary.”

The steady statutory increase was disrupted—in a positive way—for several years as the state subsidized the employer contribution rate by sending funds to CalSTRS on behalf of school districts, and thereby lowering the employer contribution rate. The 2021–22 employer contribution will enjoy a state subsidy, but is unlikely to be sufficient to mitigate the need for an employer contribution rate higher than in 2020–21.

The need for an increased rate is due to a statewide shrinking CalSTRS-eligible payroll as teachers left the profession in 2020–21 and have not been replaced. Because the payroll upon which the employer contribution rate is applied has shrunk, so too has the contribution sent to CalSTRS by employers shrunk. This exacerbates the unfunded liability.

The CalSTRS Board is set to exercise its new rate-setting authority in an action at its June 2021 meeting. Unfortunately, that will provide less than a month for local educational agencies (LEAs) to make budget adjustments for the new fiscal year. Therefore, we are recommending that LEAs begin to anticipate a CalSTRS employer contribution rate in 2021–22 based on what will be the recommendation of the actuary: 16.92%. The rate of 16.92% would be the net value of the employer contribution rate when applying the state subsidy of 2.18% to the employer contribution rate likely adopted by CalSTRS of 19.1%. This is an increase compared to both the current year

rate of 16.15% and importantly against what LEAs are currently expecting in 2021–22, at 15.92%.

There is uncertainty in this rate: the CalSTRS Board could choose to adopt a lower contribution rate or the state could provide an additional subsidy for 2021–22. However, the conservative approach would be to expect this increase based on the best information available to date from CalSTRS.

The official action of the CalSTRS Board will take place on June 10, 2021, and will be reported to the field as soon as it is finalized.

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CalPERS Approves Employer Contribution Rates

By Charlene Quilao and Michelle McKay Underwood
 April 21, 2021

As reported in our April 2021 Fiscal Report article, “[Projected 2021–22 CalPERS Contribution Rate Released](#),” the California Public Employees’ Retirement System (CalPERS) Board, on Monday, April 19, 2021, approved the staff recommendation to set the 2021–22 employer contribution rate at 22.91% and corresponding contribution rates as follows:

	Actual	Projected				
	2021–22	2022–23	2023–24	2024–25	2025–26	2026–27
Employer Contribution Rate	22.91%	26.10%	27.10%	27.70%	27.80%	27.60%

These current rates should be used for local educational agencies and will be included in the next version of the School Services of California Inc.’s Financial Projection Dartboard to be prepared with the 2021–22 May Revision Budget.

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School Year 2021–22: A Case for Independent Study

By Patti F. Herrera, EdD and Matt Phillips, CPA
April 26, 2021

As school districts, county offices of education, and charter schools across California begin planning for next school year, each of them—regardless of where they are—is grappling with this universal question: How do we educate and serve all students?

The genesis of this question comes from knowing that the legal authority for distance learning will expire on June 30, 2021, without subsequent action by the Legislature and Governor Gavin Newsom to extend it and that there will be students who will not feel comfortable returning to in-person instruction in the fall. Thus, how do local educational agencies (LEAs) solve this conundrum?

The answer may already be in law.

When you contemplate the categories of students who must be considered for planning next year, there are only three:

Category 1: Students who will return to in-person instruction

Category 2: Students who want to remain in distance (online) learning

Category 3: Students who have used another educational option, like independent study

Category 1: In-Person Instruction

For the first category of students, we know that law already accommodates them because in-person instruction and learning is the pre-pandemic, traditional educational model. What law does not explicitly contemplate is what to do with those students if and when there is a positive COVID-19 case that forces a class or school closure. In that case, what are the LEA's instructional options and how does the LEA ensure that it can claim average daily attendance (ADA) for the days that students and staff are subject to quarantine?

With respect to instructional options, LEAs that have had to close classrooms or schools due to a COVID-19 outbreak have migrated their affected students and staff to a remote learning environment through daily live video and asynchronous instruction during the quarantine period to allow for continued instructional and academic support.

Existing California law permits an LEA to submit a [Form J-13A](#) when a school closes due to an extraordinary event to avoid a fiscal penalty resulting from a shortfall in instructional minutes or days. A closure resulting from a public health order traditionally has been deemed a qualifying event. Second, in the unlikely event that the Form J-13A process is foreclosed, independent study statutes allow LEAs to claim ADA for students who are enrolled in an independent study program for at least five consecutive days.

The current health guidance requires those exposed to COVID-19 to quarantine for a minimum of ten days. A J-13A waiver may not be palatable, especially if multiple COVID-19 outbreaks occur. Instead, remote instruction through independent study is available as an option for LEAs to consider. Among the things that LEAs must consider when exploring this option is making sure that all requirements for claiming ADA under independent study will be met, such as ensuring that a parent or guardian has signed a learning agreement and that teachers are documenting the time value of student work.

Category 2: Distance (Online) Learning

In the absence of extending this year’s distance learning authority accompanied by a mechanism to claim ADA, all LEAs will have to address how to continue providing an online instructional option for students who are not ready to return for in-person instruction next school year.

It is important to understand that the distance learning statutes for the current school year do not determine ADA for purposes of Local Control Funding Formula apportionment. LEAs may recall that ADA for the 2020–21 school year was held harmless and determined by the higher of 2019–20 ADA or approved 2020–21 ADA growth. While extending distance learning is a subject of current State Budget negotiations, the debate will likely not conclude until mid-June when the Legislature must approve a Budget to present to Governor Newsom. Unfortunately, we know LEAs are planning *now* and do not have the luxury of waiting.

In this case, the existing independent study law and regulations offer some relief and give LEAs the parameters for planning. Specifically, the independent study laws allow LEAs to enroll students in an independent study program, which could be virtual, as long as all legal requirements are met, including, but not limited to, the following:

- Adopting and retaining written policies with specified information
- Collecting and maintaining written learning agreements from the parents or guardians of each participating student (Note: The California Department of Education interprets law as requiring a wet signature)
- Meeting student residency requirements
- Maintaining specific class size ratios

Depending on the type of independent study program an LEA chooses to use—traditional independent study or course-based independent study—it’s important to know what information and documentation is needed to be able to claim ADA for apportionment purposes.

While serving students who are not ready to return to school physically in the fall through independent study may be tedious and perhaps not ideal, it is important to understand that the independent study laws allow LEAs to accommodate this student population.

One of the major myths about independent study laws is that they limit ADA to no more than 10% of an LEA's student population. This is simply not true. Under traditional independent study laws, an LEA can claim ADA for no more than 10% of students participating in an opportunity school or continuation high school. And under course-based independent study laws, any ADA claimed under the program in excess of 10% of an LEA's total ADA will be subject to reduction by a statewide average absence rate. However, neither of these laws limit the number or percentage of students that an LEA can enroll in independent study, nor the amount of ADA that can be claimed.

Concisely stated, while independent study has traditionally been used by a small subpopulation of students, nothing in law prohibits a larger share of an LEA's student body from using it as a comprehensive educational option.

Category 3: An Educational Option

As mentioned, the last category of students that LEAs will need to attend to are those that have historically used independent study as an educational option that best meets their needs. These can be students who have physical or mental conditions for whom the traditional instructional model is not effective, such as a student who has regularly scheduled therapies that would otherwise cause them to be "chronically absent" from school. This population could also include students for whom the traditional educational model simply does not work because they prefer and perform better under guided but self-directed work or for whom being among peers triggers social anxiety.

For these students, it goes without saying that maintaining the flexibilities of current independent study laws is crucial.

Conclusion

Navigating the various legal requirements of existing law to understand both their opportunities and limitations is a tedious task. Therefore, to help LEAs build their understanding of what current law allows, we at School Services of California Inc. constructed an independent study matrix that overlays the relevant Education Code Sections, regulations, and audit requirements. We provide it [here](#) for your use.

The bottom line is that California's existing laws for traditional education and independent study appear sufficient for all LEAs to address the needs of their students next school year, but it's important to start planning now.

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Independent Study Caps—A Deeper Dive

By Patti F. Herrera, EdD and Matt Phillips, CPA
May 10, 2021

Local educational agencies (LEAs) are entering a pivotal point in the year in which decisions about the instructional model for 2021–22 school year must be made. The vast majority of staff and students are eagerly anticipating—and expecting—a return to full-time in-person instruction in the fall. If Governor Gavin Newsom’s announcement about reopening the state economy comes to fruition, the California Blueprint will cease to exist, effective June 15, 2021, and the state of human interaction will begin its shift back to normal.

While there is enthusiasm for a return to normalcy, there is a minor, but growing population of students who continue to be reluctant to return to in-person instruction or have discovered that distance learning was more beneficial than traditional in-person learning. If there’s a silver lining to the pandemic, it’s that the educational delivery model was forced to adapt to a new, unforeseen demand, opening new doors for instructional and learning options.

As LEAs plan for the delivery of instruction in 2021–22, it is important to recognize and acknowledge that the current statutes for traditional independent study and/or course-based independent study provide a pathway to offer a high-quality virtual (or distance) learning option. If the bird is the word, then word on the street is that enrollment and average daily attendance (ADA) are capped in these programs to 10% of an LEA’s enrollment. And as we mentioned in our previous article, this simply is not true (see [“School Year 2021–22: A Case for Independent Study”](#) in the April 2021 *Fiscal Report*). In other words, there is no cap on the number of students who can enroll in an independent study program. There is, however, a 10% consideration for both program options.

Traditional Independent Study—For students who are enrolled in a continuation or opportunity school, LEAs cannot claim more than 10% of ADA from these schools through independent study. For example, if 100 ADA is generated through continuation and opportunity schools, up to 10 ADA can be claimed for apportionment through independent study.

Course-Based Independent Study—Relative to the total ADA of an LEA, if more than 10% is claimed through course-based independent study, an LEA must adjust the excess by the statewide average absence rate. For example, assume an LEA reports total ADA of 1,000, and 120 ADA is generated through course-based independent study. The 20 ADA (amount above the cap of 10%) will be adjusted by the statewide average absence rate, which is around 95%. The LEA would then be funded for 119 of the 120 ADA generated through course-based independent study.

The only unknown is what impact the May Revision and ensuing State Budget negotiations will have on instructional options for next year. Absent a significant overhaul of either independent study option, LEAs should move forward knowing these options are currently available with confidence that there is no cap on the number of students that can enroll in these program.

For more information on independent study, including a deep dive into the statutory requirements of both options, as well as the funding and audit implications, please join us for our new webinar titled, “[Virtual Learning: The New Frontier.](#)”

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USDA Waivers Granted Through 2021–22

By Leilani Aguinaldo
April 22, 2021

Local educational agencies (LEAs) received good news from the United States Department of Agriculture (USDA) this week with the announcement that many flexibilities for child nutrition programs will continue through the 2021–22 school year. LEAs have come to rely on these waivers to ensure access to school meals in their communities, and the extension granted by the USDA should help LEAs with planning for next school year.

The waivers granted through June 30, 2022, accomplish the following:

- Allow the Seamless Summer Option (SSO) to operate when school is open during the regular school year. Under this waiver, LEAs may choose to serve meals through the SSO, or may opt to participate under the school meal programs
- Reimburse meals served through SSO at the higher reimbursement rate typically reserved for the Summer Food Service Program
- Non-congregate feeding to allow schools to provide meal pick-up options for students learning remotely and to facilitate grab-and-go meals for students in school
- Mealtime flexibility so that LEAs may implement appropriate safety measures such as physical distancing with alternative meal service models
- Distribution of meals to parents or guardians to take home to their children
- School meal pattern flexibilities as detailed [here](#)
- Waive offer versus serve requirements at high schools
- Allow schools that provide afterschool snacks through the National School Lunch Program to claim all snacks at the free rate by waiving area eligibility requirements
- Suspends on-site monitoring requirements in the school meals program until 30 days after the end of the public health emergency

While the waivers have been granted through June 30, 2022, the USDA also indicates that schools are expected to use the flexibilities for only the duration and extent that they are needed. Full details for all the waivers are available [here](#).

These flexibilities will be helpful in ensuring that all students are able to receive high-quality, nutritious meals next school year. However, as happened early in the current school year, this may hamper LEA efforts to collect needed information for the unduplicated pupil percentage (UPP), which is a significant component of an LEA's Local Control Funding Formula apportionment. LEAs are advised to start planning early to help mitigate any negative impact to their UPP.

Bill Update

SCHOOL SERVICES OF CALIFORNIA, INC.

**Legislative Report Prepared for:
Fresno Unified School District
Status as of: May 20, 2021**

Bill No./ Author	Title	Position	Current Status	Page
Accountability and Assessments				
AB 599 Jones- Sawyer	Public Schools: Accountability: County Superintendents of Schools.	No Position	Senate Education Committee	25
Charter Schools				
*AB 1316 O'Donnell	School Accountability: Financial and Performance Audits: Charter Schools: Contracts		Assembly Appropriations Committee—Suspense File	25
Employees				
AB 95 Low	Employees: Bereavement Leave	Support	Assembly Appropriations Committee—Suspense File	25
AB 388 Medina	Certificated School Employees: Probationary Employees	Watch	Assembly Appropriations Committee—Suspense File	26
AB 438 Reyes	School Employees: Classified Employees: Layoff Notice and Hearing	No Position	Assembly Appropriations Committee—Suspense File	26
AB 1284 Rubio, Blanca	Certificated School Employees: Permanent Status		Assembly Education Committee—Bill Did Not Meet Deadline	26
AB 1505 Rodriguez	Certificated School Employee Evaluations: Distance Learning: Exemptions		Assembly Education Committee—Bill Did Not Meet Deadline	26
SB 205 Leyva	School and Community College Employees: Absences Due to Illness or Accident	No Position	Senate Appropriations Committee—Suspense File	27
Facilities				
*AB 75 O'Donnell	Education Finance: School Facilities: Kindergarten-Community Colleges Public Education Facilities Bond Act of 2022		Assembly Appropriations Committee—Suspense File	27

Instruction				
AB 10 Ting	Pupil Instruction: In-Person Instruction: Distance Learning		Assembly Education Committee—Bill Did Not Meet Deadline	27
AB 22 McCarty	childcare: Preschool Programs and Transitional Kindergarten: Enrollment: Funding	Support	Assembly Appropriations Committee—Suspense File	28
AB 86 Committee on Budget	COVID-19 Relief and School Reopening, Reporting, and Public Health Requirements		Chapter 10, Statutes of 2021	28
AB 101 Medina	Pupil Instruction: High School Graduation Requirements: Ethnic Studies	Support	Assembly Appropriations Committee—Suspense File	28
AB 102 Holden	College and Career Access Pathways Partnerships: County Offices of Education	Support	Assembly Education Committee—Bill Did Not Meet Deadline	28
*AB 104 Gonzalez, Lorena	Pupil Instruction: Retention, Grade Changes, and Exemptions	No Position	Senate Education Committee	29
SB 70 Rubio	Elementary Education: Kindergarten	Support	Senate Appropriations Committee—Suspense File	29
SB 224 Portantino	Pupil Instruction: Mental Health Education	No Position	Senate Appropriations Committee—Suspense File	29
SB 309 Leyva	School Finance: College Readiness: Grants and Notification	Support	Senate Appropriations Committee—Suspense File	30
SB 532 Caballero	Pupil Instruction: High School Coursework and Graduation Requirements: Exemptions	Support	Senate Appropriations Committee—Suspense File	30
SB 545 Wilk	Pupil Retention: COVID-19 Impact	No Position	Senate Appropriations Committee—Suspense File	30
*SB 723 Rubio	Pupil Instruction: Tutoring Program: Learning Loss Mitigation	No Position	Senate Appropriations Committee—Suspense File	31

Miscellaneous				
*AB 27 Rivas, Luz	Homeless Children and Youths and Unaccompanied Youths: Reporting		Assembly Appropriations Committee—Suspense File	31
AB 262 Patterson	Human Trafficking: Vacatur Relief for Victims	Support	Assembly Appropriations Committee—Suspense File	31
AB 516 Dahle, Megan	Pupil Attendance: Excused Absences: Cultural Ceremonies or Events	No Position	Assembly Appropriations Committee—Suspense File	32
SB 732 Bates	Communications: Broadband	Support	Senate Energy, Utilities, and Communications Committee	32
Special Education				
AB 967 Frazier	Special Education: COVID-19 Special Education Fund		Assembly Appropriations Committee—Suspense File	32
SB 237 Portantino	Special Education: Dyslexia Risk Screening	Support	Senate Appropriations Committee—Suspense File	33
State Budget, Education Finance, and LCFF				
AB 531 Quirk-Silva	Education Finance: Local Control Funding Formula: Supplemental and Concentration Grants	No Position	Assembly Education Committee—Bill Did Not Meet Deadline	33
AB 533 Quirk-Silva	Education Finance: Local Control Funding Formula: Supplemental and Concentration Grants	No Position	Assembly Education Committee—Bill Did Not Meet Deadline	33
AB 839 O'Donnell	Career Technical Education: California Career Technical Education Incentive Grant Program	Support	Assembly Appropriations Committee—Suspense File	33
AB 1112 Carrillo	Before and After School Programs: Maximum Grant Amounts		Senate Education Committee	34
*SB 692 Cortese	Local Control and Accountability Plans: State Priorities: Least Restrictive Environment		Senate Appropriations Committee—Suspense File	34

Student Health and Nutrition				
AB 508 Rivas, Luz	Pupil Nutrition: Reduced-Price Meals	Support	Assembly Education Committee—Bill Did Not Meet Deadline	34
AB 563 Berman	School-based Health Programs	Support	Assembly Appropriations Committee—Suspense File	35
AJR 8 Rivas, Luz	School Meals: Federal National School Lunch Program	Support	Assembly Education Committee	35
*SB 364 Skinner	Pupil Meals: Free School Meals for All Act of 2021	Support	Senate Appropriations Committee—Suspense File	35

Accountability and Assessments

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

Amended: 4/15/2021

Title: Public Schools: Accountability: County Superintendents of Schools

Status: Senate Education Committee

Position: No 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.

Charter Schools

[*AB 1316 \(O'Donnell\)](#)

Amended: 5/4/2021

Title: School Accountability: Financial and Performance Audits: Charter Schools: Contracts

Status: Assembly Appropriations Committee—Suspense File

Position:

Summary:

Makes significant changes to the statutes governing nonclassroom-based charters and independent study.

Employees

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

Amended: 3/22/2021

Title: Employees: Bereavement Leave

Status: Assembly Appropriations Committee—Suspense File

Position: Support

Summary:

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

AB 388 (Medina)

Amended: 3/16/2021

Title: Certificated School Employees: Probationary Employees

Status: Assembly Appropriations Committee—Suspense File

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

AB 438 (Reyes)

Amended: 4/5/2021

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

Status: Assembly Appropriations Committee—Suspense File

Position: No 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 Education Committee—Bill Did Not Meet Deadline

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.

AB 1505 (Rodriguez)

Amended: 3/29/2021

Title: Certificated School Employee Evaluations: Distance Learning: Exemptions

Status: Assembly Education Committee—Bill Did Not Meet Deadline

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.

[SB 205 \(Leyva\)](#)

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

Status: Senate Appropriations Committee—Suspense File

Position: No 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 \(O'Donnell\)](#)

Amended: 3/29/2021

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

Status: Assembly Appropriations Committee—Suspense File

Position:

Summary:

This bill would place a statewide K–14 school 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: 4/12/2021

Title: childcare: Preschool Programs and Transitional Kindergarten: Enrollment: Funding

Status: Assembly Appropriations Committee—Suspense File

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: Chapter 10, Statutes of 2021

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.

AB 101 (Medina)

Amended: 4/14/2021

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

Status: Assembly Appropriations Committee—Suspense File

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.

AB 102 (Holden)

Amended: 3/25/2021

Title: College and Career Access Pathways Partnerships: County Offices of Education

Status: Assembly Education Committee—Bill Did Not Meet Deadline

Position: Support

Summary:

Removes the January 1, 2027, sunset date for the CCAP program. Also expands the program to allow county offices of education to enter into CCAP partnerships with community colleges.

AB 104 (Gonzalez, Lorena)*Amended:** 5/18/2021**Title:** Pupil Instruction: Retention, Grade Changes, and Exemptions**Status:** Senate Education Committee**Position:** No Position**Summary:**

As amended, this bill includes the following:

- Requires local educational agencies (LEAs) to implement an interim policy for retaining students in the same grade for 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.
- Allows a student to request to change a high school letter grade to a Pass or No Pass. Requires the California State University system 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 fourth or fifth year of high school.

SB 70 (Rubio)**Amended:** 3/2/2021**Title:** Elementary Education: Kindergarten**Status:** Senate Appropriations Committee—Suspense File**Position:** Support**Summary:**

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

SB 224 (Portantino)**Amended:** 3/17/2021**Title:** Pupil Instruction: Mental Health Education**Status:** Senate Appropriations Committee—Suspense File**Position:** No 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.

SB 309 (Leyva)

Title: School Finance: College Readiness: Grants and Notification

Status: Senate Appropriations Committee—Suspense File

Position: Support

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.

SB 532 (Caballero)

Amended: 4/8/2021

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

Status: Senate Appropriations Committee—Suspense File

Position: Support

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.

SB 545 (Wilk)

Amended: 4/15/2021

Title: Pupil Retention: COVID-19 Impact

Status: Senate Appropriations Committee—Suspense File

Position: No 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.

SB 723 (Rubio)*Amended:** 5/5/2021**Title:** Pupil Instruction: Tutoring Program: Learning Loss Mitigation**Status:** Senate Appropriations Committee—Suspense File**Position:** No Position**Summary:**

This bill would establish the California Leadership, Excellence, Academic, Diversity, and Service-Learning Tutoring Program to be administered by the California Department of Education (CDE), for the purpose of providing supplemental individualized learning assistance to address learning loss.

The bill would require each county office of education (COE) to use the CDE's regulations for the program to facilitate and implement the program in their county, and would require geographic lead agencies to be available to provide technical assistance to COEs and school districts. Additionally, the bill would require each school district that chooses to participate in the program, upon a subsequent appropriation by the Legislature, to develop and implement supplemental individualized learning assistance for students. The bill specifies that the program would only become operative upon an appropriation by the Legislature.

Miscellaneous

AB 27 (Rivas, Luz)*Amended:** 4/5/2021**Title:** Homeless Children and Youths and Unaccompanied Youths: Reporting**Status:** Assembly Appropriations Committee—Suspense File**Position:****Summary:**

This bill would require the California Department of Education (CDE) to develop best practices for identifying and obtaining accurate data on homeless and unaccompanied children enrolled in schools, including a model housing questionnaire for local educational agencies (LEAs) to identify their homeless and unaccompanied students. The bill would require an LEA to ensure that each of their schools identify all of their homeless and unaccompanied students, administer and annually provide a housing questionnaire for purposes of identifying homeless and unaccompanied children that is based on best practices developed by the CDE, and report that data to the CDE. The bill would also require LEAs to post on their website a list of homeless liaisons with their contact information, as well as specific information on homelessness, including information regarding the educational rights and resources available to persons experiencing homelessness.

AB 262 (Patterson)**Amended:** 3/15/2021**Title:** Human Trafficking: Vacatur Relief for Victims**Status:** Assembly Appropriations Committee—Suspense File**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

[AB 516 \(Dahle, Megan\)](#)

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

Status: Assembly Appropriations Committee—Suspense File

Position: No Position

Summary:

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

[SB 732 \(Bates\)](#)

Title: Communications: Broadband

Status: Senate Energy, Utilities, and Communications Committee

Position: Support

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.

Special Education

[AB 967 \(Frazier\)](#)

Amended: 4/14/2021

Title: Special Education: COVID-19 Special Education Fund

Status: Assembly Appropriations Committee—Suspense File

Position:

Summary:

AB 967 would provide funding to local educational agencies through their SELPA to support conflict resolution between parents of students with disabilities and their district, and provide funding for services to accelerate learning for students with disabilities. Funding would come from federal stimulus funding that has not yet been allocated.

[SB 237 \(Portantino\)](#)**Amended:** 3/3/2021**Title:** Special Education: Dyslexia Risk Screening**Status:** Senate Appropriations Committee—Suspense File**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.

State Budget, Education Finance, and LCFF

[AB 531 \(Quirk-Silva\)](#)**Title:** Education Finance: Local Control Funding Formula: Supplemental and Concentration Grants**Status:** Assembly Education Committee—Bill Did Not Meet Deadline**Position:** No 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.

[AB 533 \(Quirk-Silva\)](#)**Title:** Education Finance: Local Control Funding Formula: Supplemental and Concentration Grants**Status:** Assembly Education Committee—Bill Did Not Meet Deadline**Position:** No 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.

[AB 839 \(O'Donnell\)](#)**Amended:** 3/25/2021**Title:** Career Technical Education: California Career Technical Education Incentive Grant Program**Status:** Assembly Appropriations Committee—Suspense File**Position:** Support**Summary:**

Starting in 2021–22, this bill changes the funding for the Career Technical Education Incentive Grant program from the current \$100 million annually to \$300 million.

AB 1112 (Carrillo)**Amended:** 4/13/2021**Title:** Before and After School Programs: Maximum Grant Amounts**Status:** Senate Education Committee**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.

SB 692 (Cortese)*Amended:** 4/7/2021**Title:** Local Control and Accountability Plans: State Priorities: Least Restrictive Environment**Status:** Senate Appropriations Committee—Suspense File**Position:****Summary:**

This bill would add the least restrictive environment (LRE) to the state priorities for purposes of a school district's Local Control and Accountability Plan, require the California School Dashboard to include the LRE as an indicator, require Special Education Local Plan Areas to be invited to all differentiated assistance meetings related to the LRE, and require the State Superintendent of Public Instruction to conduct a survey on the minimum amount of professional development needed for teachers to be prepared to teach pupils with learning disabilities.

Student Health and Nutrition

AB 508 (Rivas, Luz)**Title:** Pupil Nutrition: Reduced-Price Meals**Status:** Assembly Education Committee—Bill Did Not Meet Deadline**Position:** Support**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.

AB 563 (Berman)**Amended:** 4/5/2021**Title:** School-Based Health Programs**Status:** Assembly Appropriations Committee—Suspense File**Position:** Support**Summary:**

Requires California Department of Education to establish an Office of School-Based Health Programs for the purpose of improving the operation of, and participation in, school-based health programs, including the School Medi-Cal Administrative Activities program and the Local Educational Agency Medi-Cal Billing Option program.

AJR 8 (Rivas, Luz)**Title:** School Meals: Federal National School Lunch Program**Status:** Assembly Education Committee**Position:** Support**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.

SB 364 (Skinner)*Amended:** 4/14/2021**Title:** Pupil Meals: Free School Meals for All Act of 2021**Status:** Senate Appropriations Committee—Suspense File**Position:** Support**Summary:**

SB 364 includes the following provisions related to school nutrition:

- Requires a local educational agency (LEA) to provide two school meals free of charge during each schoolday to any pupil who requests a meal without consideration of the pupil's eligibility for federally funded free or reduced-price meals. Upon appropriation in the State Budget, the California Department of Education is required to reimburse LEAs for all non-reimbursed expenses accrued as a result of this bill.
- Establishes the Better Out of School Time (BOOST) Nutrition EBT Program to prevent child hunger during regularly scheduled school breaks or any school campus closure caused by a state of emergency that lasts five or more schooldays.
- Establishes a noncompetitive grant for LEAs to cover costs incurred in purchasing food produced or grown in California.
- Subject to the State Budget, establishes a competitive grant of up to \$30,000 per school site every year in order to increase the number of meals that can be prepared fresh and served to pupils.
- For schools that use a federal universal school meal provision, carries over the number of free or reduced-price meals eligible students for Local Control Funding Formula purposes for each of the following three school years.

Fresno Unified School District
Board Communication

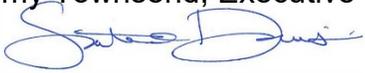
BC Number AS-3

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



Date: May 28, 2021

Phone Number: 457-6204



Regarding: Uniform Complaint submitted by Familias Empoderadas

On August 04, 2020, Fresno Unified School District received a Uniform Complaint filed by the Americans Civil Liberties Union (ACLU) on behalf of Familias Empoderadas (FE). The complaint contained several allegations including the following: (1) the district failed to meaningfully engage with the complainants as part of its LCAP process, (2) the district created a hostile environment for the complainants, (3) the district failed to effectively translate materials for the complainants (non-English speaking families), (4) the district failed to administer and facilitate meetings for the complainants (non-English speaking parents and community members). FE alleged that this conduct violated various Education Code and district policies.

In response to the complaint, the district conducted a thorough factual and legal investigation and reviewed the alleged issues. The investigation included a review of documents requested and collected from the district, on-site interviews, and the assessment of the credibility of interviewed witnesses. After an independent investigation, the resulting report determined that the claims made by FE were not sustained and the district was not in violation of Education Code or district policies. In December 2020, FE filed a notice with the California Department of Education to appeal the decision.

On Thursday, May 27, 2021 the district received a final determination letter from the California Department of Education. The letter found that the district had complied with complaint procedures, and the findings were supported by "substantial evidence". The appeal was denied. A copy of the complete response is attached.

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

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 05/28/21



CALIFORNIA DEPARTMENT OF EDUCATION

TONY THURMOND
STATE SUPERINTENDENT OF
PUBLIC INSTRUCTION

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California Department of Education Education Equity UCP Office Decision of Appeal

Case Matter No. 2020-0216
Appellant: Familias Empoderadas
Local Educational Agency: Fresno Unified School District
Date Appeal Received by the CDE: December 1, 2020
Subject of Appeal: Discrimination on the basis of nationality
Report Mailed: May 27, 2021

APPEAL PROCEDURES AND DETERMINATION

The California Department of Education (CDE) reviewed the original complaints, the Local Educational Agency (LEA) Investigation Report (IR), the appeal, the investigation file from the LEA, and the LEA's complaint procedures. This appeal is limited to allegations of discrimination on the basis of nationality that occurred within 6 months from the date of the complaint pursuant to Title 5, *California Code of Regulations* (5 CCR), Section 4630(b).

The CDE finds that the LEA complied with its complaint procedures, the findings of fact are supported by substantial evidence, and the legal conclusions are consistent with law. Pursuant to 5 CCR, Section 4633(e), the appeal is denied.

APPLICABLE LAW

California *Education Code* (EC) Section 220 Discrimination

No person shall be subjected to discrimination on the basis of . . . nationality . . . in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance . . .

EC Section 33315(a)(1) Uniform Complaint Procedures

The Uniform Complaint Procedures shall apply to all of the following:

. . .

(F) The filing of complaints that allege unlawful discrimination, harassment, intimidation, or bullying against any protected group as identified under Sections 200 and 220 and Section 11135 of the Government Code, including any actual or perceived characteristic as set forth in Section 422.55 of the Penal Code, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by an educational institution, as defined in Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance.

42 U.S.C. 2000d (Title VI of the Civil Rights Act of 1964)

No person in the United States shall, on the ground of . . . national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

EC Section 51101.1(b) Education Participation

Parents and guardians of English learners are entitled to participate in the education of their children pursuant to Section 51101 and as follows:

...

(2) To be given any required written notification, under any applicable law, in English and the pupil's home language pursuant to Section 48985.

EC Section 48985(a) Primary Language

If 15 percent or more of the pupils enrolled in a public school that provides instruction in kindergarten or any of grades 1 to 12, inclusive, speak a single primary language other than English, as determined by census data submitted to the department pursuant to Section 52164 in the preceding year, all notices, reports, statements, or records sent to the parent or guardian of any such pupil by the school or school district shall, in addition to being written in English, be written in the primary language, and may be responded to either in English or the primary language.

CDE'S JURISDICTION ON APPEAL

The scope of the CDE's jurisdiction on appeal, as well as the applicable appellate review procedures are set forth in the Uniform Complaint Procedures (UCP) pursuant to 5 CCR, Section 4600 *et. seq.*

Purpose and Scope

In pertinent part, 5 CCR, Section 4610 states:

- (a) This chapter applies to the filing, investigation and resolution of a complaint regarding an alleged violation by a local agency of federal or state law or regulations governing educational programs, and other specified subject matter described in subsection (b), below.
- (b) The UCP in this chapter shall apply to complaints relating to all of the matters addressed in *EC* Section 33315(a)(1) and any other matters identified by the Legislature in the future.

Appeal of LEA Investigation Report

In pertinent part 5 CCR, Section 4632 states:

- (f) If the CDE determines that the LEA Investigation Report failed to address an allegation raised in the complaint, the CDE shall notify the LEA of such failure and direct the LEA to investigate such allegations. The LEA must provide both the CDE and the appellant an amended Investigation Report within 20 days of such notification. The amended report must also inform the appellant of the right to separately appeal. . . the complaint allegations. . . not addressed in the original report.

In pertinent part 5 CCR, Section 4633 states:

(a) If the LEA Investigation Report is appealed and meets the requirements of Section 4632, subdivisions (a) through (c), the CDE shall notify the LEA of the appeal. Upon notification by the CDE that the LEA Investigation Report has been appealed, the LEA shall forward the following to the CDE within 10 days of the date of notification:

- (1) A copy of the original complaint;
- (2) A copy of the LEA Investigation Report;
- (3) A copy of the investigation file, including but not limited to, all notes, interviews and documents submitted by the parties or gathered by the investigator;
- (4) A report of any action taken to resolve the complaint;
- (5) A copy of the LEA complaint procedures; and
- (6) Such other relevant information as the CDE may request.

An LEA's failure to provide a timely and complete response may result in the CDE ruling on the appeal without considering information from the LEA.

- (b) In deciding an appeal, the CDE shall not consider any information not previously presented to the LEA investigator during the investigation, unless requested by

the CDE. Any confidential information or pupil information in the investigative file shall remain confidential and shall not be disclosed by the CDE, to the extent permitted by law.

- (c) The CDE may contact the parties for further information, if necessary.
- (d) The CDE shall review the investigation file, the complaint procedures, documents and any other evidence received from the LEA and determine whether
 - (1) The LEA followed its complaint procedures;
 - (2) The LEA Investigation Report includes material findings of fact necessary to reach a conclusion of law on the subject of the appeal;
 - (3) The material findings of fact in the LEA Investigation Report are supported by substantial evidence;
 - (4) The LEA Investigation Report includes a legal conclusion(s) that is consistent with the law; and
 - (5) In a case in which the LEA found noncompliance, the corrective actions provide a proper remedy.
- (e) If the CDE determines that the LEA Investigation Report meets the criteria in subsection (d) above, the appeal shall be denied.
- (f) If the CDE determines that the LEA Investigation Report is deficient because it does not meet the criteria in subsection (d) above, the CDE may:
 - (1) Notify the LEA of such deficiencies and return the LEA Investigation Report to the LEA for further processing and instruct the LEA to provide both the CDE and the complainant with an amended Investigation Report within 20 days of such notification, which amended report must inform the complainant of the right to appeal in accordance with Section 4632.; or
 - (2) Issue a Decision based on the evidence in the investigation file received from the LEA; or
 - (3) Conduct a further investigation of the allegations which are the basis for the appeal and issue a Decision.

SUMMARY OF COMPLAINT AND APPEAL

On August 4, 2020, an organization of parents of English Learner (EL) students named Familias Empoderadas (FE) (Complainants) within the Fresno Unified School District (LEA), filed a complaint concerning allegations of discrimination on the basis of nationality.

The following allegations of discrimination on the basis of nationality were identified in the original complaint filed on August 4, 2020, under the UCP:

Allegation 1

The LEA failed to meaningfully engage with the Complainants as part of its LCAP process.

Allegation 2

The LEA created a hostile environment for the Complainants.

Allegation 3

The LEA failed to effectively translate materials for the Complainants (non-English speaking families).

Allegation 4

The LEA failed to administer and facilitate meetings for the Complainants (non-English speaking parents and community members).

In an appeal sent on October 20, 2020, and received by the CDE on December 1, 2020, the Appellant disagrees with the LEA IR issued October 5, 2020, and presented the following grounds for appeal:

- The LEA failed to follow its complaint procedures.
- The LEA IR lacks material findings of fact necessary to reach a conclusion of law.
- The LEA IR material findings of fact are not based on accurate and reliable evidence.

LEA'S FINDINGS OF FACT

The LEA's investigation, conducted under UCP and resulting in an October 5, 2020, IR, included a review of documents, website information, and correspondence from involved parties. The investigation also included interviews with the following individuals:

- Four members of the LEA English Learner Advisory Committee (DELAC)
 - Chairperson
 - Honor and Justice
 - Secretary

- Parent
- Four Complainant families represented by an attorney

The LEA found:

Allegation 1

The LEA failed to meaningfully engage with the Complainants as part of its LCAP process.

- During the 2019-2020 school year, the LEA made efforts to publicize its LCAP workshops and solicit feedback from EL families, and provided staff members at each of its eight LCAP workshops specifically for the purpose of assisting Spanish and Hmong-speaking families.
- At the beginning of each school year, the LEA updates its website to include information regarding all of its available school programs. The website is available in English, Spanish, and Hmong, with a tab on the bottom-left corner of the homepage to select their preferred language.
- The LEA holds regional LCAP workshops every year to update parents and community members regarding LEA initiatives and to solicit feedback. It publishes LCAP meeting dates, locations, and agenda items in English, Spanish, and Hmong. In January 2020, the LEA issued a press release to notify parents of the LCAP meeting dates and locations, which took place at each of the LEA's high schools. The LCAP Program tabs identifying the LEA's press release was viewable in Spanish in order to further assist Spanish-speaking parents. The LEA also printed and posted flyers for each separate workshop.
- In an effort to promote the LCAP workshops to Spanish-speaking community members, an LEA employee conducted radio and TV interviews for Spanish broadcasts. An LEA employee attended each of the eight LCAP workshops to personally lead all Spanish-speaking participants through the gallery to explain the different visuals, to provide translation, and to field questions and solicit input. Another employee attended the workshops and provided the same services for Hmong speakers.
- FE members attended each of the LEA's eight LCAP workshops.

- According to DELAC board members, every DELAC meeting includes a discussion of the LCAP and an “open forum” allowing parents to voice their concerns.
- An LEA employee added, in an interview, that during DELAC meetings, parents are provided surveys (including in Spanish) whereby they can suggest where LEA funding should be focused.
- Surveys are made available to parents via text, and on the LEA website, where parents can provide suggestions or state their concerns with regard to the LCAP process.
- Each year, the LEA works through its Parent University staff network to design LCAP modules in English, Spanish, and Hmong to provide updates on the LCAP process and to seek input from participating parents.

Allegation 2

The LEA created a hostile environment for the Complainants

- The DELAC board agreed that it would be appropriate for the LEA to prepare a video to inform parents. In May 2020, the LEA produced two separate video updates - one for ELAC and one for DELAC - to serve as ELAC and DELAC end-of-year meetings, and links to those videos were shared with elected representatives on both committees with a system for collecting feedback. The video was intended to serve as an update from the EL Services Department advising parents and community members how it intended to serve ELs during the pandemic and to inform them that the LEA would continue its ELAC/DELAC meetings and all agenda items in the Fall. It also invited parents to contact the EL Services office with any questions, and provided a feedback form in English, Spanish, and Hmong.
- On or about May 22, 2020, the LEA shared a screencast of the informational video with EL site representatives.
- On May 28, 2020, the LEA Assistant Superintendent prepared a Board Communication advising that the videos had been produced and that links had been shared with elected representatives on DELAC and ELAC committees.
- On June 2, 2020, a flyer was sent to parents in English, Spanish, and Hmong, advising them about the videos and feedback forms.

- On or about June 4, 2020, the LEA texted links of the videos and feedback forms to the DELAC board members as well as approximately 120 DELAC members.
- The EL Services Department followed up with 88 representatives by phone to ask whether they had any questions about the presentation or other information to share.
- In an interview, the DELAC Chairperson stated the LEA has done a great job working with DELAC and ELAC, providing assistance to EL families, and maintaining open lines of communication.
- Since approximately 2017, the Office of EL Services has routinely met with FE members and provided frequent opportunities to offer input on the LEA's services for ELs.

Allegation 3

The LEA failed to effectively translate materials for the Complainants (non-English speaking families).

- For several weeks, LEA staff member Marbella Lemus provided live, real-time Spanish translation of the Board meetings for any and all attendees who call the LEA -provided number.
- The LEA publishes Board meeting agendas and other meeting-related documents in Spanish on its website.
- A Spanish version of the LEA's Master Plan was published on its website in Fall 2016,³¹ and all LEA sites and departments received copies in 2019 in response to parent requests that physical copies be made available.
- The LEA assigned two staff members to attend each of the eight regional LCAP workshops and personally lead Spanish- and Hmong-speaking attendees through the gallery, field questions, and solicit feedback.
- The LEA publishes LCAP meeting dates, locations, and agenda items in English, Spanish, and Hmong. PowerPoint presentations, pamphlets, and other materials are prepared in Spanish to make it easier for EL parents to follow the LCAP process.

Allegation 4

The LEA failed to administer and facilitate meetings for the Complainants (non-English speaking parents and community members).

- After the COVID-19 shutdown, the LEA consulted with the DELAC board to determine how it should hold its fourth DELAC meeting of the 2019-2020 school year, and the DELAC board agreed that it would be appropriate for the LEA to prepare informational videos for DELAC and ELAC intended for EL families.
- Since approximately 2017, the Office of EL Services has routinely met with FE members and provided frequent opportunities to offer input on the LEA's services for ELs.
- The LEA Assistant Superintendent first met with FE on August 16, 2019, during which time the parties agreed to hold monthly meetings so that they could continue to work together on resolving concerns for the LEA's ELs. The second meeting was rescheduled at least four times upon request of FE. The next meeting was held February 27, 2020. On March 15, 2020, the Complainants asked that their next meeting be rescheduled.
- The LEA Assistant Superintendent met virtually with FE on April 23, 2020. The LEA initiated a virtual call on April 30, 2020 but the Complainants refused to attend the meeting due to the LEA use of Microsoft Teams rather than Zoom and due to the LEA initiating the virtual meeting. The LEA reached out to the Complainants on more than one occasion to urge the parties to meet but the Complainants, through the advice of counsel, declined the LEA offers.

CDE'S DETERMINATION AS TO LEA'S FINDINGS OF FACT

Pursuant to 5 CCR, Section 4633(d)(2) and (3), the CDE reviewed the entire investigation file provided by the LEA under 5 CCR, Section 4633(a), including, but not limited to a written investigative summary setting forth the steps undertaken in conducting its investigation, the complaints, Board policies and Administrative regulations, meeting records, and email correspondence, in order to determine whether:

The LEA IR includes material findings of fact necessary to reach a conclusion of law on the subject of the appeal; and

The material findings of fact in the LEA IR are supported by substantial evidence;

The CDE finds the LEA provided in the IR material findings of fact necessary to reach a conclusion of law for the allegations in the complaint pursuant to 5 CCR, Section

4633(d)(2) and that the material findings of fact are supported by substantial evidence pursuant to 4633(d)(3).

The investigation file and supportive evidence provided to CDE included interview summaries and over 500 pages of supporting documentation: LCAP, DELAC and other parent meeting announcements/updates, LCAP parent meeting presentation slides, text messages and e-mails with parents about meetings in Spanish, English and Hmong, e-mail exchanges among LEA administrators relative to parent communication procedures and e-mail exchanges with ACLU representatives. The CDE finds the LEA provided substantial evidence, based on accurate and reliable evidence to support its material findings of fact.

LEA'S CONCLUSIONS OF LAW

The LEA's investigation under the UCP included a review of relevant documents and interviews from involved parties, and an analysis of the facts in this case to relevant policy and law.

The LEA concluded in the IR:

Allegation 1

The LEA failed to meaningfully engage with the Complainants as part of its LCAP process.

- This allegation was not sustained. The LEA provides several mechanisms by which it transmits information to and solicits feedback from EL families regarding the LCAP process.

Allegation 2

The LEA created a hostile environment for the Complainants

- This allegation was not sustained. The majority of the DELAC board believes the LEA is very effective in providing information and assistance to EL families.

Allegation 3

The LEA failed to effectively translate materials for the Complainants (non-English speaking families).

- This allegation was not sustained. The LEA provided real-time Spanish translation during Board meetings. Meeting materials are prepared in Spanish

and Hmong for workshops, and meeting dates, locations, and agenda items are posted on the LEA website.

Allegation 4

The LEA failed to administer and facilitate meetings for the Complainants (non-English speaking parents and community members).

- This allegation was not sustained. The LEA has routinely met with FE members and provided frequent opportunities to offer input on the LEA's services for ELs.

CDE'S DETERMINATION AS TO LEA'S CONCLUSION OF LAW

Pursuant to 5 *CCR*, Section 4633(d)(4), the CDE reviewed the investigation file, including pertinent documents, and the conclusions of law which are the subject of this appeal and determined the LEA's IR to the Complainant does include legal conclusions consistent with law relative to the allegations of discrimination on the basis of nationality.

CONCLUSION

Pursuant to 5 *CCR*, Section 4633(d)(1), the CDE reviewed the investigation file, LEA Board Policy 1312.3, and LEA Administrative Regulation 1312.3 Uniform Complaint Procedures, and determined the LEA did not violate investigation policies or procedures.

The CDE finds that the LEA complied with its complaint procedures, the material findings of fact are supported by substantial evidence, and the legal conclusions are consistent with law. Pursuant to 5 *CCR*, Section 4633(e), the appeal is denied.

Fresno Unified School District
Board Communication

BC Number C-1

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Maiyer Vang, Business Operations Manager
Cabinet Approval: Lindsay Sanders
Lindsay Sanders (May 27, 2021 11:47 PDT)

Date: May 28, 2021

Phone Number: 457-3390

Regarding: Game On! Grant by Action for Healthy Kids Update

The purpose of this communication is to provide the Board information and updates on the outcomes of the Game On! grant award from Action for Healthy Kids. A total of 246 families completed the new nutrition learning program pilot in spring 2021. The 10 piloted elementary school sites were, Addams, Burroughs, Hidalgo, Lowell, Lincoln, Pyle, Roeding, Slater, Turner, and Webster. The Game On! grant nutrition learning workshops were open to additional families from other school sites to participate in English, Hmong, or Spanish. The focus of the workshops was to bring awareness to students and their families about healthy nutritional choices to support long-term positive eating and physical activity habits. Additionally, the sessions informed parents about how and when to pick up the meals at our school sites and log the meals on the Fresno Unified School District Nutri-Slice app in order to become more familiar with the nutrition facts and to provide feedback for future improvements.

To celebrate our families for completing the nutrition learning sessions, families received a healthy nutrition educational toolkit with kitchen utensils to prepare healthy meals, a healthy eating recipe book, and a bag of food to cook a healthy meal at home to share with their families. Parent University also partnered with Asian Business Institute and the Resource Center to provide 460 fresh produce kits from our local Southeast Asian farmers.

Below are links to our parent video testimonials and highlights of the nutrition toolkit distribution to our families. If you have questions or need more information, please contact Zuleica Murillo at 457-3390.

Parent video testimonials: <https://parentu.fresnounified.org/highlights-updates/>

Video: <https://vimeo.com/535970189>

Photos: <https://tinyurl.com/6c86e8cb>

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 05/28/21

Fresno Unified School District
Board Communication

BC Number HR-1

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Paul Idsvoog, Chief of Human Resources
Cabinet Approval: *Paul Idsvoog*

Date: May 28, 2021

Phone Number: 457-3548

Regarding: Agreement with California Office to Reform Education for Shared Principal II Services by Maria Lynn Rocha Salazar as a Fresno Unified School District Employee on Loan to California Office to Reform Education

The purpose of this communication is to provide the Board additional information regarding the June 02, 2021 Board agenda item to approve the proposed agreement between Fresno Unified and California Office to Reform Education (CORE) for the shared services of Principal II, Maria Lynn Rocha Salazar.

The agreement proposes to provide shared services of Principal II, Maria Lynn Rocha Salazar, as a FUSD employee on loan to CORE as of August 02, 2021 through June 29, 2022. Pursuant to the Shared Services Agreement, CORE must reimburse the District for all items of cost associated with, or arising out of, its access to the services of the District's employee.

If you have any questions or require additional information, please contact Paul Idsvoog at 457-3548.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 05/28/21

Fresno Unified School District
Board Communication

BC Number OS-1

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

Date: May 28, 2021

Phone Number: 457-3134

Regarding: Preliminary Planning for Summer Swim Program

The purpose of this communication is to provide the Board information regarding preliminary planning to open high school pools for community use during the summer. Planning is ongoing with the City of Fresno to provide opportunities for lessons and recreational swimming. As in past years, the district will provide pool maintenance and custodial support, with the City providing staffing (swim instructors, lifeguards, pool supervisors). Preparations commenced later than in previous years as a result of uncertainty about use of pools due to the pandemic, however we are moving forward to the extent staffing is available. The lack of a summer swim program in 2020 and consequently the loss of carry-over staff, has created a challenge for availability of the needed swim program staff for this year.

Working together, district and City staff are targeting opening five high school pools for recreational swimming on weekend afternoons, starting June 19, 2021. In addition, the City is hoping to be able to offer morning swim lessons at three pools. Expansion of the district's summer school program (which uses pools for physical education) and increased use of pools for school aquatic activities means that pool availability for community swimming will be concentrated on weekends.

As plans are solidified in the next few weeks, the Board and community will be updated.

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

Approved by Superintendent
Robert G. Nelson Ed.D. 

Date: 05/28/21

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: Lisa Nichols, Vice Principal on Special Assignment
Cabinet Approval: 

Date: May 28, 2021

Phone Number: 708-2628

Regarding: Update on African American Student Leadership Academy-Cohort 2021 Celebrations

The purpose of this communication is to provide the Board an update on African American Student Leadership Academy (AASLA) Cohort 2021. The Goal 2 Team is in the sixth year of supporting and mentoring students in the AASLA Cohorts 2021, 2022, 2023, 2024, 2025, and currently recruiting for 2026 (AASLA is named for each year student cohorts will graduate). This group now totals over 300 students.

The program serves as a constant reminder of their goal; to graduate on time and with the requirements to enter the University of California (UC) system.

Cohort 2021 was the first group of students to participate in the AASLA program under the leadership of Assistant Superintendent Holland Locker and the Goal 2 Team.

Currently, 36 seniors are graduating this year and out of these seniors, 75% are at 2.0 or better. Please refer to the list below of the AASLA GPA breakdown.

- 3.5 and Above- 19.5%
- 3.0 - 3.4- 16.5%
- 2.5 - 2.9- 14%
- 2.0 – 2.4- 25%
- Below 2.0- 25%

The purpose of the AASLA is to identify college-bound students at the end of their Seventh grade and provide supports and mentoring to ensure those students are UC ready upon graduation.

As reference for the Board of Trustees, the Goal 2 Team will continue to provide ongoing and differentiated supports for each Cohort.

If you have any questions or require additional information, please contact Lisa Nichols at 708-2628.

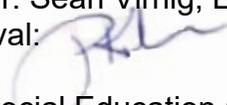
Approved by Superintendent
Robert G. Nelson Ed.D. _____



Date: 05/28/21

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: Brian Beck, Assistant Superintendent
Dr. Sean Virnig, Executive Director
Cabinet Approval: 

Date: May 28, 2021

Phone Number: 457-3226

Regarding: Special Education Community Advisory Committee Stakeholder Engagement

The purpose of this communication is to provide the Board information related to efforts of the Special Education Community Advisory Committee (CAC) to engage and empower non-English speaking parents and community members as requested at the May 19, 2021, Board meeting.

Over the past few years the CAC has made a concerted effort to grow membership in order to provide a broader foundation for improvement efforts in special education. While membership has grown in numbers, the CAC also realizes that additional efforts should be made in order to ensure diversity and districtwide representation. To this end, the following has been implemented:

- CAC Executive Committee position of Community Liaison with the following duty as stated in CAC bylaws:
 - Strive to coordinate with the District and other local agencies in order to encourage and promote the involvement and participation of parents who utilize a primary language other than English and who represent the District's diverse cultural population
- CAC documents available in Spanish and Hmong
 - CAC By-Laws
 - Meeting Agendas
 - Membership Applications
 - Website Documents
 - Meeting Documents
- Spanish, Hmong, and American Sign language interpreters provided for all CAC meetings
- Multilingual support through a select language featured on the CAC website

The CAC is committed to providing additional measures aimed at increasing membership and facilitating meaningful participation for all parents and community members, especially those that can often feel excluded due to primary language. The CAC Executive Committee and the Special Education leadership team will continue to work collaboratively in this regard and solicit new and fresh ideas from CAC members.

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

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 05/28/21