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BOARD COMMUNICATIONS – AUGUST 06, 2021

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

ADMINISTRATIVE SERVICES – Santino Danisi, Chief Financial Officer

AS-1	Kim Kelstrom	School Services Weekly Update Reports
AS-2	Kim Kelstrom	2021/22 State Adopted Budget Update
AS-3	Santino Danisi	Annual Debt Policy Update
AS-4	Kim Kelstrom	July Legislative Committee Meeting
AS-5	Kim Kelstrom	Joint Health Management Board Financial Updates
AS-6	Kim Kelstrom	Medi-Cal Administrative Activity Program
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COMMUNICATIONS – Nikki Henry, Chief Information Officer

C-1	Amy Idsvoog	Crisis Response and Communication Protocols
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OPERATIONAL SERVICES – Karin Temple, Chief Operations Officer

OS-1	Karin Temple	Update on School Facility Improvement Projects
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SCHOOL LEADERSHIP – Kim Mecum, Chief Academic Officer

SL-1	Ambra O'Connor	Firearm Inoperability
SL-2	Sandra Toscano	District English Learners Advisor Committee Meeting Dates 2021/22
SL-3	Ambra O'Connor	Social Emotional Support Spaces
SL-4	Carlos Castillo	Independent Study

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: August 06, 2021

Phone Number: 457-3907

Regarding: School Services Weekly Update Reports for June 17, 2021 through July 22, 2021

The purpose of this communication is to provide the Board a copy of School Services of California's (SSC) Weekly Updates. 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 Updates for June 17, 2021 through July 22, 2021 are attached and include the following articles:

- Ask SSC... What's the Revenue Difference Between the Governor and the Legislature? – June 11, 2021
- Summer School Options: California Hits Record Enrollment, But Is it Enough? – June 17, 2021
- Knowing What Schools Did in the Pandemic is Crucial. So Is Preserving That Data – June 15, 2021
- Legislature Sends Student Retention Bill to Governor Newsom – June 24, 2021
- California School Districts Receive Unprecedented Windfall But Lack Teachers to Help Students Catch Up – June 22, 2021
- Newsom, Top Democrats Bargaining Over Child Care Raises as California Budget Deadline Nears – June 24, 2021
- Partial 2021–22 State Budget Deal Unveiled – June 26, 2021
- Pandemic Drives Sharp Rise in California Families Opening Their Own Home Schools – July 01, 2021
- How Many Students Are Living in Poverty? The Number Is Likely Wrong – June 29, 2021
- Newsom, Legislative Leaders Agree to Expanded Independent Study for Remote Learners – July 07, 2021
- California Voters Give Schools and Teachers Top Grades in Year-End Survey – July 08, 2021
- Recall Election Set for September 14 – July 01, 2021
- CDPH Issues Updated Guidance for 2021–22 School Year – July 13, 2021
- Small California School Districts Will Refuse to Follow Mask Mandate – July 15, 2021
- California Cuts the Number of Tests Teachers Must Take to Earn Credential – July 16, 2021
- How Changes to Independent Study Laws Apply to Programs and Local Educational Agencies – July 20, 2021
- How California Plans to Deter Costly Special Education Disputes – July 22, 2021
- California Launches Largest Free School Lunch Program in US – July 19, 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: 08/06/21



1121 L Street

Suite 1060

Sacramento

California 95814

TEL: 916 . 446 . 7517

FAX: 916 . 446 . 2011

www.sscal.com

DATE: June 17, 2021

TO: Robert G. Nelson
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

Legislature Approves Its Budget While Negotiations Continue

On Monday, the Senate and Assembly approved their version of the 2021–22 State Budget Act (Assembly Bill [AB] 128) on a party-line vote despite not yet reaching a final agreement on the State Budget with Governor Gavin Newsom. The Legislature had to pass its version of the Budget by June 15 in order to meet the constitutional deadline set by Proposition 25 (2010).

The fact that they have yet to come to a deal means the final version of the 2021–22 State Budget will look different than the version approved by the Legislature on Monday. This means that once a deal has been made with Governor Newsom, the Legislature will approve a subsequent budget bill that reflects the compromise and makes the necessary amendments to AB 128.

AB 128 was presented to the Governor on Monday afternoon, giving him until Saturday, June 26, 2021, to take action on the bill. He can either approve the bill as presented to him, approve the bill with specific line-item reductions, or veto the bill and send it back to the Legislature. The likely scenario is that the Governor delays taking action on AB 128 until he reaches a final agreement with the Legislature. However, presenting AB 128 Monday afternoon officially started the 12-day clock that the Governor has to take action on the bill, effectively making it the deadline for the Administration and the Legislature to strike a deal.

State Officially Drops Reopening Blueprint

On Tuesday, as expected, the state officially retired the “Blueprint for a Safer Economy” framework. The Governor officially marked the state’s reopening with a \$15 million lottery drawing at Universal Studios in Los Angeles County.

With the state fully reopened, most everyday places can operate without state-imposed capacity limits or physical distancing requirements. It is important to remember that masking guidelines are still in place for schools. However, this is likely an issue that the Centers for Disease Control and Prevention and the California Department of Public Health will revisit before the start of the 2021–22 schoolyear.

You can find a Q&A on the state's reopening [here](#).

Leilani Aguinaldo

Ask SSC . . . What’s the Revenue Difference Between the Governor and the Legislature?

By Michelle McKay Underwood
 School Services of California Inc.’s *Fiscal Report*
 June 11, 2021

- Q.** Do you know the revenue assumption differences between the Governor and the Legislature? How big of a gap needs to be bridged between the two negotiating parties?

- A.** While Governor Gavin Newsom’s May Revision is built upon the Department of Finance’s (DOF) revenue projections, next week, the Legislature is poised to adopt a 2021–22 State Budget built upon the Legislative Analyst’s Office’s (LAO) revenue estimates. As we have seen in years past, the DOF revenue projection is more conservative than the LAO, meaning that the Legislature’s Budget plan appropriates more spending than the Governor proposed.

In its analysis of the May Revision, the LAO provides the following snapshot of the difference in projections:

LAO Budget Window Revenue Forecast						
<i>General Fund (In Billions)</i>						
	LAO Main Forecast			Difference from May Revision		
	2019-20	2020-21	2021-22	2019-20	2020-21	2021-22
Personal Income Tax	\$99.6	\$119.8	\$126.6	\$0.0	-\$4.4	\$3.3
Sales & Use Tax	25.5	28.3	29.7	0.0	0.4	0.7
Corporation Tax	14.0	21.0	20.8	0.0	0.9	2.7
Subtotal, Big Three	139.1	169.1	177.1	0.0	-3.1	6.7
Other Revenue	6.0	7.3	11.7	0.0	0.2	0.3
Total Revenue	145.1	176.4	188.8	0.0	-2.9	7.0
Transfers and Loans (No BSA)	-1.3	2.8	-2.4	0.0	0.0	0.0
Total Revenue and Transfers	143.8	179.2	186.4	0.0	-2.9	7.0

While perhaps not “budget dust,” the difference of \$4 billion between the LAO and DOF projections of three years’ revenues worth more than a half a trillion dollars in total is fairly negligible.

In terms of Proposition 98, there is a spending gap of \$2.4 billion for the proposed 2021–22 State Budget between the two parties: Governor Newsom proposes \$93.7 billion in 2021–22 spending and the Legislature is proposing \$96.1 billion. While this gap is even narrower than the overall State Budget, there are some big ticket item differences, as noted in last week’s article (see “[Legislative Budget Committees Pass Major Budget Pieces](#)“ in the June 2021 *Fiscal Report*). These large differences include the Legislature’s intent to completely eliminate K–12 deferrals and provide no new resources in School Health and Safety or targeted interventions.

With no deal in place and the Legislature constitutionally required to pass the main State Budget bill by June 15, the most likely scenario is that the Legislature will approve its version of the 2021–22 State Budget in Assembly Bill 128 on Monday, June 14, and then continue to work with the Newsom Administration on a deal. As soon as a deal is reached, the Legislature would approve a State Budget

bill junior, which would make changes to the main State Budget bill to reflect the agreement reached between the Governor and the Legislature. Upon that agreement, trailer bills will also be released, which include the policy proposals that accompany the annual State Budget. This would enable the Governor to potentially sign all bills at the same time to ensure that the 2021–22 State Budget is approved before the beginning of the fiscal year on July 1.

Note: A record number of students are enrolling in summer school programs, made possible by the additional \$4.6 billion in state funding for summer school, tutoring, and mental health services.

Summer School Options: California Hits Record Enrollment, But Is it Enough?

By Joe Hong
CalMatters
June 17, 2021

The stakes are high this summer for South Los Angeles parent Renee Bailey. Her daughter Cali just finished kindergarten, but she spent most of it on a computer screen at home where her reading, arithmetic and handwriting skills all declined.

“Overall, it kind of hindered her self confidence,” Bailey said. “We’re hoping to rebuild that so when she goes into first grade she’ll feel comfortable raising her hand.”

Bailey said she will decide whether or not to advance Cali into first grade this fall after seeing how much progress the 5-year-old makes over the summer. Fortunately, Los Angeles Unified is offering in-person summer school to all its students.

Not all California parents will be so lucky.

After 15 months of the pandemic, during which most students learned at home, a spring infusion of \$4.6 billion from the state is allowing some districts to increase summer enrollment tenfold. Others are offering it for the first time in years, and even then only to some students.

Staffing was the biggest challenge. Districts statewide have struggled to recruit enough teachers who are willing to work through the summer after an exhausting school year, even with the additional financial incentives.

But whatever their districts are offering, educators statewide agree: Summer school won’t be a panacea to the academic, social and emotional turmoil students have experienced since March 2020.

Big offerings for big districts

Some urban districts like Los Angeles and San Diego Unified, the state’s two largest, are offering in-person summer school to all students. Some summer classes at Los Angeles Unified have filled up, but a district spokeswoman said the district is working to accommodate all students.

At San Diego Unified, a record 22,000 of 98,000 students have enrolled for summer school. Fewer than 3,000 students enrolled for summer school in the summer before the pandemic, according to Nicole DeWitt, an instructional support officer at the district.

The expanded offerings are made possible by the additional \$4.6 billion in state funding for summer school, tutoring and mental health services. Most of that money is going to teacher pay. Districts set summer school pay at higher rates to encourage teachers to work through the summer. Districts also needed to hire enough staff to ensure class sizes remain small to prevent the spread of COVID-19 on campuses.

“Summer is a big lift even in a normal year. This year it’s even harder,” said Julie McCalmont, the coordinator for expanded learning programs at Oakland Unified. “We’ve had to hire more teachers and staff. It’s taken us several million dollars more in order to serve these kids.”

Oakland Unified increased its summer school budget by \$2 million to \$4.7 million this year and enrollment has increased to 6,690 from 4,854 last year. Even so, it has 510 students on a waitlist.

While teachers are exhausted after a grueling school year, some are excited to help so many students transition into the first fully in-person school year since the pandemic first started.

“This opportunity appealed to me because I just think the kids need it this summer,” said Adam Goldstein, a teacher at San Diego Unified. “A lot of them missed out this year, not just on academics, but they missed out on being with other students.”

So far, teachers at San Diego Unified say the preparations for this ambitious summer program have been frustrating. Summer instruction starts on Monday, June 21, but teachers will find out what exactly they’re teaching at training sessions on Thursday and Friday.

But overall, Goldstein has a positive outlook.

“Yes, logistically it’s been a rough rollout,” he said. “But at the end of the day, the kids will show up and we’ll be there for them. I’m not too worried.”

Long road back

No matter how robust the offerings, parents and teachers accept the grim reality that a month or two of summer school won’t undo the damage of 15 months of school closure.

“Summer school is not gonna be a quick fix for the losses students suffered during the pandemic,” said Jenny Hontz, communications director for the parent advocacy group Speak Up based in Los Angeles. “We know online learning was not ideal, particularly for our most vulnerable students. There’s gonna be a huge deficit to make up in the next couple years.”

Even before the pandemic, learning loss over long summer breaks has been a serious problem, especially for low-income students. The governor’s proposed budget asks for \$1 billion in additional funding for summer and after-school programs each year for the next five years for districts with high concentrations of low-income students, English Learners and foster children.

Educators say that expanding summer school permanently could do a lot to close the achievement gap.

“If you’re in a privileged area, you’re probably going to be in tutoring and swimming lessons,” said Goldstein, the teacher at San Diego Unified. “In areas of need, you don’t really have access to that. All kids should be able to stay connected to school and friends over the summer.”

McCalmont, the coordinator for expanded learning programs at Oakland Unified, said that for now summer school offerings will remain a compromise. The district, where 72% of students qualify for free or reduced-price lunch, could only afford to invite the students who need summer school the most.

“Summer learning is never gonna be able to serve everyone who needs it,” she said. “There’s a certain sweet spot. There’s the capacity of staffing, and making sure it’s a high quality program. You have to balance that with student need.”

Rural challenges

Warner Unified, a 200-student rural district in San Diego County, is offering summer school for the first time in years, thanks to the funding from the state. The district invited 44 struggling students to attend. As of June 15, 31 have confirmed. But summer school won’t fix the problems that existed before COVID-19.

Warner Unified has had historically high rates of chronic absenteeism. In the last full school year before the pandemic, 1 of every 10 students missed more than 10% of the school year.

“My first thought was: These kids didn’t even show up during the school year, what’s the chance they’ll show up during the summer? Are they just going to take up a slot?” said Superintendent David MacLeod. “But we have to offer it. It’s worth offering if one kid changes and comes to school.”

Across San Diego County, Poway Unified, which serves a relatively affluent region, is having the opposite problem. While summer school enrollment has increased dramatically, almost 1,300 students are on the waitlist for the district’s non-credit Youth Enrichment Program, which is limited to 555 students and focuses on science, technology, engineering, mathematics and the arts.

The district is also offering a couple of two-week instructional sessions for elementary and middle school for students who have fallen behind. Close to 1,000 students are enrolled for each session with no waitlist.

Poway Unified also enrolled 1,990 high school students who will make-up failed classes, nearly three times its 2019 enrollment. Most of the instruction will be online, but students will be able to be on campus at least once a week for in-person help.

While there are currently 19 students on the waitlist, Poway Unified, which serves about 35,000 students, expects to be able to serve all students who need summer school to make up credits.

Carol Osborne, associate superintendent of learning services at Poway Unified, said staffing the summer programs is the most significant challenge. “Our teachers rightfully need a break,” she said. “When we think about the wellness of our students, we’re also thinking of the wellness of our staff.”

The pandemic’s upending of public education has presented an opportunity to rethink summer school and the traditional academic calendar.

Austin Beutner, outgoing superintendent of Los Angeles Unified, said he unsuccessfully advocated for the state to fund an extended school year to take the pressure off remedial summer school programs.

“I think more time next year would probably be more powerful than summer school this year,” said Beutner. “This is the first time people can be outside. People do need a break.”

Note: With most schools across the country reopened for in-person instruction, education researchers are trying to collect pandemic data to make actionable policy recommendations to mitigate learning loss during the next crisis that forces schools to close their doors.

Knowing What Schools Did in the Pandemic is Crucial. So Is Preserving That Data

By Evie Blad
EducationWeek
June 15, 2021

Key information about how COVID-19 created an unprecedented year for students is at risk of being lost if it's not compiled in a way that can help track the effects of the pandemic for years to come, one prominent researcher says.

So even as schools look forward to recovery, Brown University economics Professor Emily Oster is looking back, leading a project to capture all of the data states collected about school operations in 2020-21 and to present it in a consistent format that can inform researchers and policy makers well into the future.

“I think we are at risk of losing this information,” Oster said. “If we just decide, ‘OK, forget it,’ and then we don't think about the next six months, I think we may actually find ourselves in a worse situation than we would be otherwise.”

Oster played a prominent role during the last year as she led an early data project to track school precautions and related coronavirus cases, becoming a sometimes divisive advocate for in-person learning.

Without consistent data, schools were operating in the dark, she said, seeking to plan around a pandemic as public understanding of the virus evolved. Even as educators and district officials raised those concerns, federal officials didn't start collecting official data until about a year into the crisis.

Oster's “pipe dream” for her current project, set to launch in August: a data collection that would show how any school in the country was operating— in-person, remotely, or a hybrid of the two models— on any given week in the 2020-21 school year.

How has the pandemic affected schools?

But that's easier said than done. There was no official, comprehensive federal school data collection throughout the pandemic. And states and districts operated a patchwork of different data collections and trackers using different terms and methods.

“Our data infrastructure over the last year has been quite poor,” Oster said.

But, even with limitations, the information will be useful, she said. In the first wave of her collection, Oster has started surveying states about the information they collected during the 2020-21 school year on key data points: school operating status, student and staff COVID-19 cases, and enrollment.

That information may help policymakers and educators as they consider how to focus recovery efforts, she said, but it may have more value in future years.

Education researchers will likely track fallout from the coronavirus for years, including its effects on factors like student well-being, academic achievement, and eventual postsecondary enrollment.

“I also think that this has revealed a lot about the schooling system,” Oster said. “It has highlighted some inequities, and it has also generated some variation that may be useful for answering questions about education in the long run.”

Researchers may be able to use the school operating information to add context to other datasets, like test scores, to look for longer term trends.

And they may be able to ask research questions that didn’t seem obvious at the peak of the pandemic. For example, will younger students who completed extended periods of remote learning have stronger computer skills than their peers? Will learning conditions correlate with mental health diagnoses or other indicators?

But there will be some limitations: The definition of “hybrid” learning can vary from school to school, states use different methods for counting school-related COVID-19 cases, and many families chose to remain in virtual learning, even when their schools offered an in-person option.

Calls for data on COVID-19 and schools were ignored

Education groups have sounded the alarm throughout the pandemic about the need for more and better data about how it was affecting students.

“The reason that it always matters to have information about how students are learning is because they are facing incredibly different experiences within our education system,” said Rachel Anderson, the director of research at the Data Quality Campaign, an organization that advocates for collecting and reporting education data. “We suspect that most of those differences were broadened during the pandemic.”

It’s always been important to have this information, she said, but it’s especially important now.

As states ordered broad school closures in spring 2020, Education Week provided one of the first sets of national data on the subject, tracking the numbers of students affected on a map that served as a reference point for U.S. government agencies, international health organizations, and media outlets.

Later other organizations, including a collaboration between Oster and education organizations, developed various ways of collecting and reporting data on school closures.

Educators and policymakers debated whether that data could be used to assess the effects of closures on virus spread or even to draw correlations between an area’s political leanings and the likelihood of in-person learning.

Former U.S. Secretary of Education Betsy DeVos said in October that she didn’t believe it was her agency’s role to collect such data. Some education groups called that “a missed opportunity.”

The first official federal data on the pandemic was collected in February following an executive order from President Joe Biden. But that monthly collection draws from a representative sample of schools with 4th and 8th grade students, leaving out older and younger children.

The federal data collection fell short of the level of detail sought by some education researchers, who wanted information about factors like student attendance, how schools measured learning progress, and whether remote learners signed into classes. But school administrators also cautioned against making too many requests of their time as they navigated the crisis.

The most recent federal data showed a continued increase in in-person learning, and continued racial and socioeconomic disparities in which students have access to full-time in-person instruction.

Preparing for future crises

The U.S. Department of Education recently announced plans for a new “pulse” survey during the 2021-22 school year that will ask a sample of 1,200 schools questions related to recovery and operations.

“It will be one of the nation’s few sources of reliable data on a wealth of information focused on school reopening efforts, virus spread-mitigation strategies, services offered for students and staff, and technology use, as reported by school district staff and principals in U.S. public schools,” the agency says in an announcement published in the Federal Register June 11.

But Oster thinks it’s also important to look back at the year when students were most heavily affected by closures and the churn between remote and in-person learning.

Even as policymakers have increasingly stressed the importance of data in evaluating schools and driving policy in recent years, the difficulty in tracking the pandemic’s effects on schools shows a lack of agility in collecting that information.

For example, federal surveys require time-consuming public comment periods to assure that the collections are reasonable and feasible for school leaders, so it can be difficult to query new data points in the middle of a crisis, said Anderson, of the Data Quality Campaign.

Ideally, data on the pandemic would be at the student level, allowing information about how individual children learned to be analyzed next to other indicators, she added. But any efforts to document the year, at the school level or otherwise, will be helpful, Anderson said.

In the future, federal officials could provide guidance to help states determine what information to track, what terms to use, and how to best report that information to the public, she said. That would allow them to collect information more quickly while increasing the likelihood that data will be comparable across states.

It would also ensure there “isn’t so much of a scramble next time,” Anderson said.

“Unfortunately this is not going to be the last time that schools are going to be disrupted on a large scale,” she said.



1121 L Street

Suite 1060

Sacramento

California 95814

TEL: 916 . 446 . 7517

FAX: 916 . 446 . 2011

www.sscal.com

DATE: June 25, 2021

TO: Robert G. Nelson
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

Still No Budget Deal Between Legislature and Governor Newsom

With just a week left until the beginning of the 2021–22 fiscal year, legislative leadership and the Newsom Administration still have not come to an agreement on the State Budget. While there are rumors that the two parties have agreed to most tenets of the State Budget package, there are still some outstanding issues that are being worked out between the two sides, including an expansion of healthcare to undocumented immigrants and a raise in rates for childcare providers.

It looks as though the two parties could be negotiating into the weekend, as both the Assembly and Senate Budget Committees have scheduled hearings for Monday. Should a deal be struck, they will be able to discuss the details of the agreement before the two houses vote on it. However, the Legislature will have to wait for the budget bill that reflects the agreement to be in print for at least 72 hours before they can vote on the measure. The California State Constitution mandates all bills be published in print and online at least 72 hours before they are voted on and while Governor Newsom has the authority to waive this requirement pursuant to an emergency proclamation, it is unlikely the Governor will exercise this authority as long as a bill that reflects a deal is sent to his desk prior to the start of the fiscal year.

The interesting thing to watch over the weekend is what Governor Newsom decides to do with Assembly Bill (AB) 128, which is the budget bill the Legislature sent to him on the afternoon of June 14 in order to meet their constitutional deadline to pass a budget bill by June 15. The deadline for him to sign or veto the measure is tomorrow afternoon, 12 days following the Governor's receipt of AB 128. At this point it is looking like the Governor will likely veto AB 128 as he will be unable to sign in the measure in tandem with a budget bill junior that reflects a deal between him and the Legislature.

Education Committees Take Action on Bills

Both the Assembly and Senate Education Committees met this week and approved a combine 15 bills. Some of the more significant measures that were approved include the following:

- AB 367 (Garcia, D-Coachella) would require all public schools serving a combination of grades 6–12, every community college and California State University campus, and every public agency to stock, at all times, an adequate supply of menstrual products in all women’s restrooms and all-gender restrooms, as well as in at least one men’s restroom
- AB 945 (Ramos, D-Highland) would establish a task force to develop recommendations for best practices, protocols, proposed legislation, and other policies that will address how to comprehensively implement all aspects of a student’s authority to wear traditional tribal regalia or recognized objects of religious or cultural significance as an adornment at school graduation ceremonies
- AB 1560 (Daly, D-Anaheim) would require the State Superintendent of Public Instruction (SSPI) to survey each local educational agency (LEA) and report on the number of pupils without computing devices, authorize the SSPI (contingent upon an appropriation) to provide each eligible student with a computing device that meets that standard, and authorize the California Department of Technology (upon an appropriation) to enter into a sponsored service agreement on behalf of any LEA with a broadband service provider for the purpose of providing free or reduced-cost residential broadband service to eligible students
- Senate Bill (SB) 488 (Rubio, D-Baldwin Park) requires the Commission on Teacher Credentialing to ensure, by July 1, 2025, an approved teaching performance assessment for a preliminary multiple subject credential and a preliminary education specialist credential assesses all candidates for competence in instruction in literacy, revises the definition of literacy instruction for purposes of teacher preparation
- SB 693 (Stern, D-Los Angeles) would establish the Governor’s Council on Genocide and Holocaust Education to develop best practices to encourage and facilitate the instruction on genocide, including the Holocaust, that aligns with the academic content standards for students enrolled in grades 4–12

Policy committees will continue to ramp up their work over the next few weeks in order to meet the deadline of passing bills by July 14, after which the Legislature begins its month-long summer recess.

Leilani Aguinaldo

Legislature Sends Student Retention Bill to Governor Newsom

By Kyle Hyland
School Services of California Inc.'s *Fiscal Report*
June 24, 2021

On Monday, June 21, 2021, the Legislature approved Assembly Bill (AB) 104 (Gonzalez, D-San Diego) and sent the bill to Governor Gavin Newsom for his consideration. The bill looks to mitigate learning loss that has occurred under COVID-19 through student retention, grade changes, and exemption from local graduation requirements.

Supplemental Retention Policy

AB 104 would require local educational agencies (LEAs) to implement a supplemental policy regarding the retention of students (except those in grade 12) who, during the 2020–21 school year, received deficient grades (D, F, or No Pass) for at least half of their coursework.

The bill would require that within 30 calendar days of receiving a written retention consultation request from a parent the LEA conduct a consultation with the student, a parent, an administrator, and a teacher. The consultation would be required to include a discussion of all available learning recovery options, research on the effects of retention, the benefits of particular interventions and supports, consideration of the student's academic data, and any other information relevant to whether retention is in the student's best interest. The LEA would be required to notify the requesting parent of its retention decision within ten calendar days of the consultation.

The bill stipulates that, regardless of the retention decision, the student be offered specific interventions and supports. If the decision is to retain the student, the LEA would additionally be required to offer that student supplemental interventions and supports pursuant to AB 86's Expanded Learning Opportunities Grant (see "[AB 86 Allowable Uses](#)" in the March 2021 *Fiscal Report*). A student that is not retained would also need to be offered support pursuant to AB 86 as well as access to prior semester courses, or some other form of credit recovery, for any course in which they received a D or F letter grade.

Grade Changes and Graduation Requirements

The bill would authorize parents, guardians, or students 18 years and older who were enrolled in a high school course during the 2020–21 school year, to apply to the LEA to change the letter grade for that course to a Pass or No Pass grade on the student's transcript. LEAs would not be allowed to limit the number or type of courses eligible for grade change and the grade change could not negatively impact a student's grade point average.

AB 104 would require LEAs to exempt all students who, during the 2020–21 school year, were in their junior or senior year of high school and not on track to graduate in four years from all local graduation requirements adopted by the LEA. It is important to note that those students would still be required to complete the statewide graduation requirements in order to graduate. LEAs would be required to provide all students who, in the 2020–21 school year, were in their third or fourth year of high school and are not on track to graduate in the 2020–21 or 2021–22 school year the opportunity to complete the statewide coursework required for graduation, which may include a fifth year of instruction.

Next Steps

Since this is an urgency bill, the provisions of the measure would go into effect immediately upon signature of Governor Newsom.

The Governor has until Saturday, July 3, 2021, to sign the bill, veto it, or allow the bill to become law without taking action. Since this bill leverages the expanded learning dollars in AB 86 and has received bipartisan support through the legislative process, we think it is very likely that the Governor will sign AB 104 into law.

While we will let you know the action that Governor Newsom takes on AB 104, we recommend that LEAs begin making preparations for this bill's provisions as it will likely become law within the next several days.

Note: CalSTRS reported a 26% increase in the number of teacher retirements in the second half of 2020, compared with the same period in 2019.

California School Districts Receive Unprecedented Windfall But Lack Teachers to Help Students Catch Up

By Diana Lambert
EdSource
June 22, 2021

California schools collectively have billions of state and federal dollars to spend on programs to help students catch up on the learning they lost while school campuses were closed. But many districts do not have enough fully qualified teachers to fill regular classrooms, let alone to launch new academic programs this fall.

The state's schools have struggled with teacher shortages for years, especially in the areas of special education, math, science and bilingual education, but the problem has worsened since the pandemic began. Research by the Learning Policy Institute, which consisted of interviews with district leaders from eight of the largest and nine of the smallest school districts in the state, found that the number of teacher candidates earning credentials declined during the pandemic.

The California State Teachers' Retirement System, or CalSTRS, reported a 26% increase in the number of teacher retirements in the second half of 2020, compared with the same period in 2019.

Los Angeles Unified Superintendent Austin Beutner sounded the alarm about the shortage of teachers last month. The additional state and federal funds could allow the district to add reading and math teachers in elementary schools, reduce class sizes in middle and high schools, offer more direct support for students with learning difficulties, and add more mental health professionals, but the district may not be able to hire enough people to staff all the programs.

“Yes, more money would allow schools to hire more reading teachers if there were more to be hired,” Beutner said. “While it’s great that schools will have adequate funding for the first time in a generation, money alone won’t solve the problem.”

Los Angeles Unified hired an additional 210 reading specialists for the 2020-21 school year for its Primary Promise program, which gives targeted help to 6,700 students in kindergarten through second grades. But the district needs an additional 400 to 500 reading specialists to help all the students who are struggling with reading, Beutner said.

“And while (Los Angeles Unified) schools will have the \$70 million or so each year they need to do the hiring, fewer than 200 people are currently graduating each year from university programs with a reading specialist certificate in the entire state of California,” he said.

The school district also could improve the first-time passage rate for students who take algebra — currently 56% — if it could hire 170 more algebra teachers to reduce class sizes, Beutner said.

“Sounds simple, but it’s not easy to do,” he said. “There are only about 1,000 teachers who graduate each year from university programs in the state with the training to teach algebra.”

Some districts are offering signing bonuses to school psychologists, speech therapists, and teachers in hard-to-fill positions, and increasing pay for substitute teachers to convince them to sign with school districts.

“We are all competing for this pool of highly qualified candidates,” said David Zaid, Long Beach Unified assistant superintendent. “We have all increased our hiring because of some of the additional funding.”

The district, which educates 70,000 students at 85 schools, usually hires between 130 and 140 teachers each school year. This coming school year it will add 160 more teachers than it usually does, funded with federal CARES Act money, for a total of 300 new teachers.

The district has hired about 100 fully credentialed teachers for next school year, Zaid said last week. The race to hire more teachers is tracked on a thermometer chart tacked to a wall in the human resources department of the district.

Zaid is optimistic the district will find the 200 teachers it still needs to begin the school year in August. The district still has more than 200 applications to consider. It has streamlined its application process so that contracts can be signed faster. By shortening the time between interviews and an offer the district is more likely to keep a good candidate from looking elsewhere.

The district has made other changes to its recruitment process, including hosting its own job fairs, instead of only attending recruitment events at universities. The district recruitment fairs take place in the evenings, instead of in the middle of the day, to draw more experienced teachers, Zaid said.

Some California school district officials are wary about hiring teachers and other staff with the one-time dollars being offered by the state and federal government this year. They don’t want to have to lay off teachers when the money goes away

Twin Rivers Unified School District in Sacramento doesn't plan to add teacher assistants or teachers with the one-time state and federal dollars this year, said David Robertson, director of human resources and labor relations. Instead, the district will be adding 20 new teacher coaching and teacher support positions out of the funds.

About 90 percent of the district's 32,000 students are from low-income families and a quarter of them are English learners — groups education experts say are among the most likely to need additional help to catch up next school year.

Twin Rivers officials, who usually hire about 250 teachers a year, expect to hire 100 this year because of increased retention and a decrease in enrollment in recent years. The district has improved retention by increasing support to new teachers, including adding a Teacher and Mentor Support web page with access to mentors and support staff, Robertson said. The website includes links to professional development and tips to help teachers tend to their social-emotional well-being, among other things.

Smaller, more rural districts historically have had the worst teacher shortages. The districts, usually located farther away from university teacher preparation programs, have fewer fully qualified teachers living nearby. "Collectively, they are struggling to hire enough teachers and classified employees," said Tim Taylor, executive director of the Small School Districts' Association. "Running new programs is going to be hard because they don't have the employees to do some of the work."

Taylor expects some districts will have to choose which programs they can run and those they can't because of a lack of staffing. Even teacher aides and substitutes are hard to find and in demand, Taylor said.

Konocti Unified, a district of 6,700 students in rural Lake County, has received \$10 million in state and federal Covid aid, but it hasn't sorted out its staffing for next year. District officials expect to have a plan by the end of this month.

Assistant Superintendent Chris Schoeneman would like to use some state and federal Covid funds to hire one additional teacher at each of the district's five school sites to work in accelerated learning programs to help students catch up. But district officials don't want to overstaff with one-time state and federal dollars that expire in two to three years.

But even if the district spends the money to hire teachers, they may not be able to find enough. The district has historically had a difficult time finding enough fully credentialed teachers for its schools. Before the pandemic closed schools, more than half of the district's teachers had worked as a teacher less than five years or were on emergency-style permits, meaning they haven't completed teacher preparation programs or have received only partial training.

"We lost multiple teachers last summer and fall to fear of Covid and returning to work," Schoeneman said. "With vaccinations in place and proper health and safety procedures, will those teachers be returning to classrooms? Will teachers and staff feel safe coming back to the profession? I don't know. We are in such uncharted waters."

Schoeneman said he also isn't certain how many students will return in the fall. Student enrollment in the district has been climbing in recent years as families flee high housing prices in more urban parts of the state.

Like other districts, Konocti may have to get creative about space and lean heavily on teaching assistants, librarians or instructors in their afterschool programs to help with accelerated learning programs.

To fill vacancies, school district officials have turned to underqualified teachers working on intern, short-term or provisional intern permits who have not completed the testing, coursework and student teaching required for a preliminary or clear credential. They also allow fully credentialed teachers with limited assignment permits or waivers to teach outside their subject areas to fill staffing needs.

Staffing is further complicated by a severe shortage of substitutes, even in districts that have a handle on teacher hiring. Most substitute teachers found themselves with little work when schools were in distance learning mode and opted for more stable employment. Others were hired as full-time teachers, often on intern permits.

“It’s going to be brutal,” Schoeneman said. “I don’t know what we are going to do. We’ve hired most of our substitutes who are interested in being teachers as interns. If you are a killer sub you already have a job in this county.”

In addition to hiring teachers, districts across California are bolstering their mental health staff. Before the pandemic, the counselor-to-student ratio in California was about 1-to-600 — one of the highest in the country. Now, in light of students’ growing mental health needs and a windfall in funding, many districts are aiming for a ratio of 1-to-250, or even as low as 1-to-100, said Loretta Whitson, executive director of the California Association of School Counselors.

Unlike the teacher hiring pool, California has plenty of counselors to fill the need. More than 47,000 people in California are credentialed to work as school nurses, psychologists, social workers or counselors, and, as of 2019, only 16,670 were actually working in California schools, according to the California Commission on Teacher Credentialing and the California Department of Education.

Beutner says he’ll need \$150 million to hire 1,000 more mental health counselors to meet the needs in L.A. Unified.

Investments in mental health services must be part of a long-term, structural commitment to improving campus climate, Whitson said. That effort should include partnerships with community mental health agencies, outreach to families, more access to one-on-one therapy and training for all school staff, she said. And districts should expect to see repercussions from the pandemic — due to trauma and grief — surface for three to five years for some students, she said.

But overall, Whitson is hopeful that California schools finally have the funding and motivation to seriously address student mental health needs.

“(This) may prove to be a defining moment for education,” Whitson said. “It is an investment in our young peoples’ prospects, as they prepare for a healthy, productive future.”

Note: The Legislature and the Governor are still looking to reconcile details of an expansion of healthcare to more undocumented immigrants and a raise in rates for childcare providers, among other issues.

Newsom, Top Democrats Bargaining Over Child Care Raises as California Budget Deadline Nears

By Sophia Bollag
The Sacramento Bee
June 24, 2021

As the start of a new budget year approaches next week, Gov. Gavin Newsom and state lawmakers have been hashing out details of a budget agreement.

The two sides are largely aligned on how to spend a multi-billion-dollar surplus, but need to reconcile details of an expansion of health care to more undocumented immigrants and a raise in rates for child care providers, among other issues.

To enact a budget in time for the July 1 start of the upcoming fiscal year, lawmakers need to have the text of the main budget legislation done by Sunday. They will then continue to hash out remaining details, likely for weeks into the summer.

Negotiations over a raise in pay rates for child care providers who are paid by the state to provide child care for low-income families have emerged as one of the main remaining issues.

At a rally Thursday at the Capitol where the providers' union urged Newsom to agree to raise their pay, both Assembly Speaker Anthony Rendon and Senate President Pro Tem Toni Atkins said they sided with the providers and were negotiating to ensure the budget includes the increase they are seeking.

The union says some of its members make less than minimum wage after expenses, an unsustainable problem. Miren Algorri, a child care provider in San Diego, said 5,000 providers have closed in the last year, and that thousands more could follow if the state doesn't increase their pay.

"Without a significant increase in rates, more and more providers will close and California's recovery will stall as parents have no place to leave their children," she said during the rally outside the Capitol. "How can the state expect providers to keep their businesses open and make ends meet on less than minimum wage?"

In their budget plan, lawmakers provided funding for the rate increase the providers are seeking. But Newsom hasn't agreed to it in his own proposals.

Newsom's \$268 billion budget plan also differs from lawmakers' over how much to expand health care for undocumented people. Newsom proposed expanding eligibility for the state's Medi-Cal program to undocumented people over age 60. Lawmakers' proposal would drop that threshold to 50.

At the same time, lawmakers and Newsom have been negotiating an extension to the state's eviction moratorium, which is set to expire June 30. Newsom has said he wants an extension, as have the chairs of the Legislature's housing committees, who say letting the moratorium to expire could force thousands from their homes before they have a chance to access federal funds to pay back-rent.



1121 L Street

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Suite 1060

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Sacramento

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California 95814

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TEL: 916 . 446 . 7517

•

FAX: 916 . 446 . 2011

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www.sscal.com

DATE: July 2, 2021

TO: Robert G. Nelson
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

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

Governor Newsom and Legislature Reach Partial State Budget Deal

Late last Friday evening, on June 25, 2021, the Legislature released the details of the partial 2021–22 State Budget deal reached between Governor Gavin Newsom and legislative leadership. The bill that captures this agreement is Senate Bill (SB) 129, which is the budget bill junior that will amend the 2021–22 State Budget Act, Assembly Bill (AB) 128, which was sent to Governor Newsom on June 14.

The Governor signed the main State Budget bill (AB 128) on Monday, which was the deadline for him to take action on the measure. The Legislature approved and sent the budget bill junior (SB 129) to Governor Newsom on Monday night and we expect the Governor will sign that bill either today or tomorrow.

You can find the details of the partial deal in the *Fiscal Report* article below, entitled “Partial 2021–22 State Budget Deal Unveiled.” We keep referring to it as a partial agreement because we are still waiting for the two parties to release the education omnibus budget trailer bill, which is the implementing and policy language that accompanies the State Budget package. This is where we will find out how lawmakers will address key issues such as providing an option for those parents who want their children to remain in a virtual learning environment during the 2021–22 school year and the mechanics of implementing universal transitional kindergarten (TK) over the next several years.

It’s important to note that SB 129 and AB 128 effectively act as the budget line items for the 2021–22 fiscal year, and thus the policy language for how that funding will be implemented is critical and is why the Capitol community is anxiously awaiting its release.

Senate Education Committee Approves Key Legislation

The Senate Education Committee, chaired by Senator Connie Leyva (D-Chino), approved the following significant bills on Wednesday:

- AB 22 (McCarty, D-Sacramento) would expand eligibility for enrollment in TK to younger four-year olds, adding one month of eligibility each year over a nine-year period beginning in the 2024–25 school year, until universal TK is reached in 2032–33
- AB 388 (Medina, D-Riverside) would require the following groups attain permanent status after completing a probationary period: adult education teachers, regional occupational centers or programs instructors, certificated employees at school districts with an average daily attendance (ADA) of 250 or less, and certificated employees in a teaching position at county offices of education with an ADA of 250 or less
- AB 815 (Rivas, D-San Fernando Valley) would authorize the Commission on Teacher Credentialing to approve a school nurse credentialing program offered by a local educational agency
- AB 1363 (Rivas, D-San Fernando Valley) would require the State Superintendent of Public Instruction to develop procedures for State Preschool contractors to identify and report data on dual language learners

Policy committees will continue to convene over the next several weeks in order to meet the July 14 deadline for bills to get out of their committee.

Leilani Aguinaldo

Partial 2021–22 State Budget Deal Unveiled

By SSC Governmental Relations Team
School Services of California Inc.'s *Fiscal Report*
June 26, 2021

[Editor's Note: Subsequent to the publishing of this article, Assembly Bill/Senate Bill 138 was amended to establish the School Employees Fund unemployment insurance rate in 2021–22 at 0.5%.]

On the evening of June 25, 2021, the Legislature released a summary of a revised 2021–22 State Budget, which reflects a partial deal with Governor Gavin Newsom. For K–12, the negotiated version includes some priorities of the Governor—such as the concentration grant based funding, community schools, and educator development programs—and others from the Legislature—full repayment of the deferrals, special education increases, and A-G completion funding. Missing from the final version of the 2021–22 State Budget is pension rate relief.

While trailer bills are not yet in print to confirm the details of the plan, the following framework for K–12 education was provided, and reflects agreement between the Legislature and Administration:

- \$11 billion to fully pay off K–12 deferrals
- Adopts Universal Transitional Kindergarten, phasing in expanded age eligibility to full implementation in 2025–26
- 5.07% cost-of-living-adjustment (COLA) for the Local Control Funding Formula (LCFF)
- Increases the LCFF concentration grant percentage from 50% to 65% of the base grant, to be used for increasing staffing at school sites to provide additional direct services to students, including custodial services
- Creates an Expanded Learning program to provide funding for afterschool and summer school enrichment programming targeted at low-income students with \$1 billion ongoing and \$753.1 million one-time
- Increases special education funding by \$396 million ongoing to the statewide base rate and applies 4.05% COLA to the base rate
- Increases the special education funding formula by \$260 million ongoing to include funding for specified services for children aged 3-5 years old in the formula
- Increases the Career Technical Education Incentive Grant by \$150 million ongoing
- \$130 million ongoing for increasing the number of school-based state preschool slots
- Expands the California Community Schools Partnership Program with \$3 billion one-time funding
- \$1.5 billion one-time funds for a new Educator Effectiveness Block Grant

- \$1.3 billion in one-time funding for various teacher recruitment, retention, and professional development programs
- \$550 million one-time to invest in increased support for special education alternative dispute resolution and learning recovery supports for special education students associated with impacts due to the COVID-19 pandemic
- \$547.5 million in one-time funding for the A-G Completion Grant Program
- Launches the Universal School Meals Program, with an increase in state meal reimbursements by \$54 million in 2021–22 and \$650 million ongoing beginning in 2022–23

The Legislature is poised to adopt this framework in Assembly Bill/Senate Bill 129, the “budget bill junior” on June 28. While some trailer bills have been released, the education budget trailer bill is not in print as of this writing, Saturday, June 26.

As budget trailer bills are released, we will provide those details in future *Fiscal Report* articles. Finally, we will translate and operationalize the details of the 2021–22 State Budget in our upcoming [School Finance Conference](#) next month.

Note: During the height of the pandemic, almost 35,000 California families filed an affidavit with the state to open a private home school, which is more than double the number of private school affidavits filed for the 2018–19 school year for schools with five or fewer students.

Pandemic Drives Sharp Rise in California Families Opening Their Own Home Schools

Will home-schooled students return to campuses in the fall?

By Diana Lambert
EdSource
July 1, 2021

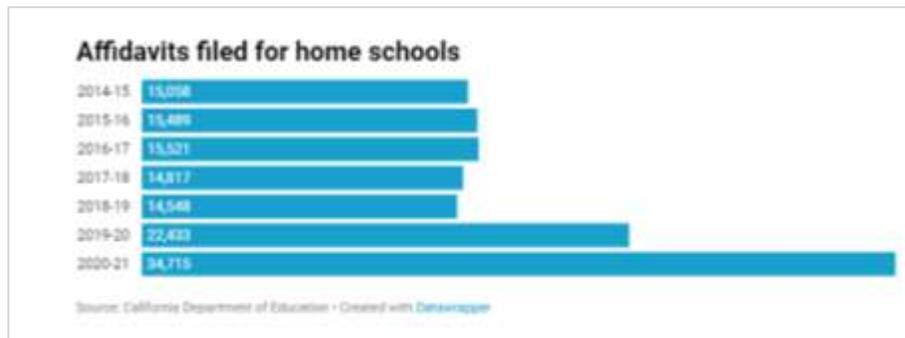
During the height of the pandemic, almost 35,000 California families filed an affidavit with the state to open a private home school.

That’s more than double the number of private school affidavits filed for the 2018-19 school year for schools with five or fewer students — the number that the state Department of Education says is likely to be a home school. Another 3,215 people filed private school affidavits to operate schools with six or more students.

Filing a private school affidavit annually is one way to home-school a child in California. Families also can choose a home study program through a public school or can enroll their children in a private school that offers home-schooling options.

Parents who file an affidavit do not have the oversight or guidance provided by a school district or public charter school. Instead, they must provide all the curriculum, materials and instruction for their children.

They also do not receive the funds to cover the cost of supplies, outside classes or extracurricular activities that charter schools usually provide.



Home-schooling programs nationwide saw a substantial increase in enrollment after school campuses closed last year, according to the U.S. Census Bureau’s Household Pulse Survey. On April 23, 2020 — a few weeks after campus closing began — about 5% of U.S. households reported that they were home-schooling at least one of their school-age children, according to the survey. By fall that number had climbed to 11%.

“It’s clear that in an unprecedented environment, families are seeking solutions that will reliably meet their health and safety needs, their childcare needs and the learning and socio-emotional needs of their children,” according to a news release from the Census Bureau.

Charter schools can operate in school buildings or be home-based. They remain the most popular way for families to home-school their children. Some parents opened their own home schools when charter schools filled up during the pandemic and began to turn students away, said Jamie Heston, a home-school consultant from the Bay Area. It’s not clear exactly how many California students are in home-school programs operated by charter schools because that data is not collected.

Enrollment in non-classroom based charter schools also was limited by a state law passed during the pandemic that held schools to funding based on their 2019-20 attendance. For some parents, a private school affidavit seemed like their only option, Heston said.

Heston said she saw a huge increase in interest in her Homeschool 101 class, which serves as an introduction to home schooling, during the pandemic. She said about 100 people signed up for the virtual class each month last summer, compared with the five to 30 who attended the in-person classes held four times a year at four local libraries before the pandemic.

The majority of parents Heston spoke to told her they were unhappy with distance learning and the amount of time their children spent in front of the computer. Many parents, even those with children attending expensive private schools, said they were disillusioned with the education they saw their child receiving online, she said.

Cathy Yu pulled her 16-year-old son out of his Bay Area high school last September after watching him struggle with distance learning. Yu looked over his homework assignments and online lessons and didn’t like what she saw. Lessons were often brief, uninteresting and recorded. Feedback from some teachers was minimal, and the Sequoia Union High School District’s decision to use pass or fail grades left him unmotivated, she said. She decided to run her own home school and filed a private school affidavit.

Yu, who already home-schools a younger son through a charter school, had considered removing her eldest from Menlo-Atherton High School before the pandemic because she felt the school required too much “busy work” that didn’t move him forward academically. Six classes a day, hours of homework each night, cello lessons and sports often left him exhausted, she said.

“I saw a positive change the past year, after we removed him from the school,” Yu said. “I think he has a lot more time to absorb things around him and is more engaged. He is more motivated. He now has more drive, prepares for the exams himself. It has been a very positive experience for us.”

A majority of the children whose parents chose to home-school during the pandemic are likely to return their children to school campuses, but not all, Heston said. She is already seeing enrollment for Homeschool 101 classes returning to pre-pandemic levels.

Currently, there is no way to know whether a person who filed a private school affidavit plans to open a private school or a home school. State law doesn’t allow the California Department of Education to collect information that would allow it to determine which schools are based at home, said Scott Roark, a department spokesman. Enrollment of 5 or fewer students is considered a good indicator of a home school, he said.

Private school affidavits have been criticized by some because of the lack of oversight provided by the state. The home-schooling method got public attention when a couple operating a private home school were convicted in 2019 of abusing their children. Louise and David Turpin were arrested in Perris for torturing, abusing and imprisoning 12 of their 13 children, ages 2 to 29. The parents, who were sentenced to 25 years to life in prison, filed an affidavit with the state to open a private school to home-school their children.

Two Assembly bills were introduced in 2018 that would have required more oversight of these affidavit home schools, but both failed to gain traction and died. One bill would have required that home schools be listed as such on private school affidavits and that school districts be notified of children being home-schooled locally. The second bill would have formed an advisory committee to assess home schooling in the state and to offer recommendations.

Note: A new research paper argues that school neighborhood poverty metrics from the National Center for Education Statistics could serve as a more precise indicator of poverty than the free and reduced-price meals numbers.

How Many Students Are Living in Poverty? The Number Is Likely Wrong

By Mark Lieberman
EducationWeek
June 29, 2021

A new research paper published last month argues that many schools and government agencies are doing it wrong. It turns out the proportion of students receiving free or reduced-price meals, which many government officials and school administrators use to distribute aid, is a misleading and outdated proxy for measuring poverty.

About 52 percent of U.S. students were eligible for free and reduced-price meals in 2019, according to the most recent federal data. Prioritizing dollars for all those students risks diluting aid for the ones who need it the most.

But researchers think they've found a better way to quantify poverty, and at least one state is already trying out a new approach. The pandemic has made these efforts more urgent, as data on free and reduced-price meals appear to reflect that many families aren't filling out surveys that would identify them as high-need.

Why does this matter?

Nearly half of states have funding formulas that target aid to high-need students using free and reduced-price meal statistics. Philanthropic organizations use those numbers to prioritize grant recipients. Reporters use them as shorthand to illustrate the proportion of high-need students in a school or district. (I did it [here](#) just a few weeks ago.)

Co-authors Ishtiaque Fazlul, Cory Koedel, and Eric Parsons from the University of Missouri build on existing research to present the most robust evidence yet that conflating poverty with the number of students getting free or reduced-price meals leads to inaccurate and misleading assertions.

Those meal programs, the paper argues, often include students who don't meet the technical definition of eligibility for the program. As a result, that metric doesn't provide a finer-grain understanding of which students are actually living in families with severe economic challenges.

How did they figure this out?

Researchers identified two other poverty metrics for students in Missouri, verified them against each other, and then compared them against statistics for students eligible for free and reduced-price meals (FRM).

They then broadened their search to 27 states, and drew the same conclusion: The number of students in families below the poverty criteria for free or reduced price meal eligibility is lower than the number of students enrolled in free and reduced-price meal programs. Programs that offer free meal programs are particularly "oversubscribed," the report says.

Why? Researchers posit a couple theories. For one, "districts are incentivized to identify students as FRM eligible but are not similarly incentivized to do so accurately."

Here's how that works: Some students automatically qualify for free and reduced-price meals because their families are already receiving federal assistance like Supplemental Nutrition Assistance Program (SNAP) benefits. But others qualify by responding to surveys from their school or district affirming their income is at or below 130 percent of the federal poverty line (for free meals), or between 130 and 185 percent of the federal poverty line (for reduced-price meals).

For understandable reasons, families want their children to have access to cheaper meals, and schools get more government funding as their FRM programs grow. Most of the FRM surveys aren't formally verified for accuracy, which is good from the standpoint of getting more families cheap or free meals, but less ideal for getting an accurate picture of poverty.

Why does this matter?

Authors of the study aren't advocating for abandoning data on the number of students in FRM programs. But, they argue, those numbers tell a story about "student disadvantage" that's far more precise than the one they tell about student poverty.

Calculating student poverty accurately is important, they point out, because a wide variety of policies around state funding and accountability allocate dollars and resources for schools and districts based on the level of poverty among their students. Debates around reforming student need calculations, meanwhile, often rely on the faulty assumption that FRM statistics measure poverty, rather than the broader category of disadvantage.

Some schools in high-poverty areas also qualify for funding to automatically enroll all of their students in free meal programs. Those districts might be skewing the FRM data as well, researchers argue.

During the pandemic, some advocates and lawmakers have been pushing for universal free school meals. In part, they're responding to the substantial drop in applicants for FRM programs that happened during the pandemic.

If those policies come to pass at the state or federal level, they're likely to make FRM numbers even less indicative of poverty.

Did the researchers suggest an alternative?

Yes! Researchers argue that school neighborhood poverty metrics from the National Center for Education Statistics could potentially serve as a more precise indicator of poverty than the FRM numbers. They're hoping further research will examine those figures in more detail.

How does calculating poverty play out in the real world?

And finally, how calculating poverty plays out in the real world: New Mexico's Public Education Department recently took an intriguing step to target aid more precisely to districts with a high concentration of poverty. State officials culled census data and anonymous tax records to identify students from families below certain income thresholds, like \$34,000 for a family of four.

The state's 108 schools with the highest percentage of students that meet those criteria received additional state funds, beyond the state's annual funding formula, with no strings attached. Eligible schools received between \$500 and \$1,500 per student.

State officials are encouraging recipients to use the Family Income Index money for one-on-one tutoring programs, at-home counseling, hiring reading and math specialists, offering innovative professional development for teachers, and other related efforts.

Money from the new program reached 69 of the state's 89 public school districts, and 10 of its 98 charter systems, according to a Quay County Sun report. All of the recipients will get another equal round of funding next school year.

Recent data suggest it makes sense for New Mexico to be revamping its school funding approach. The state ranked in the bottom 10 and earned a D+ rating on spending from the EdWeek Research Center's 2021

Quality Counts report. It also ranked second to last among states in the Annie E. Casey Foundation's 2021 report on child well-being, which measures a variety of youth issues, including poverty.



1121 L Street

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Suite 1060

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Sacramento

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California 95814

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TEL: 916 . 446 . 7517

•

FAX: 916 . 446 . 2011

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www.sscal.com

DATE: July 9, 2021

TO: Robert G. Nelson
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

Legislature Approves Education Omnibus Budget Trailer Bill

On Thursday, the Legislature approved Assembly Bill (AB) 130, the education omnibus budget trailer bill, and sent the bill to Governor Gavin Newsom.

AB 130 contains the implementing language for most of the education provisions in the State Budget and would make significant changes and additions to the Transitional Kindergarten–12 Education Code. In addition to universal transitional kindergarten, the bill provides resources for Expanded Learning programs, Special Education Preschool, and the Educator Effectiveness Block Grant, and expands many existing programs, including the California Community Schools Partnership Program, and various educator pipeline programs.

With AB 130 on the Governor's desk, we can officially say that the four key budget bills that affect local educational agencies have either been signed by the Governor or are in his hands. Those four bills are:

- [AB 128](#) (Chapter 21/2021) is the main 2021–22 State Budget Bill that was signed by the Governor on June 28, 2021.
 - This is the legislative version of the budget bill that the Legislature approved in order to meet the June 15 constitutional deadline.
- [Senate Bill \(SB\) 129](#) is the budget bill junior, which amends AB 128 to reflect budget agreements reached between the Newsom Administration and the Legislature.
 - SB 129 was sent to Governor Newsom on June 28, giving him until Monday, July 12, 2021, to take action on the bill or it becomes law without his signature.
- [AB 130](#) is the education omnibus budget trailer bill that is described above
 - The Governor received this bill on Thursday, July 8, 2021, giving him until Tuesday, July 20, 2021, to take action on the bill.

- [AB 138](#) is a budget trailer bill that pertains to unemployment insurance and includes the language that reduces the School Employees Fund contribution rate from 1.23% to 0.5% for the 2021–22 and 2022–23 fiscal years.
 - The Governor received AB 138 on Monday, July 5, 2021, which gives him until Monday, July 19, 2021, to sign the bill.

While the Governor has various deadlines on the budget bills listed above, the likely scenario is that he will sign the bill that captures the agreement with the Legislature (SB 129) and a number of the budget trailer bills all at once and accompany those signings with an announcement on final agreement for the 2021–22 State Budget.

Leilani Aguinaldo

Note: AB 130 contains the provisions of the independent study agreement reached between the Governor and legislative leadership.

Newsom, Legislative Leaders Agree to Expanded Independent Study for Remote Learners

By Guy Marzorati
KQED
July 7, 2021

Facing a lingering demand for distance learning as California emerges from the COVID-19 pandemic, Gov. Gavin Newsom and legislative leaders have agreed to expand the state's independent study program and require that every public school district offer the remote learning option.

In-person learning will be the default for California schools next year, but the independent study plan, set for a vote in the state Legislature on Thursday, is an acknowledgement that some parents may be hesitant to send their children back to the classroom because of health or learning concerns — and would leave the public school system to pursue remote learning.

“Districts were concerned about enrollment and we were concerned that districts may encourage people to go to independent study as a proxy for distance learning,” said Assembly Budget Chair Phil Ting, D-San Francisco. “We really wanted to tighten up how independent study could be utilized by districts.”

Independent study has existed in California schools for decades, but has been used by a small fraction of students — including child athletes, and those with severe health issues.

While many families found distance learning to be a poor substitute for classroom instruction during the pandemic, some came to prefer the remote education their children were receiving.

“This budget proposal strikes a good balance of flexibility to meet the needs of students and families and local school districts,” said Lisa Gardiner, spokeswoman for the California Teachers Association. “While in-person learning will be a safe and preferred option for most students this fall, there must be options for students who are medically fragile, cannot be vaccinated or whose parents do not feel safe sending them to school.”

In his revised budget proposal released in May, Newsom made independent study optional for districts, but proposed more rules for the program — requiring districts provide an internet connection for students and monitor their progress on a daily basis.

The final deal reached between the governor and legislative leaders, contained in two bills connected to the state budget, requires all districts to offer independent study.

The only exception would be if the program places an “unreasonable fiscal burden” on the district, and if the agency can't reach a deal to transfer the student to another district offering independent study.

A statement from the California Association of Suburban School Districts says the group “appreciates the compromise language in AB/SB 130 on independent study that provides an option for independent study in

instances in which parents or guardians determine that in-person instruction would put a student's health at risk."

Lawmakers are envisioning an independent study program that goes beyond the historic practice of having students pick up a study packet every few weeks.

Credentialed teachers will have to document live daily interaction with their students and kids in grades K-3 must get at least one hour a day of live instruction. Curriculum, instructional minutes and teacher-to-student ratios will have to align with what's offered to in-person students, and students will be provided with a connected device.

Importantly, Ting said, the bills provide parents with transparency about the independent study program, and a clear path to return their children to the classroom, if desired.

"What we really were focused on is making sure that students that were going into independent study, say for the semester, really understood what they were getting into," he said. "We ask that they have a parent-teacher conference with the administration, so parents are given the pros and cons of what you're really getting out of independent study."

Under the agreement, districts must set benchmarks for a student's progress. Late or unsatisfactory work would lead to "an evaluation of whether or not the pupil should be allowed to continue in course-based independent study."

And if a family wishes to return their child to the classroom from independent study, districts will have make the transition happen within five school days.

Note: A record 38% of voters overall and 53% of parents gave A or B grades to schools statewide, while 51% of voters and 61% of parents gave A or B to their local public schools in PACE and the USC Rossier School of Education's 9th annual poll on education.

California Voters Give Schools and Teachers Top Grades in Year-End Survey

Survey finds agreement that political and racial tensions have risen

By John Fensterwald
EdSource
July 8, 2021

Despite perceptions of the public's widespread unhappiness with the slow reopening of California's schools last spring, most voters surveyed, including parents, gave the highest marks in a decade of polling to the state's public schools in general and their schools in particular.

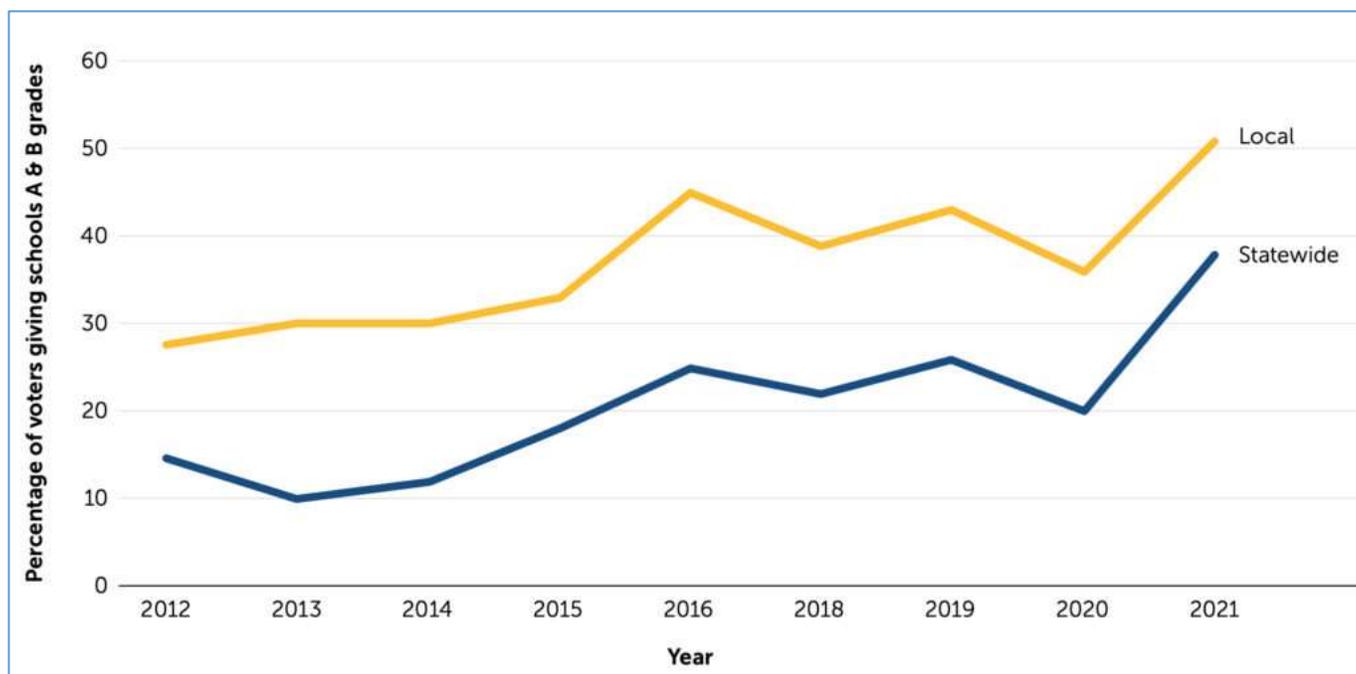
However, on most issues in the survey, Democrats and Republicans generally disagreed. One notable issue was whether schools should spend more time teaching about the causes and consequences of racism and inequality.

At the same time, they also expressed worry about the effects of the pandemic on children and said they'd strongly support various measures to accelerate student learning, including hiring counselors and providing intensive tutoring and summer school.

The independent, nonpartisan research center PACE and the USC Rossier School of Education released their ninth annual poll on education on Thursday. The survey firm Tulchin Research solicited views of 2,000 registered California voters representative of the state's demographics and party affiliation, with an oversampling of 500 parents with children under 18 living at home. Surveys were conducted in English and Spanish.

Researchers chose May, with schools winding down after a partial return to in-person instruction, because it enabled participants to reflect on the year and look ahead, said Heather Hough, PACE's executive director. Given widespread news reports showing anger and mistrust toward schools, Hough said she expected more criticism. Instead, a record 38% of voters overall and 53% of parents gave A or B grades to schools statewide; 51% of voters and 61% of parents gave A or B to their local public schools.

One of the researchers characterized this as "grading on a curve," Hough said, giving credit to schools for the efforts they made during a difficult year.



CREDIT: PACE/USC ROSSIER POLL

More Californians gave their local schools and school statewide an A or B grade in the 2021 survey than in any year since PACE and USC Rossier School of Education began their surveys in 2012. No survey was taken in 2017.

The disparity was wide among voters by party, however, with 29% of Republicans giving schools statewide an A or B and 41% giving a D or F, compared with 47% of Democrats giving an A or B and only 17% giving schools statewide a D or F. The rest gave schools a C.

The majority of voters and parents gave A or B to teachers and superintendents, and 69% of parents said they would encourage a young person to become a teacher, an increase from 60% from the last poll, which was taken pre-pandemic, in January 2020.

Voters were presented a list of the potential areas of concern because of the pandemic's impact on students and asked to rate them 1 to 10, with 10 being "very important." Voters overall cited students falling behind academically as the most pressing issue, with the impact on English learners and special education students a close second. Parents cited the impact on emotional and mental health as No. 1, which was third for all voters.

Voters' experiences during the Covid pandemic varied significantly by income, and, to an extent, by race and ethnicity. Confirming what other surveys have indicated, lower-income families were the hardest hit: for families earning under \$35,000 per year, 37% said their income worsened and 14% said it improved during the pandemic; for families earning more than \$150,000, it was the opposite: 30% said their income had improved and 17% said it worsened.

Asked to describe their children's educational experience during the pandemic, 58% of families earning under \$75,000 said it had gotten worse, compared with 48% of families earning more than \$150,000; 39% of those earning more than \$150,000 said it had gotten better, compared with 26% of families earning less than \$35,000.

Divided on race and politics

California voters reflected the tensions nationally on issues of race and politics, though they downplayed the divisions locally: 78% said the state has become more divided politically, and 70% said the state has become more divided on matters of race. But slightly fewer than half said those political and racial tensions had increased locally.

Asked if the problem of discrimination and violence based on racial and ethnic differences has gotten worse, 69% said it had statewide while 48% said it had locally; 64% of Black voters said the problem has worsened, compared with 46% of non-Black voters.

Voters were given a dozen educational issues and were asked to rank their importance, from 1 to 10 (very important). The top issue was reducing gun violence in schools, although the rate of incidents is small nationally and in California, with 65% of Democrats and 37% of Republicans ranking it very important.

The next four issues, all closely ranked, were making college more affordable, improving special education services, reducing the teacher shortage and supporting struggling schools. More Democrats than Republicans designated the issues to be very important. On improving education funding, for example, 43% of Democrats ranked it very important, compared with 25% of Republicans. The one exception was improving school discipline; a third of Republicans ranked it very important, compared with a quarter of Democrats.

Asked whether more or less time should be spent on "grade-appropriate" lessons on racism and inequality, 39% of Democrats backed giving the issues much more time compared with 10% of Republicans, while 37% of Republicans and 3% of Democrats said there should be much less time.

"Many Californians support steps to acknowledge and address persistent inequities, in the curriculum and otherwise, but stark partisan differences portend ongoing conflict in the pursuit of these goals," the authors

of the poll concluded. Along with Hough, they were Julie Marsh, a professor of education policy at USC Rossier School of Education; Jeannie Myung, director of policy research at PACE; David Plank, a senior fellow at PACE, and Morgan Polikoff, an associate professor of education at the USC Rossier School of Education.

On other questions:

- 69% of voters support requiring Covid-19 vaccinations for school-age children, once approved by the FDA and medical exemptions are allowed; 43% strongly favor the idea. Strongest in support were Democrats, high-income earners and Asian American voters. Least supporting were Republicans, low-income earners and Black voters, although in all groups, there was a majority support.
- 71% of parents and 59% of all voters favored making online learning from home an option for all students in California public schools, even after the pandemic ends.
- 58% of voters, but only 49% of parents favor the resumption of standardized testing, but 43% of parents want testing either eliminated (18%) or reduced, such as once in elementary school and once in high school. (In spring 2020, the tests for most students were canceled, and in spring 2021, they were optional for districts.)

Recall Election Set for September 14

By Kyle Hyland
School Services of California Inc. 's Fiscal Report
July 1, 2021

On July 1, 2021, Secretary of State Shirley Weber certified the recall petition and sent notification to Lieutenant Governor Eleni Kounalakis, who under California Constitution is tasked with setting a date for the election 60–80 days after certification.

Shortly after receiving the notification from the Secretary of State’s Office, the Lieutenant Governor issued a [proclamation](#) declaring that the special gubernatorial recall election will take place on Tuesday, September 14, 2021.

To expedite the recall process, the Democratic-controlled Legislature approved, and Governor Gavin Newsom signed, Senate Bill 152 (Chapter 34/2021) into law. This measure effectively allows lawmakers to waive the 30-day legislative comment and review period, as long as the Legislature sets aside money for counties to pay for the costs of the election (see [“Recall Funding Included in State Budget”](#) in the June 2021 *Fiscal Report*).

With his approval rating holding steady at 54% and support for the recall stuck at 40% (according to the last two Public Policy Institute of California [PPIC] surveys), Democratic leaders and Newsom supporters have advocated for an election as soon as legally possible. Having the election on September 14 also allows Governor Newsom to consider legislation sent to him on September 10 (the last day of the legislative session), which he has until October 10 to take action on, without the recall campaign hanging over his head. Holding the election in September also means that voters will not decide the fate of Governor Newsom’s job

during the October-November fire season, which in recent years has led to significant property damage, poor air quality, and power safety shutoffs.

We will keep you apprised of the prospects of the Governor keeping his job by continuing to track PPIC polling data. We will also continue to provide our analysis on the implications that the recall election and potential ousting of Governor Newsom could have on public education.



1121 L Street

Suite 1060

Sacramento

California 95814

TEL: 916 . 446 . 7517

FAX: 916 . 446 . 2011

www.sscal.com

DATE: July 16, 2021

TO: Robert G. Nelson
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

2021–22 State Budget Update

On Monday night, Governor Gavin Newsom approved the \$262.6 billion spending plan for the 2021–22 fiscal year by signing Senate Bill (SB) 129 into law. SB 129 reflects the State Budget agreement that Governor Newsom reached with legislative leadership by amending Assembly Bill (AB) 128 (Chapter 21/2021), the main State Budget bill that the Legislature sent to Governor Newsom in order to meet its June 15 constitutional deadline.

While Governor Newsom has already signed a number of budget trailer bills, including signing the education omnibus budget trailer bill AB 130 last Friday, we are still waiting for him to take action on AB 138, the employment budget trailer bill that reduces the School Employees Fund contribution rate from 1.23% down to 0.50% for the 2021–22 and 2022–23 fiscal years. Governor Newsom has until this upcoming Monday, July 19, 2021, to sign or veto AB 138 or the measure automatically becomes law without his signature.

Governor Newsom and legislative leadership also announced on Monday that they had reached an agreement on a three-year \$6 billion broadband blueprint via SB 156, another budget trailer bill. Included in SB 156 are plans to expand the state's broadband infrastructure with a particular focus on areas that have historically been unserved or underserved by private internet service providers. Specifically, the bill invests the following:

- \$3.25 billion in federal American Rescue Plan Act (ARPA) funds for the construction of the open-access broadband middle mile, appropriated in 2021–22
- \$2 billion (\$928 million General Fund and \$1.072 billion federal ARPA) for last mile funding, of which \$1.072 billion is available in 2021–22, \$125 million is available in 2022–23, and \$803 million is available in 2022–24
- \$750 million General Fund for the loan-loss reserve, of which \$50 million is appropriated in 2021–22, \$125 million is appropriated in 2022–23 and the balance of \$575 million is included in 2023–24

The bill includes language that requires the Public Utilities Commission to identify priority locations that include entities that lack sufficient high-bandwidth connections, including, but not limited to K–12 schools and higher education institutions.

The Legislature approved SB 156 on Thursday, which gives Governor Newsom until Tuesday, July 27, 2021, to sign the measure, which is expected since the Administration and legislative leadership issued a joint [press release](#) on the bill.

Senate Education Committee Meets Before Summer Recess

On Wednesday, the day before the Legislature left for its month-long summer recess, the Senate Education Committee held its final scheduled hearing of the year (the Assembly Education Committee held their final scheduled hearing last week), which was also the deadline for policy committees to consider bills. Some of the significant K–12 bills that were approved by the committee and will now go to the Senate Appropriations Committee, include:

- AB 101 (Medina, D-Riverside) would require, beginning with the 2024–25 school year, local educational agencies (LEAs) serving grades 9–12 to offer at least a one-semester course in ethnic studies and would add a semester-long course in ethnic studies to the list of statewide graduation requirements commencing with the 2029–30 school year
- AB 469 (Reyes, D-San Bernardino) would, commencing with the 2022–23 academic year, require a LEA to ensure a student in grade 12 completes and submits a Free Application for Federal Student Aid (FAFSA) or California Dream Act Application (CADAA), unless the student or the student’s parent or guardian opts out
 - There is nearly identical language in AB 132, the postsecondary budget trailer bill, that is currently on Governor Newsom’s desk awaiting his action
- AB 520 (Gipson, D-Carson) would establish the California Diversifying the Teacher Workforce Grant Program, to provide one-time competitive grants to LEAs to develop or expand programs that address a local need to develop a teacher workforce that serves all pupil populations, including black pupils
- AB 599 (Jones-Sawyer, D-South Los Angeles) would require, commencing with 2021–22 fiscal year, the Superintendent of Public Instruction to identify a list of schools based on the schools identified for comprehensive support and improvement and additional targeted support and improvement or as low-performing pursuant to specified federal laws, and to additionally include on the list schools where 15% or more of the teachers are holders of a permit, certificate, or any other authorization that is a lesser certification than a preliminary or clear California teaching credential

When the Legislature returns from its recess on Monday, August 16, 2021, they will have two weeks to move bills through the Appropriations Committees and four weeks to complete floor votes. The last day for the Legislature to pass bills to Governor Gavin Newsom is Friday, September 10.

Leilani Aguinaldo

CDPH Issues Updated Guidance for 2021–22 School Year

By Leilani Aguinaldo
School Services of California Inc.'s Fiscal Report
July 13, 2021

On July 12, 2021, the California Department of Public Health (CDPH) released its updated guidance applicable for K–12 schools in the 2021–22 school year. The [COVID-19 Public Health Guidance for K-12 Schools in California, 2021-22 School Year](#) (CDPH Guidance) is aligned with updated recommendations released on July 9, 2021, by the Centers for Disease Control and Prevention. The safety measures included in the CDPH Guidance were crafted with the foundational principle that “all students must have access to safe and full in-person instruction and to as much instructional time as possible.”

For this reason, the CDPH Guidance does not include any requirement nor recommendation for minimum physical distancing, but rather it requires universal masking in schools. Masks are required for all students indoors and for staff when sharing indoor spaces with students, and are optional for all individuals when outdoors in K–12 school settings. Exceptions are permitted to accommodate medical conditions or developmental reasons that make wearing a mask difficult. The reliance on masks as a core mitigation strategy is a tradeoff for physical distancing standards that would have hampered efforts to return all students to full in-person instruction. In addition, the CDPH believes requiring masks for all students and associated staff removes the operational barriers for local educational agencies (LEAs) to track vaccination status and any potential detrimental effects that may otherwise result from differentiated mask policies, such as bullying or stigmas.

The CDPH Guidance also provides quarantine recommendations with different actions depending on details, such as the vaccination status of the impacted individuals, whether masks were worn, and if the individual is asymptomatic. The document also touches on other safety measures such as screening testing, ventilation, and cleaning, and it provides suggestions for food service operations.

In addition to the CDPH Guidance, LEAs are reminded that as an employer, the [Cal/OSHA COVID-19 Emergency Temporary Standards](#) also apply and should be reviewed for additional applicable requirements.

Childcare settings continue to be subject to [separate guidance](#), and additional information will be provided in the future to address other K–12 settings, such as band and drama. The CDPH will continue to assess conditions and reevaluate mask recommendations and requirements by November 1, 2021. In the meantime, the CDPH still strongly advises all eligible people to obtain the COVID-19 vaccine in order to reduce COVID-19 transmission throughout the state, especially in light of the variants circulating around the country.

Note: Districts are left to enforce the state's masking mandate through local measures and some are signaling that they will not.

Small California School Districts Will Refuse to Follow Mask Mandate

By Joe Hong
CalMatters
July 15, 2021

California's smallest school districts say they will refuse to send kids home for not wearing a mask despite a new state mandate.

Superintendents in these tight-knit and typically more conservative communities want the state to let local districts make their own decisions, considering the success some of them have had with reopening their campuses last year without triggering COVID-19 outbreaks.

"These districts were in class all year, and they just don't believe masks are needed to teach children," said Tim Taylor, executive director of the Small School Districts Association, which represents hundreds of districts with fewer than 5,000 students.

On Monday afternoon, the California Department of Public Health went back and forth on updates to its masking rule. Health officials first said students who refuse to wear masks without a valid medical excuse won't be allowed on campuses. Four hours later, the agency revised the guidelines to say local districts will be responsible for enforcing the mask mandate.

"If the state is not going to enforce mask-wearing then neither am I," said Amy Alzina, superintendent of Cold Spring Elementary, a 198-student, single-school district near Santa Barbara.

Cold Spring Elementary's use of ventilation and outdoor instruction, Alzina says, makes masks unnecessary and possibly even harmful.

"Students, especially English learners, rely on nonverbal communication" she said. "I spent last year trying to smile at students with my eyes."

The district resumed full in-person instruction in October. The district had no COVID cases with about 90% of its students returning to campus for nearly the entire school year.

State officials said the updated guidelines only extend the mask mandate already in place and continues the policy of local enforcement.

"There's still a pandemic happening, the Delta variant is dangerous and the majority of students still aren't vaccinated," said Alex Stack, a spokesperson for Gov. Gavin Newsom. "We can open schools safely, but COVID prevention strategies are necessary to keep everyone safe."

Stack said county health agencies are responsible for making sure districts enforce the mask mandate, and that he couldn't speculate on whether the state would penalize districts.

Newsom's decision to leave some decisions to local districts while maintaining some vague statewide guidelines is reminiscent of his approach to school reopenings.

"As it's been throughout the pandemic, (the state health department) is not built to enforce," Stack said. "The local agencies enforce these things."

Options for Students

As of now, state rules nominally give students only two choices: either wear a mask to school or refuse to wear a mask and enroll in virtual independent study.

Some rural districts do plan on enforcing the mask mandate and expect at least a few phone calls from frustrated parents. But administrators there doubt many parents will choose independent study just because they don't want their kids to wear masks.

"They're gonna make a big fuss," said Patricia Gunderson, superintendent of the Lassen County Office of Education. "But if that's the difference between their kid being in class or being at home, they're probably going to wear a mask."

Gunderson said she would urge the 10 small school districts in her county to enforce the mask mandate. But she said the parents in her conservative community are losing patience.

"In a community that's predominantly red, people are used to doing their own thing," she said. "It's going to create tension between our parents and our administration."

Options for Districts

Leaders at some rural districts are hoping to find a middle ground.

"We will not be sending kids home," said Scott Borba, superintendent of Le Grand Union Elementary School District in Merced County.

Le Grand Union is another single-school district with just 360 students. Borba said he'll consult with local public health officials to find alternatives for students.

One possibility, Borba said, is to separate unmasked students in the classroom and attach plastic shields around their desks. A more extreme solution he is considering is to place unmasked students in separate classrooms.

"The whole purpose of my job is to get kids in school," Borba said. "We're gonna do everything we can."

Stack, the spokesperson for the governor, could not answer whether the state will intervene if county health agencies approve district plans allowing unmasked students on campus in defiance of state mandate.

Gunderson, however, said she's urging superintendents in her county to abide by the mask mandate. Smaller rural districts, she said, might not be able to afford a steep fine from the state.

“When you’re a small district, and you don’t have a huge budget, you have to be really careful with putting your district at risk,” Gunderson said.

Alzina, the superintendent at Cold Spring Elementary, said she would require masking on her campus again if the state does try to punish her district or if there’s a spike in COVID-19 cases.

“If there is an issue, we’ll continue to align with the state,” she said. “I’m not gonna go rogue.”

Note: Teacher candidates no longer have to take the California Basic Skills Test, or CBEST, or the California Subject Matter Exams for Teachers, referred to as CSET to earn a credential.

California Cuts the Number of Tests Teachers Must Take to Earn Credential

By Diana Lambert
EdSource
July 16, 2021

California’s newly approved state budget allows teacher candidates to skip two of the tests that had been required to earn a teaching credential if they take approved coursework.

Teacher candidates no longer have to take the California Basic Skills Test, or CBEST, or the California Subject Matter Exams for Teachers, referred to as CSET to earn a credential.

The CBEST tests reading, math and writing skills and is usually taken before a student is accepted into a teacher preparation program. The CSET tests a teacher candidate’s proficiency in the subject they will teach. Teacher candidates must prove subject-matter proficiency before earning a credential, but many teacher preparation programs require the test be taken before a student enters its teacher preparation program.

Nearly half of California’s potential teachers struggle to pass the four standardized tests required to earn a credential, according to data from the California Commission on Teacher Credentialing. Nearly 68 percent of the people who took the CBEST passed it on the first try and 84 percent passed after multiple attempts, according to the commission. The CSET, which is actually a suite of tests, had a passage rate of about 68 percent in 2016-17, the most recent year data is available.

“This is a game changer for those who have dreamt of becoming a teacher only to find their paths blocked when they couldn’t pass the Basic Skills or Subject Matter entrance exams,” said Mary Vixie Sandy, executive director of the California Commission on Teacher Credentialing.

“These tests are meant to accurately measure readiness to begin teacher preparation, not to be a barrier that keeps potentially great teachers from learning to teach,” Sandy said. “We are eager to move forward with this shift in state policy. As alternatives to high-stakes testing these measures will right-size the role of testing and allow a broader and more diverse array of people to make a career out of teaching.”

The changes are effective immediately, she said.

Silvia Salgado, who resides in Corona, spent three years as an instructional assistant before she passed all sections of the CBEST and was eligible to take long-term substitute assignments. But what she really wanted was to be a kindergarten teacher, which required that she pass the multiple-subject CSET. After struggling to pass the CBEST, Salgado said she began to question herself and never found the courage to take the multiple-subject test.

“This bill passing means I can finally have my own classroom, teaching a grade level I love, and I am passionate about,” Salgado said. “Like many aspiring teachers like me, who want to teach kindergarten, an exam like the CSET was an obstacle that did not allow our career dreams to come true.”

The state already offered other alternatives to the CBEST, including the Scholastic Aptitude Test, College Board Advanced Placement Examinations, California State University placement examinations, American College Testing or parts of the CSET. About 90 percent of teacher candidates have opted to take the CBEST, according to the Commission on Teacher Credentialing.

Instead of taking the CBEST, the new law allows teacher candidates to prove they are proficient by earning a B or better in college coursework in reading, writing and mathematics. Eligible classes to fulfill the reading requirement include critical thinking, literature, philosophy, reading, rhetoric or textual analysis. Eligible writing courses include composition, English, rhetoric, written communications or writing. Eligible math classes include geometry, mathematics, quantitative reasoning or statistics. Closely related subjects may also be accepted.

Teacher candidates who want to skip the CBEST can have their transcripts reviewed by their teacher preparation program to see if coursework they have taken fulfills the basic skills requirement. If they are applying for a credential from the Commission on Teacher Credentialing, they can submit their official transcripts along with the completed application packet, Sandy said.

If the teacher candidate wants to use a combination of coursework and tests to meet the basic skills requirement, the candidate will have to receive approval from their teacher preparation program, according to the [trailer bill](#).

In the past teacher candidates also have been required to pass tests that are part of the California Subject Examinations for Teachers or to complete a subject-matter program at their university. Elementary school teachers have been required to pass three tests to earn a multiple-subject credential and middle and high school teachers earned single-subject credentials in areas such as art, biology or English by passing at least one subject exam.

Now a teacher candidate who takes approved coursework, or who earns an academic degree in the subject they will teach, does not have to take the test.

If a teacher candidate is seeking a single-subject credential the major must be aligned to the credential they are seeking. If they are seeking a multiple-subject credential, a liberal studies major or other degree that includes coursework in language studies, literature, mathematics, science, social studies, history, the arts, physical education, and human development can be accepted. Special education teachers can major in subjects covered in the CSET examination for the education specialist credential or in coursework covered by the multiple-subject test.

A teacher preparation program will evaluate the major to see if it is acceptable, but the Commission on Teacher Credentialing will make the call for candidates who are applying to the commission directly for credentials, such as those seeking emergency-style permits, Sandy said.

Candidates can demonstrate subject-matter competency by using any of the options or a combination of options, for example passing two of three CSET subtests and using prior coursework to meet the requirement, according to the commission.

The Commission on Teacher Credentialing may have to pass some regulations to clarify the process and will need to communicate with teacher preparation programs and teacher candidates about the new legislation, Sandy said.

Candidates who began teacher preparation but who did not complete the program should contact their program for more information on how this new legislation may affect them, Sandy said.

With a persistent teacher shortage in California, officials at the California Commission on Teacher Credentialing have been looking at ways to reform teacher testing for several years. The issue became more urgent during the pandemic as testing centers closed, teacher retirements increased and the number of teachers earning credentials declined.

Although teacher candidates are still required to take the Reading Instruction Competence Assessment and the California Teaching Performance Assessment in order to earn a full credential, the state is allowing teachers to continue to postpone the assessments for a while longer.

The reading instruction assessment, which measures the ability to teach reading, is required for candidates for multiple-subject credentials as well as for special education credentials. The budget extends a current suspension of the test for candidates who were unable to complete the exam between March 19, 2020 and Dec. 31, 2021 because testing centers were closed or had limited capacity. The budget gives the Commission on Teacher Credentialing the power to extend the suspension of the tests until June 31, 2022 if it deems it necessary.

The Teaching Performance Assessment measures how well teacher candidates assess students, design instruction, organize subject matter and other skills. It is required for all but special education teachers.

The budget allows teacher candidates who can't complete the Teaching Performance Assessment next school year because of Covid-19 related school closures to earn a preliminary credential. The candidate must have completed all other preliminary credential requirements. They must complete the assessment before earning a full credential.

“The goal of testing is to ensure teacher candidates are ready to begin preparation,” Sandy said. “We have to reduce the size of the roadblock.”



1121 L Street

Suite 1060

Sacramento

California 95814

TEL: 916 . 446 . 7517

FAX: 916 . 446 . 2011

www.sscal.com

DATE: July 22, 2021

TO: Robert G. Nelson
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

2021–22 State Budget Update

Before the Legislature left for its month-long summer recess last week, they approved and sent to Governor Gavin Newsom the last of the budget trailer bills that makeup the 2021–22 State Budget package. Five of the six key budget bills that have the most effect on the state's public education system have already been signed by Governor Newsom with only the childcare budget trailer bill awaiting his action. Those six budget bills are:

- [Assembly Bill \(AB\) 128 \(Chapter 21/2021\)](#) is the main 2021–22 State Budget bill that was signed by the Governor on June 28, 2021
 - This is the placeholder budget bill that the Legislature had to approve in order to meet the June 15 constitutional deadline
- [Senate Bill \(SB\) 129 \(Chapter 69/2021\)](#) is the budget bill junior that was signed by Governor Newsom on July 12, 2021
 - SB 129 amends AB 128 to reflect the State Budget agreement that Governor Newsom reached with legislative leadership
- [AB 130 \(Chapter 44/2021\)](#) is the education omnibus budget trailer bill that was signed by the Governor on July 9, 2021
 - AB 130 contains the implementing language for most of the education provisions in the State Budget and makes significant changes and additions to the Transitional Kindergarten(TK)–12 Education Code, including universal TK and independent study; provides resources for Expanded Learning programs, special education preschool, and the Educator Effectiveness Block Grant; and expands many existing programs, including the California Community Schools Partnership Program and various educator pipeline programs
- [AB 131 \(Committee on Budget\)](#) is the child development trailer bill that was approved by the Legislature and sent to Governor Newsom on July 15, 2021, the Governor has until July 27 to take action on the bill or it automatically becomes law

- AB 131 provides for statutory changes necessary to enact the Child Care and Development statutory provisions of the Budget Act of 2021
- [AB 138 \(Chapter 78/2021\)](#) is the employment budget trailer bill that was signed by Governor Newsom on July 16, 2021
 - This bill reduces the School Employees Fund contribution rate from 1.23% down to 0.5% for the 2021–22 and 2022–23 fiscal years
- [SB 156 \(Chapter 112/2021\)](#) is the \$6 billion broadband budget trailer bill that was signed by the Governor on July 20, 2021
 - SB 156 expands the state’s broadband infrastructure and requires the Public Utilities Commission to identify priority locations that include entities that lack sufficient high-bandwidth connections, including, but not limited to, K–12 schools and higher education institutions

While we are still waiting for Governor Newsom to sign AB 131, we fully expect that he will sign that measure into law shortly. It’s important to note that while these six bills are the primary measures that make up the 2021–22 State Budget package for public education, there will likely be one or more clean-up trailer bills introduced when the Legislature returns from its summer recess in mid-August as advocates and stakeholders have already begun to highlight issues in some of the language of these measures that were put together very quickly to meet deadlines.

No Sacramento *Update* Next Week

With the Legislature on its summer recess and the 2021–22 State Budget package approved by the Legislature and essentially signed by the Governor, we will be taking a break from next week’s *Sacramento Update* unless there is any breaking news. We will resume our weekly update the week of August 2, 2021.

Leilani Aguinaldo

How Changes to Independent Study Laws Apply to Programs and Local Educational Agencies

By Patti F. Herrera, EdD
School Services of California Inc.'s Fiscal Report
July 20, 2021

The 2021–22 State Budget ushered in new requirements for independent study programs administered by local educational agencies (LEA), including school districts, county offices of education, and charter schools. However, not all the changes apply evenly to all LEAs; nor do they apply evenly to traditional independent study and course-based independent study programs.

The table below identifies the significant changes affecting independent study programs and how they apply to program type and to each LEA type. While comprehensive, the list of changes is not intended to be exhaustive.

1. Mandate to offer independent study (IS) for school year 2021–22 only

School District Charter School County Office of Education

2. Requirement to notify parents of student educational options for school year 2021–22 via website

Traditional IS Course-Based IS
School District Charter School County Office of Education

3. Student must participate in independent study for a minimum of three consecutive school days

Traditional IS Course-Based IS
School District Charter School County Office of Education

4. Live interaction, by specified grade level

Traditional IS Course-Based IS
School District Charter School County Office of Education

5. Synchronous instruction, by specified grade level

Traditional IS Course-Based IS
School District Charter School County Office of Education

6. Tiered reengagement when conditions are met

Traditional IS Course-Based IS
School District Charter School County Office of Education

7. Notification of student absences or lack of participation for students identified for tiered reengagement

Traditional IS Course-Based IS
School District Charter School County Office of Education

8. Students not generating attendance for three school days, or 60% of the instructional days in a school week, are subject to tiered reengagement

Traditional IS Course-Based IS
School District Charter School County Office of Education

9. Standards-aligned content and access to all A-G courses and courses required for high school graduation

Traditional IS Course-Based IS
School District Charter School County Office of Education

10. Inclusion of description of how academic progress will be reported and communicated to parents in the Learning (Master) Agreement

Traditional IS Course-Based IS
School District Charter School County Office of Education

11. Confirmation in the Learning (written) Agreement that students have or are provided the technology they need to participate in independent study and complete assignments

Traditional IS Course-Based IS
School District Charter School County Office of Education

12. Inclusion in the Learning (written) Agreement of clear standard of satisfactory educational progress that determines when a student evaluation will be required

Traditional IS Course-Based IS
School District Charter School County Office of Education

13. Inclusion of description in the Learning (written) Agreement of academic and other supports that will be provided to students who are not performing at grade level or need other support

Traditional IS Course-Based IS
School District Charter School County Office of Education

14. Requirement to conduct a pupil-parent-educator conference upon request before the Learning (written) Agreement is signed

Traditional IS Course-Based IS
School District Charter School County Office of Education

15. Documentation of student participation in live interaction and synchronous instruction by specified grade level for each day independent study is provided

Traditional IS Course-Based IS
School District Charter School County Office of Education

16. Plan to expeditiously transition students to in-person instruction, no later than five instructional days after a request is made

Traditional IS Course-Based IS
School District Charter School County Office of Education

17. Exempts students participating in independent study for less than 15 school days in the school year from live interaction, synchronous instruction, tiered reengagement, and transition plan requirements

Traditional IS Course-Based IS
School District Charter School County Office of Education

Note: The State Budget that Governor Newsom signed last week includes \$100 million for resolving special education conflicts between parents and school districts, which escalated during remote learning, via alternative dispute resolutions.

How California Plans to Deter Costly Special Education Disputes

Fund is meant to help parents and schools settle differences before heading to court

By Carolyn Jones
EdSource
July 22, 2021

The threatened deluge of post-pandemic special education litigation may be averted — or at least minimized— by a new initiative in California encouraging parents and schools to resolve disputes before heading to court.

The state budget, signed Friday by Gov. Gavin Newsom, sets aside \$100 million for resolving special education conflicts between parents and school districts, which escalated during remote learning.

The money will go toward outreach, such as brochures, meetings and presentations, to help parents and school staff understand the rights outlined in the Individuals with Disabilities Education Act, the federal law that requires districts to educate students of all abilities. The goal is to improve communication and build trust between parents and schools, so conflicts can be resolved quickly and more easily.

None of the money can go to attorney fees.

“I had tears of joy when the governor signed it. We worked so hard to make this happen,” said Veronica Coates, director of Tehama County’s Special Education Local Plan Area, who helped craft the legislation. “We won’t escape all disputes, but this means we can devote more resources to helping kids, not paying lawyers.”

In addition, the state set aside \$450 million for extra tutoring, therapy and other services that students with special needs missed during remote learning. It also funded the first steps of a system similar to what other states use to help parents get support from neutral facilitators during special ed meetings. The aim is for parents to better understand the special education process and needs of their children.

Many students in special education fell behind during distance learning because so many services for disabled students — such as speech or physical therapy — were nearly impossible to deliver virtually. Under federal law, parents can sue a school district if they feel their children aren’t receiving services they’re entitled to in their individualized education program, or IEP.

Special education lawsuits can be expensive for school districts. The cost of providing special services might be relatively minimal — say, a few thousand dollars — but if the district loses the case, it often owes parents for their attorney fees, which can top \$100,000. The district also has to pay its own attorneys, although those costs are typically lower. In some cases, a judge orders districts to pay for costly services such as boarding school for students with severe challenges.

Schools in California have so far paid more than \$5.4 million in attorney fees for Covid-related special education disputes, Coates said, adding that the number is probably far higher because only a quarter of districts responded to a survey on the topic. Less than half that total — \$2.3 million — went to providing services to students in those disputes, she said.

Disputes usually center on the number of hours of extra services a student might need. A district might say a student is entitled to two hours a week of speech therapy, for example, but a parent might want eight. If the parties can’t compromise, either side has the option of requesting a hearing with the state Office of Administrative Hearings. The department assigns a mediator to help the parties resolve the matter, and if that fails an administrative law judge will hear the case.

California sees far more special education disputes, on average, than most other states. In 2018-19, parents’ requests for mediation in California represented nearly half of the requests nationwide, according to the Consortium for Appropriate Dispute Resolution in Special Education. California’s rate of mediation requests was four times higher than the national average. The number of cases in California jumped 84% from 2006-07 to 2016-17, according to the Legislative Analyst’s Office, costing schools millions.

Last year, the number of cases filed with the Office of Administrative Hearings actually fell 16%, according to the department, although that number may increase this fall as schools get caught up with student assessments and evaluations. In 2020-21, when most schools were closed due to Covid-19, the Office of

Administrative Hearings received 3,908 cases, 87 of which couldn't be resolved through mediation and ended up in court. The previous year, the office received 4,650 cases and held 91 hearings.

Many of the cases post-pandemic are centered on "compensatory education" — extra services to help students catch up to the benchmarks in their IEPs. Compensatory education can mean one-on-one tutoring, summer or after-school programs, extra therapy or other specialized assistance.

Matthew Tamel, a Berkeley attorney who represents school districts, said so far his volume of special education cases hasn't increased since the pandemic, but "the cases are more intense, harder to settle." They often center on what services a student needs to catch up following campus closures. A parent might want 400 hours of speech therapy for their child, for example, while the district believes the actual estimate of lost time is closer to 100 hours.

State funding to help resolve these disputes before they head to court is a welcome development that will hopefully lead to smoother negotiations and outcomes that are reasonable for both sides and beneficial for students, Tamel said.

"When schools first closed, it was a very difficult time. Everyone thought it would just be a few weeks, and it turned into a year and a half in some districts. Not everything was perfect when schools first closed," he said. "Most families understand that. ... This fund will hopefully help students get the services they need to make up what was missed in 2020 without having to go to court."

But some say the state's promotion of out-of-court dispute resolution favors districts, not parents. Without hiring lawyers or professional advocates, parents might be at a disadvantage when negotiating with districts over the services they believe their children need. Lower-income parents are especially vulnerable because the only way they can get reimbursed for attorney fees, which can cost upwards of \$400 an hour, is by going to court, said Jim Peters, a Newport Beach advocate who helps parents in special education disputes.

"I support the idea in general of alternative dispute resolution, but in this case it's disingenuous," said Peters, who helped organize a class-action special education lawsuit against the state last year. "The money won't be given out based on a child's needs, it'll be given out based on which parents can afford to hire attorneys."

Angelica Ruiz, a parent in San Bernardino County whose 12-year-old son, Arthur, has moderate-to-severe autism, said she never would have won extra services for her son if she didn't have a professional like Peters advocating on her son's behalf.

During remote learning, Arthur suffered anxiety and behavior meltdowns as the pandemic wore on. He'd often refuse to participate in online classes. He began hitting himself, his personal hygiene declined and he suffered from severe insomnia, Ruiz said.

Peters helped her son get extra therapy and other services, she said. It didn't solve everything, but it made a big difference for Arthur, she said.

"Sitting in a room with all these people from the school, it can be intimidating," she said, describing her meetings with her son's teachers, therapists and school administrators. "Most parents aren't trained to do this, we don't always know what we're entitled to or what we should be asking. ... Parents should not have to file (a suit) just to get the services their kids need. We shouldn't have to fight over it."

But solving conflicts like Ruiz's is exactly what the new state fund will do, said Coates, the special education director from Tehama County, and Anjanette Pelletier, special education director for San Mateo County. By minimizing the role of attorneys and advocates, parents of all incomes should have access to fair, free dispute resolution. And disputes will be settled quicker, allowing students to receive services sooner, they said.

Pelletier and Coates began working on the legislation a year ago, when they noticed a sharp uptick in litigation in their counties related to special education during campus closures. The lawsuits not only delayed districts from providing services to students, but they also generated mistrust and antagonism between families and school staff, they said.

"Schools were in a bind," Coates said. "This was born out of a need to help our students get services faster, and improve relationships with families."

Another issue is the ongoing shortage of special education teachers, worsened by the pandemic, Coates and Pelletier said. Special ed teachers are already facing high levels of stress trying to help students during Covid; they don't need the additional stress of litigation, they said.

Working with Assemblyman Jim Frazier, D-Fairfield, and others, the pair helped create the legislation and shepherded it through the budget process. Ideally, the \$100 million for outreach will benefit not just families but school administrators as well, they said.

"That's the dream, that administrators learn to improve communication with all families," Pelletier said. "We're not going to get rid of all disputes, but hopefully this will allow us to do what's best for kids and spread the resources more equitably."

Note: The State Budget included language that mandates public schools to, beginning with the 2022–23 school year, provide two free meals per day to any student who requests a meal, regardless of income eligibility.

California Launches Largest Free School Lunch Program in US

By Jocelyn Gecker
AP
July 19, 2021

When classrooms in California reopen for the fall term, all 6.2 million public school students will have the option to eat school meals for free, regardless of their family's income.

The undertaking, made possible by an unexpected budget surplus, will be the largest free student lunch program in the country. School officials, lawmakers, anti-hunger organizations and parents are applauding it as a pioneering way to prevent the stigma of accepting free lunches and feed more hungry children.

"This is so historic. It's beyond life-changing," said Erin Primer, director of food services for the San Luis Coastal Unified School District on California's central coast.

Several U.S. cities including New York, Boston and Chicago already offer free school meals for all. But until recently, statewide universal meal programs were considered too costly and unrealistic. California became

the first state to adopt a universal program late last month, and Maine followed shortly after with a similar plan.

“We’ve completely leveled the playing field when it comes to school food,” Primer said. The extra funding will also allow her to offer tastier, better quality food such as fresh bread, produce and cheese from local producers, she said.

Under federal rules, a family of four must make less than \$34,000 a year to qualify for free meals and \$48,000 to qualify for reduced-price meals. The caps shift annually but are based on federal poverty measures that don’t take into account the high cost of living and taxes in California.

“So it’s just for the most poor families, and not even all of them because some people failed to sign up or were fearful to sign up,” said Kat Taylor, a philanthropist and major funder of the Center for Ecoliteracy and the TomKat Ranch that backed California’s plan.

About 60% of California students qualify, but experts say the number of children who need food assistance is much higher in a state with vast income inequality. Communities of color are disproportionately affected and immigrant communities in particular are fearful of applying because of detailed forms that ask intrusive questions such as their family income, Social Security number and children’s immigration status.

Schools reported a declining percentage of families applying for free and reduced-price meals during the Trump administration, which attempted to tighten immigration policies and public benefits.

Like school officials statewide, Primer has countless tales of children who struggled to pay for school meals or were too ashamed to eat for free. There was the child whose mother called Primer, distraught because she made a few hundred dollars too much to qualify; the father who is in the country illegally and feared that filling out the free meal application could get him deported; and constant cases of high schoolers not wanting friends to know they need free food, so they skip eating.

When the pandemic hit, it changed everything — including how school meals were served — and provided an impetus for the universal program, which had bipartisan, unanimous support. Lawmakers previously had only pursued targeted bills such as easing school lunch debt.

After schools shut in March 2020, many transformed their parking lots into pickup sites, and federal funding allowed schools to offer meals to anyone. There were no applications, qualifications and no questions asked.

The massive turnout showed how much families rely on the meals.

The Los Angeles Unified School District, the state’s largest with 600,000 students, handed out upward of 400,000 meals a day, said spokeswoman Shannon Haber. San Luis Coastal, with 7,500 students, gave out 30,000 meals a week at the height of the pandemic, nearly triple the number before. The district includes the wealthy city of San Luis Obispo and lower-income areas.

“I thought it was a pipe dream for a long time,” said Sen. Nancy Skinner, a longtime advocate for universal free meals.

Backed by over 200 organizations in a coalition called “School Meals for All,” Skinner and other lawmakers pushed for funding in the state budget, seizing the momentum at a time when California is flush with cash. The \$262 billion budget provides \$54 million for the coming school year, supplementing funding from the Biden administration through June 2022. After that, California will spend \$650 million annually.

“If you’re a hungry child, you’re not going to learn well,” said Skinner, a Democrat representing Berkeley. “Why should we have to go through a bureaucratic hassle to get a kid fed, when we could just have universal meals?”

Senate Education Committee Republicans supported the plan as a way to help families struggling with California’s high cost of living. Sen. Brian Dahle, a Republican from a largely rural area of Northern California, said he had watched kids at his children’s school steal leftover food when cafeteria workers weren’t looking.

“For a lot of them that was their dinner and they were sneaking it or taking it off someone’s plate when they didn’t finish it,” said Dahle.

Schools rarely turn hungry kids away. But for children who didn’t qualify and needed lunch, their parents were billed and many racked up huge debts. In recent years some schools threatened to not let students graduate middle or high school until lunch debts were paid, or stamped the hands of students who owed money, said Jessica Bartholow, chief of staff for Skinner who previously was an anti-hunger advocate.

Some schools would hire debt collectors to hound parents, but at the end of the year schools have to use general fund dollars to pay off lunch program debts, she said.

For Tina Self, a mother of three, avoiding the cost of \$3 school lunches every day will be an enormous relief.

“It might seem like a little bit, but it helps a lot,” said Self, who lives in San Luis Obispo where a gallon of gas can cost just shy of \$5 a gallon and rent is “crazy.”

“Lucky for us we both have a job and we have two running cars,” she said of herself and her husband. “But we’re barely making it as it is.”

Tony Wold, an associate superintendent of the West Contra Costa Unified School, says it’s about time lunches were free.

“Just like you need to give students textbooks and a computer, there are certain things you need to do. And this is one of them,” Wold said.

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: August 06, 2021

Phone Number: 457-3907

Regarding: 2021/22 State Adopted Budget Update

The purpose of this communication is to provide the Board an update regarding the final 2021/22 State Adopted Budget.

The district's 2021/22 Adopted Budget was approved by the Board on June 16, 2021. The approval included assumptions based on the Governor's May Revise. The State Budget was enacted on July 12, 2021 and below are the impacts to the Fresno Unified 2021/22 Adopted Budget:

- Local Control Funding Formula (LCFF)
 - Concentration Grant funds will increase from 50% of funded base grant amounts to 65%, resulting in an ongoing increase of \$30.3 million. The resources must be used to hire credentialed and classified school site staff supporting students at schools with an unduplicated pupil percentage greater than 55%. For Fresno Unified this would be every school site except Baird, Bullard Talent, Forkner, Malloch, and Starr. Lastly, a one-time Local Control and Accountability Plan (LCAP) supplementary report will be needed to describe how funding will be used to increase staffing levels and how stakeholders were engaged in the decision-making process.
 - The adjustment to the LCFF to recognize the net charter Average Daily Attendance (ADA) shift is suspended for the 2021/22 school year to conform to the pandemic-related ADA changes resulting in one-time savings of \$3.0 million.
- Expanded Learning Opportunities Program – This new program provides funding to expand before and after school offerings, with particular focus on unduplicated pupils at elementary schools. Additionally, expansion must include an additional 30 non-instructional days during school breaks, such as winter, spring, and summer breaks – \$40.5 million (*ongoing*)
- Unemployment rate – employer contribution rate reduced in 2021/22 and 2022/23 from 1.23% to 0.50% – \$3.8 million
- Special Education Funding
 - Statewide rates – increased from \$625 per ADA to \$715 – \$4.4 million (*ongoing*)
 - Preschool inclusion support of \$2.5 million will be offset by increased revenue recognized in the 2021/22 Adopted Budget
 - Dispute Resolution Grant – resources to prevent and resolve disputes due to school disruption during the pandemic – \$1.1 million (*one-time*)
 - Learning Recovery Services Grant – support pupils with impacts to learning due to school disruption – \$5.1 million (*one-time*)
- A-G Completion Improvement Grant – increase the number of high school graduates – \$6.4 million (*one-time*)
- Universal Transitional Kindergarten – Beginning with the 2022/23 school year, pupil eligibility will expand with plans for universal offering phased in by 2025/26. Ongoing funding to support this expansion will be increased in future years.
 - Planning Grant - planning and implementation resources to prepare for expansion – \$400,000 (*one-time*)

- Facilities Grant Program – Support to build or retrofit facilities to support expansion, excluding use for portable classrooms. This will be a competitive grant program.
- Unrestricted Lottery – Per ADA funding increased – \$150 to \$163 – \$900,000 (*ongoing*)
- Restricted Lottery – Per ADA funding increased – \$49 to \$65 – \$1.1 million (*ongoing*)
- Cash Deferrals – eliminated in 2021/22, all deferrals for 2020/21 will be received by August 2021

Lastly, professional learning, child nutrition, and community school partnership grants were included in the Governor's Adopted Budget, additional details will be provided when the State Board releases the allocation process or methodology.

These impacts will be recognized in Budget Revision No. 1 which is included for the Board's consideration and approval at the August 11, 2021 Board meeting.

If you have any questions, or require additional information, please call Santino Danisi at 457-6226.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 08/06/21

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: Santino Danisi, Chief Financial Officer
Cabinet Approval: 

Date: August 06, 2021

Phone Number: 457-6226

Regarding: Annual Debt Policy Update

The purpose of this communication is to provide the Board the annual report required under Board Policy 3470, Debt Issuance and Management. The policy states:

“The Superintendent or designee shall annually report to the Board regarding debts issued by the district, including information on actual and projected tax rates, an analysis of bonding capacity, ratings on the district's bonds, market update and refunding opportunities, new development for California bond financings, and the district's compliance with post-issuance requirements.”

The annual report as provided by Keygent, LLC, the district's financial advisor, is attached.

If you have any questions or require additional information, please call Santino Danisi at 457-6226.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 08/06/21

Debts Issued by the District

The District has the following debt outstanding:

General Obligation ("GO") Bonds				
Issuance	Issuance Date	Maturity Date	Issuance Amount	Principal Outstanding July 1, 2021
1999 GO Refunding Bonds, Series C	10/28/1999	8/1/2022	\$ 40,640,000	\$ 3,895,000
2002 GO Refunding Bonds, Series A	12/3/2002	8/1/2026	65,485,000	22,910,000
2004 GO Refunding Bonds, Series B	11/16/2004	8/1/2027	58,040,000	20,170,000
GO Bonds, Election of 2001, Series F ⁽¹⁾	12/30/2009	8/1/2025	29,429,022	12,706,056
2010 GO Refunding Bonds	11/10/2010	8/1/2022	12,040,000	2,485,000
GO Bonds, Election of 2010, Series A ⁽²⁾	9/29/2011	8/1/2029	29,561,373	28,861,373
GO Bonds Election of 2010, Series B ⁽³⁾	10/13/2011	8/1/2021	50,434,850	38,894,850
GO Bonds Election of 2001, Series G ⁽⁴⁾	10/13/2011	8/1/2022	55,570,915	55,570,915
2012 GO Refunding Bonds, Series A	8/1/2012	8/1/2022	39,895,000	3,465,000
2012 GO Refunding Bonds, Series B	8/1/2012	8/1/2021	32,390,000	2,330,000
GO Bonds Election of 2010, Series C ⁽³⁾	8/8/2013	8/1/2023	54,997,540	45,105,385
GO Bonds Election of 2010, Series E	9/23/2015	8/1/2045	54,998,095	46,648,095
2015 GO Refunding Bonds	7/2/2015	8/1/2030	14,555,000	11,135,000
GO Bonds Election of 2010, Series F	10/12/2016	8/1/2041	30,010,000	25,890,000
2016 GO Refunding Bonds, Series A ⁽⁵⁾	10/12/2016	8/1/2041	60,480,000	-
2016 GO Refunding Bonds, Series B ⁽⁵⁾	10/12/2016	8/1/2046	59,590,988	-
GO Bonds Election of 2016, Series A	5/31/2018	8/1/2043	59,996,623	53,546,623
GO Bonds Election of 2016, Series B	8/22/2019	8/1/2043	75,000,000	56,630,000
2019 GO Refunding Bonds ⁽⁵⁾	10/10/2019	8/1/2041	103,738,005	-
2020 GO Refunding Bonds	9/30/2020	8/1/2047	92,615,000	92,615,000
GO Bonds Election of 2016, Series C	9/30/2020	8/1/2043	45,000,000	45,000,000
GO Bonds Election of 2016, Series D	6/16/2021	8/1/2036	45,000,000	45,000,000
GO Bonds Election of 2020, Series A	6/16/2021	8/1/2055	80,000,000	80,000,000
Total			\$ 1,189,467,411	\$ 692,858,297

⁽¹⁾ The GO Bonds, Election of 2001, Series F secure payment of the \$41,398,000 Central Valley Support Services Joint Powers Agency 2009 GO Revenue Bonds (Fresno Unified School District Qualified School Construction Bonds) (the "2009 QSCBs"). Debt service on 2009 QSCBs is payable from debt service paid on the Series F Bonds and federal subsidy payments received with respect to the 2009 QSCBs.

⁽²⁾ The GO Bonds, Election of 2010, Series A secure payment of the \$39,770,000 Central Valley Support Services Joint Powers Agency 2011 GO Revenue Bonds (Taxable Direct-Pay) (Fresno Unified School District Qualified School Construction Bonds) (the "2011 QSCBs"). Debt service on 2011 QSCBs is payable from debt service paid on the Series A Bonds and federal subsidy payments received with respect to the 2011 QSCBs.

⁽³⁾ Maturity date reflects the redemption date resulting from the 2016 GO Refunding Bonds, Series A & B.

⁽⁴⁾ Maturity date reflects the redemption date resulting from the 2019 GO Refunding Bonds.

⁽⁵⁾ Pursuant to Section 53560 of the Government Code of the State of California, the District's 2016 GO Refunding Bonds, Series A & B and 2019 GO Refunding Bonds constitute special obligations and are not included in any computation of general obligation indebtedness of the District until their respective crossover dates. The refunded bonds are still included in the computation of general obligation indebtedness of the District until their respective crossover dates.

Bond Repayment Schedule ⁽¹⁾			
Fiscal Year	Principal	Interest	Total
2021-22	\$ 42,055,544	\$ 19,031,201	\$ 61,086,745
2022-23	33,467,090	19,343,791	52,810,881
2023-24	29,196,917	17,828,700	47,025,617
2024-25	27,676,239	17,185,212	44,861,451
2025-26	23,277,881	18,585,703	41,863,584
2026-27	20,265,773	20,596,972	40,862,745
2027-28	20,059,972	22,596,069	42,656,042
2028-29	21,080,396	24,129,795	45,210,190
Thereafter	475,778,486	511,944,181	987,722,666
Total	\$ 692,858,297	\$ 671,241,624	\$ 1,364,099,921

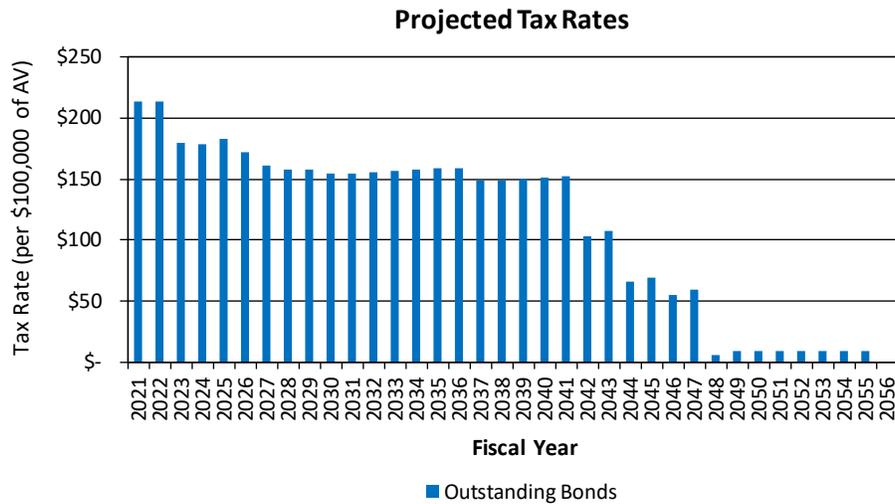
Lease Revenue Bonds ("LRB")				
Issuance	Issuance Date	Maturity Date	Issuance Amount	Principal Outstanding July 1, 2021
LRB, 2006 Series A	6/20/2006	6/1/2028	\$ 20,000,000	\$ -
LRB, 2006 Series B	6/20/2006	6/1/2036	3,605,000	-
LRB, 2020 Refunding	9/30/2020	6/1/2036	6,750,000	6,260,000
Total			\$ 30,355,000	\$ 6,260,000

⁽¹⁾ Pursuant to Section 53560 of the Government Code of the State of California, the District's 2016 GO Refunding Bonds, Series A & B and 2019 GO Refunding Bonds constitute special obligations and are not included in any computation of general obligation indebtedness of the District until their respective crossover dates. The refunded bonds are still included in the computation of general obligation indebtedness of the District until their respective crossover dates.

Actual & Projected Tax Rates

The District’s actual bond tax rate for the 2020-21 fiscal year was 0.21386% or \$213.86 per \$100,000 of assessed valuation. The District’s projected tax rates are shown below. They are based on the following assumptions:

- Annual assessed value growth rate:
 - o 2021-22 and 2022-23: 0.0%
 - o 2023-24: 1.0%
 - o 2024-25: 2.0%
 - o Thereafter: 3.0%
- 2% secured tax delinquency per Fresno County Auditor-Controller
- No supplemental tax collections (which typically lower the annual tax rate)



Bonding Capacity

Bonding capacity is a statutory limit on the amount of general obligation bonds that can be issued at any given time. The District is also limited by the amount of bond authorization approved by voters. Bonding capacity is based on:

- Current assessed value multiplied by the 2.50% statutory debt limit factor
 - o The District received a bonding capacity waiver with the State Board of Education for a 4.00% statutory debt limit factor
- Less: outstanding general obligation bonds

Estimated Current Bonding Capacity ⁽¹⁾

2020-21 Total Assessed Value (with Unitary)	\$ 24,190,677,277
Statutory Debt Limit Factor	x 4.00%
Bonding Capacity	967,627,091
Outstanding GO Bonds	(692,858,297) ⁽²⁾
Available Bonding Capacity	\$ 274,768,794

⁽¹⁾ Subject to confirmation by the County Auditor-Controller.

⁽²⁾ Pursuant to Section 53560 of the Government Code of the State of California, the District’s 2016 GO Refunding Bonds, Series A and Series B and 2019 GO Refunding Bonds are not calculated as outstanding for bonding capacity purposes while the refunded GO Bonds Election of 2010, Series B & C and GO Bonds Election of 2001, Series G are included.

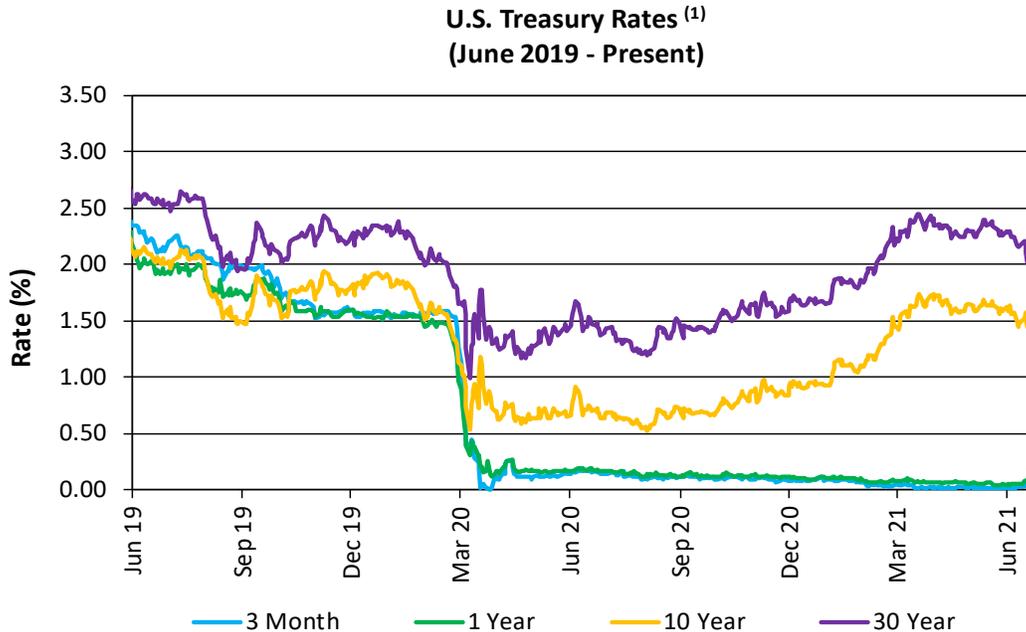
District Credit Ratings

The three major credit rating agencies are Moody's, Standard & Poor's, and Fitch. Districts are rated on (1) local economy/tax base, (2) district finances, (3) district debt/pension obligations and (4) district management. Based on that information, districts are assigned a rating in accordance with the respective rating scale. The District's current ratings for GO Bonds are 'Aa3' from Moody's (as of May 14, 2021) and 'A+' from Standard & Poor's (as of June 26, 2017). The District's current rating for LRBs is 'A2' from Moody's (as of May 14, 2021). The District also has an 'A1' Issuer rating from Moody's (as of May 14, 2021). The District does not have a Fitch rating.

	Moody's	Standard & Poor's	Fitch	Rating Description
Investment grade	Aaa	AAA	AAA	Prime
	Aa1	AA+	AA+	High grade
	Aa2	AA	AA	
	Aa3	AA-	AA-	
	A1	A+	A+	Upper medium grade
	A2	A	A	
	A3	A-	A-	
	Baa1	BBB+	BBB+	Lower medium grade
	Baa2	BBB	BBB	
	Baa3	BBB-	BBB-	
Non-investment grade	Ba1	BB+	BB+	Speculative
	Ba2	BB	BB	
	Ba3	BB-	BB-	
	B1	B+	B+	Highly speculative
	B2	B	B	
	B3	B-	B-	
Caa1 & below	CCC+ & below	CCC & below	Extremely speculative/ Default	

Market Update

As shown below, U.S. Treasury rates experienced significant declines and reached historic lows because of COVID-19. Interest rates rose thereafter as a result of positive sentiment surrounding vaccination distribution and potential inflation resulting from economic reopening and additional stimulus.



⁽¹⁾ Source: U.S. Department of the Treasury.

Refunding Opportunities

The District's financing team actively monitors the District's potential refinancing opportunities. Below is a summary of the refinancing of seven different series of District bonds. While some refinancing candidates have present value savings over the 3% present value savings industry benchmark, the District should also consider the amount of negative arbitrage and the impact to bonding capacity.

Refinancing Candidates ⁽²⁾						
Issuance	Call Date	Present Value Savings (%)	Gross Savings	Present Value Savings (\$)	Negative Arbitrage	Impact to Bonding Capacity
2015 GO Refunding Bonds	8/1/2025	0.60 %	\$ 32,563	\$ 34,830	\$ (499,837)	\$ (645,000)
2016 GO Refunding Bonds, Series A	8/1/2026	5.01	317,948	284,191	(574,946)	(1,175,000)
2016 GO Refunding Bonds, Series B	8/1/2026	(0.50)	(370,318)	(205,727)	(4,006,632)	(5,355,000)
GO Bonds Election of 2010, Series E	8/1/2025	3.82	2,346,605	1,723,537	(3,964,985)	(7,399,537)
GO Bonds Election of 2010, Series F	8/1/2026	1.91	142,913	130,770	(674,721)	(1,085,000)
GO Bonds Election of 2016, Series A	8/1/2026	9.36	4,446,290	2,832,177	(3,134,745)	(7,369,648)
GO Bonds Election of 2016, Series B	8/1/2026	(2.64)	(328,721)	(366,732)	(1,370,157)	(2,195,000)
Total		2.98 %	\$ 6,587,280	\$ 4,433,046	\$ (14,226,023)	\$ (25,224,184)

⁽²⁾ Based on Keygent's opinion of current interest rates as of June 22, 2021 based on interest rates achieved by similarly rated California school districts. Subject to market fluctuations until refinancings are sold.

New Developments for California Bond Financings

Moody's Rating Methodology Adjustment

Moody's Investors Service updated their rating methodology in January 2021. They now assign an issuer rating to school districts in addition to and separate from the bond rating. The issuer rating is most commonly one notch below the bond rating because general obligation bonds have the security benefit of unlimited tax for repayment. Moody's also adjusted their rating criteria by lowering the emphasis placed on management and increasing the emphasis placed on debt and pension obligations. This adjustment only affects K-12 issuers carrying a Moody's credit rating.

Potential Reintroduction of Tax-Exempt Advanced Refundings and Federally-Subsidized Financings

The proposed Investing in Our Communities Act would reinstate issuers' ability to advance refund debt with tax-exempt bonds. The Tax Cuts and Jobs Act of 2017 previously eliminated this option. The bill also proposes the reprisal of federally-subsidized funding. While this legislation is not currently in effect, it has the potential to be adopted before the end of the calendar year.

District's Compliance with Post-Issuance Requirements

The District has monitored its compliance with post-issuance requirements, including:

- Assign responsible personnel of the District to monitor and ensure compliance with the restrictions contained in each issuance's tax certificate
- Provide adequate training to responsible District personnel to monitor compliance
- Establish adequate record retention and calendaring mechanisms internally to ensure that the District will be able to establish post issuance compliance
- Maintain records detailing the investment and expenditures of financing proceeds
- Seek expert advice regarding compliance with the arbitrage rebate and yield restriction provisions
- Carefully monitor and calendar the dates by which financing proceeds should be expended to comply with yield restriction and rebate exceptions and the dates rebate must be paid, if applicable
- Monitor use and retain contracts related to the use of the projects financed by the issuances throughout the term of the financings
- Regularly consult with bond counsel and other District advisors regarding any issues that arise regarding post issuance compliance

Fresno Unified School District
Board Communication

BC Number AS-4

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

Date: August 06, 2021

Phone Number: 457-3907

Regarding: July Legislative Committee Meeting

The purpose of this communication is to provide the Board information shared at the July 08, 2021 Legislative Committee Meeting.

Economic and Budget Update – Ms. Leilani Aguinaldo provided an update on the final 2021/22 State Adopted Budget which was enacted on July 12, 2021.

AB/SB 130 provided additional details to the Education Budget since the May Revision as follows:

- Cash deferrals are eliminated in 2021/22 and all repayments are anticipated in August 2021.
- Concentration Grant funds will increase from 50% of funded base grant amounts to 65% to hire additional staff that provide direct support to students for schools with a 55% or greater unduplicated pupil percentage.
- A one-time supplemental Local Control and Accountability Program (LCAP) template will be due by February 2022. The anticipated template will be available from the California Department of Education by December 2021.
- The Community School Partnership Grant allocates \$3.0 billion and is a competitive grant.
- Expanded Learning Opportunities Program provides funding to expand before and after school offerings, with particular focus on unduplicated pupils, at elementary schools. Additionally, expansion must include an additional 30 non-instructional days during school breaks, such as winter, spring, and summer breaks.
- Universal Transitional Kindergarten includes a phased in implementation starting in 2022/23 with full implementation in 2025/26. The adult to student ratio is 12 to 1 in 2022/23 and 10 to 1 in 2023/24. Funding is generated from increased Average Daily Attendance (ADA).
- Child Nutrition funding increases for the state reimbursement rate. In addition, \$150 million in funding for kitchen upgrades will be distributed to all districts.
- Special Education funding increased the state rate in addition to the Cost-Of-Living Adjustment. Additional funding will be provided for Preschool inclusion and one-time funding for dispute resolution and learning recovery of \$100 million and \$450 million, respectively.
- A-G Completion Improvement Grant provides one-time funding based on students in 9th through 12th grades.
- Charter school petitions have an automatic two-year extension for charter renewals between January 2022 and June 2025.

The School Services Legislative Committee July 2021 report is attached. The next Legislative Committee meeting is scheduled for August 05, 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: 08/06/21

Fresno Unified School District

**LEGISLATIVE COMMITTEE MEETING
JULY 8, 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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Education Budget Trailer Bill Released for 2021–22 State Budget

By Michelle McKay Underwood
July 6, 2021

While most of California—and the nation—recuperated from a joyful July 4, the Legislature was busy working on the task of completing the 2021–22 State Budget. Towards that goal, Assembly Bill/Senate Bill 130 was introduced on July 5, 2021, as the education budget trailer bill.

The bill clocks in at just under 400 pages and includes significant changes and additions to Transitional Kindergarten–12 Education Code, both directly and indirectly related to the State Budget. It would be impossible to summarize the significant changes in a single article, so we will be providing our analysis in both future articles and at our [School Finance Conference](#). The Senate Budget Committee’s 13-page analysis is available [here](#), starting on page 3. The bill does not include changes to child care, which is still being negotiated.

The bill will be heard on July 7 by both the Senate and Assembly Budget Committees and will be eligible for a final vote by both houses on July 8. The bill will then join several other budget trailer bills awaiting Governor Gavin Newsom’s action that encompass the evolving agreement between Governor Newsom and the Legislature. As a budget trailer bill, it would take effective immediately upon the Governor’s signature.

The **FISCAL REPORT** an
informational
update

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Partial 2021–22 State Budget Deal Unveiled

By SSC Governmental Relations Team
June 26, 2021

[Editor’s Note: Subsequent to the publishing of this article, Assembly Bill/Senate Bill 138 was amended to establish the School Employees Fund unemployment insurance rate in 2021–22 at 0.5%.]

On the evening of June 25, 2021, the Legislature released a summary of a revised 2021–22 State Budget, which reflects a partial deal with Governor Gavin Newsom. For K–12, the negotiated version includes some priorities of the Governor—such as the concentration grant based funding, community schools, and educator development programs—and others from the Legislature—full repayment of the deferrals, special education increases, and A-G completion funding. Missing from the final version of the 2021–22 State Budget is pension rate relief.

While trailer bills are not yet in print to confirm the details of the plan, the following framework for K–12 education was provided, and reflects agreement between the Legislature and Administration:

- \$11 billion to fully pay off K–12 deferrals
- Adopts Universal Transitional Kindergarten, phasing in expanded age eligibility to full implementation in 2025–26
- 5.07% cost-of-living-adjustment (COLA) for the Local Control Funding Formula (LCFF)
- Increases the LCFF concentration grant percentage from 50% to 65% of the base grant, to be used for increasing staffing at school sites to provide additional direct services to students, including custodial services
- Creates an Expanded Learning program to provide funding for afterschool and summer school enrichment programming targeted at low-income students with \$1 billion ongoing and \$753.1 million one-time
- Increases special education funding by \$396 million ongoing to the statewide base rate and applies 4.05% COLA to the base rate
- Increases the special education funding formula by \$260 million ongoing to include funding for specified services for children aged 3-5 years old in the formula

- Increases the Career Technical Education Incentive Grant by \$150 million ongoing
- \$130 million ongoing for increasing the number of school-based state preschool slots
- Expands the California Community Schools Partnership Program with \$3 billion one-time funding
- \$1.5 billion one-time funds for a new Educator Effectiveness Block Grant
- \$1.3 billion in one-time funding for various teacher recruitment, retention, and professional development programs
- \$550 million one-time to invest in increased support for special education alternative dispute resolution and learning recovery supports for special education students associated with impacts due to the COVID-19 pandemic
- \$547.5 million in one-time funding for the A-G Completion Grant Program
- Launches the Universal School Meals Program, with an increase in state meal reimbursements by \$54 million in 2021–22 and \$650 million ongoing beginning in 2022–23

The Legislature is poised to adopt this framework in Assembly Bill/Senate Bill 129, the “budget bill junior” on June 28. While some trailer bills have been released, the education budget trailer bill is not in print as of this writing, Saturday, June 26.

As budget trailer bills are released, we will provide those details in future *Fiscal Report* articles. Finally, we will translate and operationalize the details of the 2021–22 State Budget in our upcoming [School Finance Conference](#) next month.

SENATE COMMITTEE ON BUDGET AND FISCAL REVIEW

Senator Nancy Skinner, Chair

2021 - 2022 Regular

Bill No:	AB 130	Hearing Date:	July 7, 2021
Author:	Committee on Budget		
Version:	July 5, 2021	Fiscal:	No
Urgency:	As amended		
Urgency:	No		
Consultant:	Elisa Wynne		

Subject: Education

Summary: This bill provides for statutory changes necessary to enact the K-12 statutory provisions of the Budget Act of 2021.

Proposed Law: This bill, as part of the 2021-22 Budget Package, makes statutory changes to implement the 2021-22 Budget Act. Specifically, this bill:

- 1) Specifies the pay-off in 2021-22 of the total amount (\$11 billion) of Proposition 98 payment deferrals enacted during the 2020-21 budget.
- 2) Eliminates the multi-year payment obligation adopted in the 2020-21 budget designed to supplement funding provided by Proposition 98. This obligation designated 1.5 percent of General Fund Revenues per year to K-14 education beginning in 2021-22 to provide \$12.4 billion over a multi-year period and to rebench the Test 1 percentage of the Proposition 98 Guarantee going forward. With the General Fund revenues estimated in the proposed budget, the recovery of the Proposition 98 Guarantee from reductions related to COVID-19 is achieved under the preexisting Guarantee calculations.
- 3) Increases the value of the concentration grant add-on adjustment as part of the Local Control Funding Formula calculation from fifty percent to sixty-five percent of the base grant. Local educational agencies generate a concentration grant add-on for each low-income, foster youth, or English learner student, that is in excess of fifty-five percent of the total enrollment of the local educational agency, and specifies that this increased funding be used to increase school site staffing, including custodial staff.
- 4) Provides \$2.8 billion, when combined additional funds appropriated in the budget bill totaling \$3 billion, one-time Proposition 98 funding for the California Community Schools Partnership Program. Funds are provided to establish new, and expand existing, community schools supported by local educational agencies that help coordinate services and manage learning networks for these schools, through start-up, implementation, and coordination grant types. Creates regional technical assistance centers to support applicants and provide resources and best practices.
- 5) Establishes the Expanded Learning Opportunities Program to provide students access to after school and intersessional expanded learning opportunities. Classroom-based local educational agencies will be allocated funds based on their

enrollment of unduplicated pupils (low-income, foster youth, and English learners) in grades TK through sixth grade. For the 2021-22 fiscal year, local educational agencies with unduplicated enrollment at 80 percent or more of total enrollment receive a higher rate. Provides \$753.1 million in one-time Proposition 98 funding and, combined with funds allocated in the budget act, a total of \$1.75 billion is provided for this program in the 2021-22 fiscal year. Subject to future appropriations, the program is intended to grow to provide funding of \$2,500 per unduplicated pupil, and reach a total scale of \$5 billion in annual funding. In the 2021-22 school year, local educational agencies must offer specified expanded learning to all pupils in grades TK through 6 on school days and for at least 30 nonschool days during intersessional periods, and provide these services to at least fifty percent of unduplicated enrollment in the specified grade span. Commencing in the 2022-23 fiscal year, local educational agencies must provide services to any pupil within the grade spans whose parent or guardian requests it.

- 6) Makes several changes to provisions in AB 86, including: (1) replaces \$2 billion in one time Proposition 98 General Fund with federal Elementary and Secondary School Emergency Relief funds (2) excludes charter schools that closed during 2020-21, prior to enactment of AB 86, from being eligible to receive Expanded Learning Opportunities and In-Person Instruction Grants funding, and (3) makes technical amendments to AB 86 language so it does not conflict with existing statute as it relates to instructional time.
- 7) Expands the Transitional Kindergarten Program beginning in the 2022-23 school year, and achieves Universal Transitional Kindergarten eligibility by 2025-2026. For each school year during the period of 2022-23 through 2025-26, the Transitional Kindergarten program enrollment date is extended two months later, with the final year extending the enrollment date by three months such that a child who has their fourth birthday by September 1st shall be admitted to a Transitional Kindergarten Program. Beginning in the 2022-23 school year, a school district or charter school shall maintain an average of at least one adult for every 12 pupils, transitioning to one adult for every 10 pupils in a transitional kindergarten classroom in 2023-24, subject to Budget appropriations. Specifies that age eligibility for a transitional kindergarten program does not impact family eligibility for other child care and preschool programs, and authorizes California State Preschool Programs to offer wraparound childcare services for eligible transitional kindergarten and kindergarten programs.
- 8) Provides \$490 million in one-time General Fund for the California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program. Grant funds may be used to construct new school facilities or retrofit existing school facilities for the purpose of providing transitional kindergarten classrooms, full-day kindergarten classrooms, or preschool classrooms.
- 9) Provides \$300 million in one-time Proposition 98 for the California Pre-Kindergarten Planning and Implementation Grant Program. Of the total, \$200 million is provide to local educational agencies for costs associated with creating or expanding California state preschool programs or transitional kindergarten programs, or to establish or strengthen partnerships with other providers of prekindergarten education for costs including but not limited to planning, hiring and recruitment, staff training and

professional development, classroom materials, and supplies. The remaining \$100 million is provided for competitive grants to local educational agencies to increase the number of highly-qualified teachers and administrators available to serve California state preschool programs and transitional kindergarten pupils, including for related professional development.

- 10) Increases ongoing Proposition 98 funding for the Career Technical Education Incentive Grant program by \$150 million, for a total of \$300 million ongoing. Makes a variety of changes to the grant program, eligibility, and related reporting requirements.
- 11) Requires local educational agencies to provide two school meals free of charge for grades Transitional Kindergarten through grade twelve during each schoolday, regardless of a student's eligibility for federally funded free or reduced-price meals, commencing with the 2022-23 school year. Provides for the state reimbursement of school meals up to the combined free breakfast and lunch reimbursement rate amounts not covered by federal meal reimbursements for schools participating in the federally funded school meals programs.
- 12) Amends the requirements for Independent Study Programs as follows:
 - a) Allows independent study for pupils whose parent or guardian determines that in-person instruction would put the pupil's health at risk.
 - b) For the 2021-22 school year requires school districts and county offices of education to offer independent study, which could include through a contract with a county office of education or by entering into an interdistrict transfer agreement with another school district. School districts and county offices of education may seek a waiver under specified hardship circumstances.
 - c) Requires a local educational agency to adopt and implement policies to: 1) Require a level of satisfactory educational progress that would allow a student to remain in an independent study program, including pupil achievement and engagement, completion of assignments, learning required concepts, progressing toward completion of the course of study or specific course; 2) provide content aligned to grade level standards and equivalent to in-person instruction, including access to courses for graduation and meeting college going requirements, teacher qualifications, and ratios; 3) procedures for tiered re-engagement for students who are not generating attendance for three or more school days, or 60 percent, of instructional days in a school week, or are violating the independent study agreement; 4) a plan for specified synchronous instruction requirements by grade level, and 5) a plan to transition pupils when families wish to return to in-person instruction.
 - d) Makes a variety of other changes related to communication with students and families, the requirements of written independent study agreements, resources to be provided to students, documentation required by local educational agencies, and updated requirements for background checks for staff and contractors.

- e) Includes amended requirements to school closures for unanticipated events or natural disasters to include a plan for independent study.
 - f) Makes similar changes to the course-based independent study program.
- 13) Provides \$1.5 billion in one-time Proposition 98 General Fund for the Educator Effectiveness Block Grant available over five years to provide LEAs with flexible resources to expedite professional development for teachers, administrators, and other in-person staff. The focus areas include those immediately relevant given COVID-19, distance learning, student and staff stress and anxiety, and social equity issues, as well as ethnic studies standards-aligned instruction, accelerated learning, inclusive practices, dual language acquisition, positive school climate, re-engaging students, restorative practices, and implicit bias training.
- 14) Provides \$350 million in one-time Proposition 98 funds, available over five years, for the Teacher Residency Grant Program to support existing and create new teacher residency programs that recruit and support the preparation of teachers in designated shortage fields, including special education, bilingual education, science, computer science, technology, engineering, mathematics, transitional kindergarten, or kindergarten, and others, and to support efforts to recruit and retain a diverse teacher workforce.
- 15) Provides \$250 million in one-time Proposition 98 funds, available over five years, for the National Board for Professional Teaching Standards Certification Incentive Program. Of the total, \$225 million is available to award grants to school districts for the purpose of providing awards to teachers who are employed by school districts or charter schools, are assigned to teach in California public schools, and have attained or will attain certification from the National Board for Professional Teaching Standards. The remaining \$25 million shall be used to cover National Board for Professional Teaching Standards certification fees for first-time candidates.
- 16) Provides \$125 million in one-time Proposition 98 funds, available over five years, to the Commission on Teacher Credentialing for the California Classified School Employee Teacher Credentialing Program, to assist classified employees in attaining teaching credentials, and expands program eligibility to expanded learning and early childhood education program staff.
- 17) Provides \$37.7 million in one-time Proposition 98 funds, available over three years, for the Early Math Initiative at the Fresno County Office of Education.
- 18) Provides \$15 million in one-time Proposition 98 funds, available over a five year period, to the Commission on Teacher Credentialing for the Computer Science Supplementary Authorization Incentive Grant Program, to providing one-time grants to local educational agencies to support the preparation of credentialed teachers to earn a supplementary authorization in computer science and provide instruction in computer science coursework in settings authorized by the underlying credential.
- 19) Provides \$15 million in one-time Proposition 98 funds, available over a three year period, for the California Collaborative for Educational Excellence to contract with a county office of education to identify and curate a repository of high-quality open

educational resources for use by local educational agencies as part of the statewide system of support.

- 20) Provide \$10 million in one-time Proposition 98 funds, available over a five year period, to generate and disseminate professional learning opportunities for educators across the state in the areas of evidence-based literacy, intensive literacy interventions, and support of pupils' executive functioning skills. Grants would be provided to one or more local educational agencies with expertise in developing and providing professional learning to educators in public schools serving kindergarten and grades 1 to 12, inclusive, to strengthen reading instruction for all pupils and in a manner that aligns with the statewide system of support.
- 21) Provides \$50 million in one-time Proposition 98 funds for allocation to local educational agencies on a per pupil basis, to be used to support the creation or expansion of ethnic studies course offerings, allocated contingent upon the enactment of AB 101 in the 2021-22 Regular Session.
- 22) Provides \$5 million in one-time Proposition 98 funds, to contract out with a county office of education, to provide professional development and resources to support local educational agencies offering new and expanded ethnic studies courses.
- 23) Amends the demonstrations of competence for teacher basic skills and subject matter knowledge. Specifically, language expands the list of allowable exemptions from the basic skills proficiency test to include applicants that earn at least a "B" grade in qualifying coursework to demonstrate subject matter proficiency or are designated proficient by a credential program, would specify that the minimum requirements for a preliminary single or multiple subject teaching credential include verification of subject matter competence, through specified means, and provides alternative assessment authority to the CTC.
- 24) Increases the base rate per unit of average daily attendance for each Special Education Local Plan Area (SELPA) to \$715 and applies a cost of living adjustment to SELPAs with rates above the statewide base rate.
- 25) Provides \$100 million in one-time Proposition 98 funds to Special Education Local Plan Areas for the purpose of supporting member local educational agencies in conducting dispute prevention and voluntary alternative dispute resolution activities to prevent and resolve special education disputes resulting from school disruptions stemming from the COVID-19 pandemic. Funds will be allocated on a per pupil basis based on pupils with exceptional needs, ages 3 through 22, inclusive.
- 26) Provides \$450 million in one-time Proposition 98 funds to Special Education Local Plan Areas for purposes of providing learning recovery support to pupils, associated with impacts to learning due to school disruptions stemming from the COVID-19 pandemic. Funds will be allocated on a per pupil basis, based on pupils with exceptional needs, ages 3 through 22, inclusive.
- 27) Specifies that ongoing appropriation of funds for Special Education programs, in the 2022-23 fiscal year is contingent upon notice from Director of Finance to the Joint Legislative Budget Committee that trailer bill legislation for the Budget Act of 2022

makes statutory changes designed to improve the academic outcomes of individuals with exceptional needs, that may include changes to special education funding formulas, expansions of early intervention and inclusive practices, and other changes as a result of ongoing studies.

- 28) Updates the Out of Home Care formula and provides funding for out of home placements based on one rate for foster youth (\$1,509) and a different rate for Short-Term Residential Therapeutic Programs (\$14,603) and applies a cost of living adjustment in future years.
- 29) Specifies that funding provided to school districts for the Special Education Early Intervention Preschool Grant is provided proportional to the total number of pupils with exceptional needs in 1st grade residing in the school district. Specifies that funds, appropriated in the Budget Act, shall supplement existing special education resources, and shall be used to provide services and supports in inclusive settings for infants, toddlers, and preschool pupils from birth to five years of age.
- 30) Expands Family Empowerment Centers on Disability to regions in the state that do not currently have a family empowerment center. The Superintendent shall award grants for this purpose by March 1, 2022.
- 31) Makes a variety of other changes to the Family Empowerment Centers on Disability Grant program, including establishing minimum grants, specifying services provided by the centers, and establishing a data collection process for the centers.
- 32) Provides \$15 million in one-time Proposition 98 funds for allocation to the Riverside County Office of Education and the El Dorado County Office of Education for support of the Supporting Inclusive Practices project, for purposes of increasing opportunities for pupils with disabilities to meaningfully participate in the least restrictive environment, as appropriate, and improving local educational agencies' outcomes on federal and state performance indicators. Funds are available for encumbrance until June 30, 2026.
- 33) Provides \$547.5 million in one-time Proposition 98 funds for the A-G Completion Improvement Grant Program for the purpose of providing additional supports to local educational agencies to help increase the number of California high school pupils, particularly unduplicated pupils, who graduate from high school with A-G eligibility. Of the total, \$400 million is for activities that directly support pupil access to, and successful completion of, the A-G course requirements. The remaining \$147.5 million is to allow pupils who failed an A-G approved course in the spring semester of 2020 or the 2020-21 school year to retake those A-G courses or for other credit recovery.
- 34) Provides \$250 million in one-time General Fund to the State Allocation Board for deposit into the 2016 State School Facilities Fund for TK-12 state school new construction and modernization projects.
- 35) Provides \$150 million in one-time Proposition 98 funds for local educational agencies, related to provision of school meals. Of the total, \$120 million shall be available for kitchen infrastructure upgrades to increase pupil access to, or improve

the quality of, fresh and nutritious school meals. The remaining \$30 million is available for food staff training.

- 36) Provides \$86.4 million in one-time Proposition 98 funds for apportionment to career technical education regional occupational centers or programs operated by a joint powers authority in the 2021-22 fiscal year, for uses related to providing in-person instruction.
- 37) Provides \$80 million in one-time Proposition 98 funds for the county offices of education for allocation on per average daily attendance for students in county community schools and juvenile court schools for costs related to in-person instruction.
- 38) Provides \$60 million in one-time Proposition 98 funds, available over a three year period, for the Classified School Employee Summer Assistance Program.
- 39) Provides \$50 million in one-time Proposition 98 funds to the Orange County Department of Education for the Multitiered Systems of Support. Of the total, \$30 million is for grants to local educational agencies for the purpose of funding schoolwide and districtwide implementation of services or practices aligned to the Multi-Tiered Systems of Support framework. The remaining \$20 million shall be used to fund a local educational agency, a local educational agency in partnership with an institution of higher education or nonprofit educational service provider, or a consortia, to partner with the Orange County Department of Education and the Butte County Office of Education to expand the state's capacity to support local educational agencies' implementation of social-emotional learning, trauma screening, trauma-informed practices, and culturally relevant, affirming, and sustaining practices.
- 40) Provides \$50 million in one-time Proposition 98 funds for the California Collaborative for Educational Excellence to contract with a county office of education to establish a statewide professional development infrastructure to expand the use of evidence-based accelerated learning strategies.
- 41) Provides \$30 million in one-time Proposition 98 funds, available over a two year period, for the support of foster youth students to provide direct services to foster youth. Of the total, at least \$5 million shall be used to provide direct services to improve postsecondary education enrollment and outcomes for foster youth.
- 42) Provides \$25 million in one-time Proposition 98 funds, for the Kern County Office of Education to contract with the Child Mind Institute for purposes of developing mental health and wellness instructional resources and trainings for caregivers, educators, and youth to address impacts of the COVID-19 pandemic on children's mental health and to promote mental wellness within families and school communities.
- 43) Provides \$10.5 million in one-time Proposition 98 funds for the California Interscholastic Federation for expenses related to the COVID-19 pandemic.
- 44) Provides \$10 million in one-time Proposition 98 funding for the Dual Language Immersion Grant Program. The State Department of Education shall award a

minimum of 25 one-time grants to local educational agencies or consortia over a period of three fiscal years to expand existing and establish new dual language immersion programs.

- 45) Provides \$10 million in one-time Proposition 98 funding for Antibias Education Grant Program for grants to prevent, address, and eliminate racism and bias in all California public schools, and make all public schools inclusive and supportive of all people. The State Department of Education shall award a minimum of 50 one-time grants to local educational agencies or consortia, available for expenditure over a period of five fiscal years. An Antibias Education Grant awarded under this program shall be used for training and resources to prevent and address bias or prejudice toward any group of people.
- 46) Provides \$6 million in one-time Proposition 98 funds for the San Mateo County Office of Education to contract for the creation of free and open education resources that are K–12 standards-based curriculum units on climate change and environmental justice and the integration of environmental principles and concepts developed pursuant to Section 71301 of the Public Resources Code.
- 47) Provides \$6 million in one-time General Funds, available over three years, to contract for training for local educational agencies on interpreting data from their local school climate survey tool, and for the development of an optional trauma-informed practice module to provide local educational agencies with data to assess the impact the COVID-19 pandemic and other community trauma has had on pupils as part of a school climate survey. Provides \$150,000 one-time Proposition 98 funds, to identifying and evaluating the feasibility of standardized items for local educational agencies to use as part of a school climate survey to strengthen data collected for the California School Dashboard.
- 48) Provides \$6 million in one-time Proposition 98 funds, available over three years, for the Special Olympics of Northern and Southern California.
- 49) Provides \$5.2 million in one-time Proposition 98 funds, available over a three year period, for the Broadband Infrastructure Grant Program for identified broadband connectivity solutions.
- 50) Establishes the Office of School-Based Health Programs at the Department of Education. The responsibilities of the office shall include collaborating with the State Department of Health Care Offices, and assisting local educational agencies with information on Medi-Cal billing and administrative claiming process, and providing technical assistance for local educational agencies on health-related programs and services. Of the staff of the Office of School-Based Health Programs, the department shall establish a school nurse consultant.
- 51) Provides \$5 million in one-time Proposition 98 funds for the School Health Demonstration Project. The School Health Demonstration Project, housed in the Office of School-Based Health Programs, is a pilot project to provide local educational agencies with intensive technical assistance and support to participate in billing and claiming in the Med-Cal program. The Department of Education shall

select three technical assistance teams to provide assistance to up to 25 local educational agencies for a two year period.

- 52) Provides \$3.5 million in one-time Proposition 98 funds to San Francisco Unified School District for the Exploratorium in the City and County of San Francisco for purposes of supporting professional development and leadership training for education professionals, expanding access to quality science, technology, engineering, and mathematics learning opportunities, and supporting statewide implementation of the Next Generation Science Standards.
- 53) Provides \$3.1 million in one-time Proposition 98 funds and commencing with the 2022-23 fiscal year, provides \$3.9 million in ongoing Proposition 98 funds for Kern County Office of Education for the Standardized Account Code Structure system replacement project.
- 54) Provides \$2.4 million in one-time Proposition 98 funds for the creation of an online training on schoolsite and community resources focused on strategies to support LGBTQ+ pupils.
- 55) Provides \$2 million in one-time Proposition 98 funds, available over a three year period, to the Marin County Office of Education to contract with nonprofit organizations with subject matter expertise in genocide and Holocaust education to develop resources and provide related professional development.
- 56) Provides \$2 million in one-time General Fund for grants to community-based organizations supporting local educational agencies with the implementation of high quality integrated academic, behavioral, and social-emotional learning practices.
- 57) Provides \$1.7 million in one-time Proposition 98 funds to the Commission on Teacher Credentialing to be transferred to the Tulare County Office of Education to continue to administer the California Center on Teaching Careers.
- 58) Provides \$1.2 million in one-time Proposition 98 funds, contingent upon the passage of legislation during the 2021-22 legislative session, for the model curricula development process for Native American studies, the Vietnamese American refugee experience, the Cambodian genocide, and Hmong history and cultural studies.
- 59) Provides \$400,000 in one-time General Fund for an independent evaluation of technical assistance provided to local educational agencies identified for such assistance and other parts of the accountability systems and California School Dashboard. The report shall be completed on or before October 1, 2022.
- 60) Allows local educational agencies to administer standards-aligned assessments in place of the California Assessment of Student Performance and Progress summative assessments, and receive an apportionment at the rate approved by the State Board of Education. Makes a variety of other technical amendments to assessments.

- 61)Amends the requirements for publishing the 2021 California School Dashboard and identifying local educational agencies for technical assistance in response to the COVID-19 pandemic, including: (1) eliminating the requirement to publish the 2021 California School Dashboard; (2) requiring the Department to publish all valid and reliable data that would have been included in the 2021 Dashboard on Dataquest or through some other internet website; (3) eliminating the requirement to identify local educational agencies for technical assistance in 2021-22, (4) clarifying that all local educational agencies identified for technical assistance in the 2019 School Dashboard shall retain the identification until the release of the 2022 Dashboard; and, (5) clarifying which data years will be used to identifying local educational agencies for technical assistance in accordance with Education Code section 52072 in December 2022-December 2024.
- 62)Provides flexibility for the Superintendent to grant the State Seal of Biliteracy to students who are on track to graduate in the 2021-22 school year and are unable to take the required assessments in the 2020-21 school year due to the COVID-19 pandemic.
- 63)Requires differentiated assistance to focus on critical inputs for local educational agencies identified for differentiated assistance for the 2021-22 school year, plus any additional local educational agencies that seek support.
- 64)Directs the California Collaborative for Educational Excellence to collect data required in the biweekly instructional status survey to provide transparency around local educational agencies academic and student support offerings, student engagement and actions related to health and safety. Updates the required data elements collected to align with the 2021-22 school year.
- 65)Extends the moratorium on the establishment of new non-classroom based charter schools from through January 1, 2022, to through January 1, 2025.
- 66)Allows for a lead state agency that administers state bond proceeds to meet the annual reporting process requirements using a digital method of providing information.
- 67)Adds a mandated requirement to provide feminine hygiene products in schools to the school mandates block grant.
- 68)Requires the local school district, community college district, or county superintendent of schools to increase its appropriations limit in an amount equal to its proceeds of taxes when those taxes exceed the limit, and in the 2021-22 fiscal year and later, to reduce the appropriations limit when it exceeds the proceeds of taxes. Specifies related reporting and notification timelines.
- 69)Includes language to make technical amendments to clarify the requirements for the annual update to the LCAPs, in line with the provisions of Chapter 24, Statutes of 2020 (SB 98). Also includes language to make technical amendments to clarify the deadline for the learning continuity and attendance plans for local educational agencies impacted by natural disasters and the requirements of the budget overview for parents.

- 70) Specifies that for the 2021-22 school year, unannounced visits of local education agencies required to assess facilities by the County Superintendent of Schools may only be conducted in consultation with local health officials and in compliance with any orders or guidance issued by any local or state public health official and the requirement may be waived if the visits are unable to be conducted for health and safety reasons.
- 71) Allows for the backfill of property tax revenues with General Fund for the Special Education program, related to changes in revenues due to the dissolution of redevelopment agencies.
- 72) Makes technical clarifying changes to the AB 1200 process by which county office of education budgets are certified and overseen by the Superintendent of Public Instruction.
- 73) Adjusts funding calculations for Pioneer Union School District and Paradise Unified School District to provide funding relief related to natural disasters.
- 74) Allows the Superintendent of Public Instruction to reduce funding apportioned for charter schools that close during the 2020-21 school year if the school operated for 175 days or less.
- 75) Provides a one-time extension to the audit deadlines for local educational agencies' annual audit reports to be filed, as well as the deadline for the governing body review of the annual audit in 2021-22.
- 76) Extends the terms of all existing charter schools by two years, except for charter schools renewed or first approved in the 2020-21 school year. Charter school renewal is based on two years of Dashboard data, however, due to the ongoing pandemic and distance learning, sufficient assessment data is not available.
- 77) Provides for additional control over the school district lapsation process at the local level, allowing lapsation to occur upon resolution of the local governing board of the school district with written concurrence of the county superintendent.
- 78) Suspends the calculation of allocating charter school average daily attendance (ADA) to a sponsoring school district in the 2021-22 fiscal year, to conform to other ADA changes made during the pandemic.
- 79) Clarifies requirements for the After School Education and Safety program to specify that low income students receive priority for services, in addition to pupils in foster care or experiencing homelessness.
- 80) Specifies that the State Board of Education shall adopt a one-time supplemental template to the annual update of the 2021-22 Local Control and Accountability Plan. The supplemental plan will provide additional information and accountability on the use of funds provided in the Budget Act of 2021 and additional federal stimulus funds provided to school districts.

- 81) Adds additional oversight by County Offices of Education on actions that satisfy the Minimum Proportionality Percentage (MPP) for Local Control and Accountability Plans that propose to expend less on actions to increase or improve services than their Local Control Funding Formula (LCFF) apportionment attributable to supplemental and concentration funds, and require a specific justification of how services are improved, and that dollars associated with unimplemented actions that are counted toward meeting the MPP be used for actions that meet the needs of unduplicated students in future years.
- 82) Aligns distance learning attendance and record-keeping penalties by revising the calculation of penalties associated with distance learning attendance to reflect penalties only for the specific number of days out of compliance with requirements.
- 83) Grants the SBE waiver authority on Distance Learning instructional day penalties if LEAs provide the instructional days in out-years to supplement statutorily required instructional days.
- 84) Specifies that funds available in the Budget Act of 2020 for a statewide data system for early education will include a unique child identifier across all state funded childcare and development programs and extends the encumbrance date through June 30, 2023.
- 85) Reduces the appropriation for the Adults in Correctional Facilities to align funding with the program expenditures.
- 86) Allows the Commission on Teacher Credentialing to convene a group of stakeholders to assess how current transitional kindergarten credentialing requirements are being implemented and align with the recently released Master Plan for Early Learning and Care.
- 87) Changes the maximum repayment period for funds owed by districts to the School Facilities Program from 5 years to 20 years, aligning with the repayment period for repaying emergency apportionments. In addition, this language updates the requirements to repayment of funds not expended in accordance with the terms of the School Facilities Program to include funds from the 2006 and 2016 State School Facilities Funds.
- 88) Suspends the split of funding between K-12 and Community Colleges for purposes of Proposition 98 expenditures.
- 89) Makes a variety of other technical changes, including a correction to the Grade Span adjustment code citation.
- 90) Funding related to the changes in this bill is contained in the 2021-22 Budget Act. In addition, this bill appropriates funding for K-12 education programs, totaling approximately \$8.5 billion.

Fiscal Effect: Funding related to the changes in this bill is contained in the 2021-22 Budget Act. In addition, this bill appropriates funding for K-12 education programs, totaling approximately \$8.5 billion.

Support: None on file.

Opposed: None on file.

END --

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

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By the Way . . .

By Patti F. Herrera
July 1, 2021

CDPH Posts New FAQs. The California Department of Public Health (CDPH) recently updated its Frequently Asked Questions (FAQs) page to provide additional clarity about how California’s shift to a reopened economy affects students, staff, and associated school activities.

The CDPH is waiting for updated schools guidance from the national Centers for Disease Control and Prevention before updating its guidance specifically for California schools—the [K–12 School Reopening Framework and Guidance](#). The current guidance is still based on the county color tiers that were repealed on June 15, 2021, when Governor Gavin Newsom announced the reopening of the state from the statewide pandemic shutdown. The dated guidance leaves many local educational agencies across the state wondering how the mid-June shift affects their summer and fall school reopening plans.

The hope is that these FAQs offer some interim clarification until the guidance is revised.

You can find the updated FAQs [here](#).

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

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Brown and Bagley-Keene Acts Flexibilities to End on September 30

By Kyle Hyland
June 15, 2021

With the Newsom Administration officially retiring the state’s “Blueprint for a Safer Economy” on June 15, 2021, Governor Gavin Newsom also issued [Executive Order N-08-21](#) on June 11, 2021, which includes a timeline for when a number of provisions enforced under COVID-19-related executive orders will be rescinded, including the Brown Act and the Bagley-Keene Act flexibilities detailed in paragraph three of [Executive Order N-29-20](#) (see “[Governor Provides Additional Brown Act Flexibility for Board Meetings—Updated](#)” in the March 2020 *Fiscal Report*).

Originally, the executive orders that suspended the Brown and Bagley-Keene Acts provisions stated that those flexibilities would end once state and local public health directives on social distancing were waived. However, this newest executive order replaces that language and explicitly states that those public meeting flexibilities will be permitted through September 30, 2021, meaning local agencies will need to transition back to the in-person public meeting requirements of the Brown and Bagley-Keene Acts beginning October 1, 2021.

This announcement gives local agencies over three months to plan for the transition back to the in-person requirements stipulated in the state’s public meeting laws.

Bill Update

SCHOOL SERVICES OF CALIFORNIA, INC.

**Legislative Report Prepared for:
Fresno Unified School District
Status as of: July 7, 2021**

Current 2021 Bills

<i>Bill No./ Author</i>	<i>Title</i>	<i>Position</i>	<i>Current Status</i>	<i>Page</i>
Accountability and Assessments				
*AB 599 Jones- Sawyer	Public Schools: Accountability: County Superintendents of Schools	No Position	Senate Education Committee	8
Employees				
AB 388 Medina	Certificated School Employees: Probationary Employees	Watch	Senate Appropriations Committee	8
*AB 438 Reyes	School Employees: Classified Employees: Layoff Notice and Hearing	No Position	Senate Appropriations Committee	8
Facilities				
AB 75 O'Donnell	Education Finance: School Facilities: Kindergarten-Community Colleges Public Education Facilities Bond Act of 2022		Senate Education Committee	9
Instruction				
*AB 22 McCarty	Childcare: Preschool Programs and Transitional Kindergarten: Enrollment: Funding	Support	Senate Human Services Committee	9
AB 86 Committee on Budget	COVID-19 Relief and School Reopening, Reporting, and Public Health Requirements		Chapter 10, Statutes of 2021	9
*AB 101 Medina	Pupil Instruction: High School Graduation Requirements: Ethnic Studies	Support	Senate Education Committee	10
AB 104 Gonzalez, Lorena	Pupil Instruction: Retention, Grade Changes, and Exemptions	No Position	Chapter 41, Statutes of 2021	10
SB 224 Portantino	Pupil Instruction: Mental Health Education	No Position	Assembly Education Committee	10
SB 309 Leyva	School Finance: College Readiness: Grants and Notification	Support	Assembly Education Committee	11

SB 545 Wilk	Pupil Retention: COVID-19 Impact	No Position	Assembly Education Committee	11
Miscellaneous				
*AB 27 Rivas, Luz	Homeless Children and Youths and Unaccompanied Youths: Reporting		Senate Education Committee	11
AB 262 Patterson	Human Trafficking: Vacatur Relief for Victims	Support	Senate Public Safety Committee	12
*AB 516 Dahle, Megan	Pupil Attendance: Excused Absences: Cultural Ceremonies or Events	No Position	Senate Appropriations Committee	12
SB 732 Bates	Communications: Broadband	Support	Senate Energy, Utilities, and Communications Committee	12
Special Education				
AB 967 Frazier	Special Education: COVID-19 Special Education Fund		Senate Education Committee	12
*SB 237 Portantino	Special Education: Dyslexia Risk Screening	Support	Assembly Education Committee	13
State Budget, Education Finance, and LCFF				
AB 1112 Carrillo	Before and After School Programs: Maximum Grant Amounts		Senate Education Committee	13
SB 692 Cortese	Local Control and Accountability Plans: State Priorities: Least Restrictive Environment		Assembly Education Committee	13
Student Health and Nutrition				
AB 563 Berman	School-Based Health Programs	Support	Senate Education Committee	14
AJR 8 Rivas, Luz	School Meals: Federal National School Lunch Program	Support	Assembly Education Committee	14
*SB 14 Portantino	Pupil Health: School Employee and Pupil Training: Excused Absences: Youth Mental and Behavioral Health		Assembly Education Committee	14

Accountability and Assessments

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

Amended: 6/29/2021

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.

Employees

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

Amended: 3/16/2021

Title: Certificated School Employees: Probationary Employees.

Status: Senate Appropriations Committee

Position: Watch

Summary:

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

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

*[AB 438 \(Reyes\)](#)

Amended: 6/28/2021

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

Status: Senate Appropriations Committee

Position: No Position

Summary:

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

Facilities

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

Amended: 5/24/2021

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

Status: Senate Education Committee

Position:

Summary:

This bill would place a statewide K–14 school bond on the 2022 ballot providing an \$12 billion of funds that focus primarily on new construction, modernization, career technical education, and charter school projects.

Instruction

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

Amended: 7/1/2021

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

Status: Senate Human Services Committee

Position: Support

Summary:

As amended, among other things, Assembly Bill (AB) 22 expands eligibility for transitional kindergarten (TK) by adding one month of eligibility per year over a ten-year period to achieve universal TK eligibility by 2032–33. The bill would require an additional adjustment to the existing grades K–3 Local Control Funding Formula base grant of 14.2% for each TK pupil enrolled in the school district or charter school. To provide funding for AB 22, the bill requires, for each fiscal year in which TK pupil enrollment is required to increase, an additional appropriation from the General Fund to Proposition 98 in an amount equal to the estimated fiscal year enrollment increase.

[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:

Assembly Bill 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:** 7/5/2021**Title:** Pupil Instruction: High School Graduation Requirements: Ethnic Studies**Status:** Senate Education Committee**Position:** Support**Summary:**

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

AB 104 (Gonzalez, Lorena)**Amended:** 6/2/2021**Title:** Pupil Instruction: Retention, Grade Changes, and Exemptions**Status:** Chapter 41, Statutes of 2021**Position:** No Position**Summary:**

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’s 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 224 (Portantino)**Amended:** 5/20/2021**Title:** Pupil Instruction: Mental Health Education**Status:** Assembly Education Committee**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)**Amended:** 5/20/2021**Title:** School Finance: College Readiness: Grants and Notification**Status:** Assembly Education Committee**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 545 (Wilk)**Amended:** 4/15/2021**Title:** Pupil Retention: COVID-19 Impact**Status:** Assembly Education Committee**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.

Miscellaneous

AB 27 (Rivas, Luz)*Amended:** 6/18/2021**Title:** Homeless Children and Youths and Unaccompanied Youths: Reporting**Status:** Senate Education Committee**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 based on best practices developed by the CDE, and report that data to the CDE. The bill would also require LEAs to post to 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:** Senate Public Safety Committee**Position:** Support**Summary:**

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

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

AB 516 (Dahle, Megan)*Amended:** 6/22/2021**Title:** Pupil Attendance: Excused Absences: Cultural Ceremonies or Events**Status:** Senate Appropriations Committee**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:** 5/24/2021**Title:** Special Education: COVID-19 Special Education Fund**Status:** Senate Education Committee**Position:****Summary:**

Assembly Bill 967 would provide funding to local educational agencies through their SELPA to support conflict resolution between the parents of students with disabilities and their district, and provide funding

for services to accelerate learning for students with disabilities. Funding would come from the federal stimulus, which has not yet been allocated.

***[SB 237](#) (Portantino)**

Amended: 6/28/2021

Title: Special Education: Dyslexia Risk Screening

Status: Assembly Education Committee

Position: Support

Summary:

Requires the State Board of Education to establish by June 30, 2022, an approved list of screening instruments to be used by a local educational agency (LEA) to screen pupils for risk of dyslexia. Beginning in the 2022–23 school year, requires LEAs to screen students annually in grades K–3 for risk of dyslexia. As amended, the bill would also require an LEA to provide a pupil identified as being at risk for dyslexia with appropriate instruction, progress monitoring, and early intervention in the regular general education program.

State Budget, Education Finance, and LCFF

[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: Assembly Education Committee

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 563 \(Berman\)](#)

Amended: 4/5/2021

Title: School-Based Health Programs

Status: Senate Education Committee

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 14 \(Portantino\)](#)

Amended: 6/17/2021

Title: Pupil Health: School Employee and Pupil Training: Excused Absences: Youth Mental and Behavioral Health

Status: Assembly Education Committee

Position:

Summary:

Adds “for the benefit of the pupil’s mental or behavioral health” to the category of a pupil’s illness on the list of valid excused absences for purposes of school attendance, and requires the California Department of Education to identify one or more evidence-based youth behavioral health training programs for a local educational agency to use to train classified and certificated school employees having direct contact with pupils.

SCHOOL SERVICES OF CALIFORNIA, INC.

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

Two-Year Bills 2021–22

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Charter Schools				
AB 1316 O'Donnell	School Accountability: Financial and Performance Audits: Charter Schools: Contracts		Assembly Floor—Inactive File—Bill Did Not Meet Deadline	17
Employees				
AB 95 Low	Employees: Bereavement Leave	Support	Assembly Appropriations Committee—Suspense File—Bill Did Not Meet Deadline	17
AB 1284 Rubio, Blanca	Certificated School Employees: Permanent Status		Assembly Education Committee—Bill Did Not Meet Deadline	17
AB 1505 Rodriguez	Certificated School Employee Evaluations: Distance Learning: Exemptions		Assembly Education Committee—Bill Did Not Meet Deadline	17
SB 205 Leyva	School and Community College Employees: Absences Due to Illness or Accident	No Position	Senate Floor—Inactive File—Bill Did Not Meet Deadline	18
Instruction				
AB 10 Ting	Pupil Instruction: In-Person Instruction: Distance Learning		Assembly Education Committee—Bill Did Not Meet Deadline	18
AB 102 Holden	College and Career Access Pathways Partnerships: County Offices of Education	Support	Assembly Education Committee—Bill Did Not Meet Deadline	18
SB 70 Rubio	Elementary Education: Kindergarten	Support	Senate Floor—Inactive File—Bill Did Not Meet Deadline	18
SB 532 Caballero	Pupil Instruction: High School Coursework and Graduation Requirements: Exemptions	Support	Senate Floor—Inactive File—Bill Did Not Meet Deadline	19

SB 723 Rubio	Pupil Instruction: Tutoring Program: Learning Loss Mitigation	No Position	Senate Appropriations Committee—Suspense File—Bill Did Not Meet Deadline	19
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	19
AB 533 Quirk-Silva	Education Finance: Local Control Funding Formula: Supplemental and Concentration Grants	No Position	Assembly Education Committee—Bill Did Not Meet Deadline	20
AB 839 O'Donnell	Career Technical Education: California Career Technical Education Incentive Grant Program	Support	Assembly Appropriations Committee—Suspense File—Bill Did Not Meet Deadline	20
Student Health and Nutrition				
AB 508 Rivas, Luz	Pupil Nutrition: Reduced-Price Meals	Support	Assembly Education Committee—Bill Did Not Meet Deadline	20
SB 364 Skinner	Pupil Meals: Free School Meals for All Act of 2021	Support	Senate Appropriations Committee—Suspense File—Bill Did Not Meet Deadline	20

Charter Schools

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

Amended: 5/24/2021

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

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

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—Bill Did Not Meet Deadline

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 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 Floor—Inactive File—Bill Did Not Meet Deadline

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.

Instruction

AB 10 (Ting)

Amended: 1/12/2021

Title: Pupil Instruction: In-person Instruction: Distance Learning

Status: Assembly Education Committee—Bill Did Not Meet Deadline

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 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.

SB 70 (Rubio)

Amended: 5/20/2021

Title: Elementary Education: Kindergarten

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

Position: Support

Summary:

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

SB 532 (Caballero)**Amended:** 4/8/2021**Title:** Pupil Instruction: High School Coursework and Graduation Requirements: Exemptions**Status:** Senate Floor—Inactive File—Bill Did Not Meet Deadline**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 723 (Rubio)**Amended:** 5/5/2021**Title:** Pupil Instruction: Tutoring Program: Learning Loss Mitigation**Status:** Senate Appropriations Committee—Suspense File—Bill Did Not Meet Deadline**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.

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—Bill Did Not Meet Deadline

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.

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.

SB 364 (Skinner)

Amended: 4/14/2021

Title: Pupil Meals: Free School Meals for All Act of 2021

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

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-5

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

Date: August 06, 2021

Phone Number: 457-3907

Regarding: Joint Health Management Board Financial Updates

The purpose of this communication is to provide the Board financial updates reported at the July 22, 2021 meeting of the Joint Health Management Board (JHMB).

The Three-Year Budget and Projections (see attachment) for 2021/22 through 2023/24 have been updated for the following areas:

- Employer contributions adjusted to reflect state Cost-of-Living Adjustment from the final State Adopted Budget
- Number of current active employees and contributions updated to reflect increased staffing in 2021/22
- Medical cost projections for Plan A and C to reflect a 95/5% plan effective January 2022 (previously was 90/10%) through December 2024 offset by the district's contribution of \$8.0 million in 2020/21 per the collective bargaining agreement
- Adjust for stop loss insurance renewal
- Cost projections updated based on actual claims data through March 2021

The changes described above improve the 2021/22 projected operating surplus by \$1.4 million from the projections estimated in April 2021. In addition, the operating deficit in 2023/24 was reduced to \$5.5 million from the April projections deficit of \$10.4 million. Total projected fund balance for 2021/22 is \$142.1 million rather than the previously projected \$129.8 million.

Staff will include these adjustments in Budget Revision No. 1, scheduled for Board approval on August 11, 2021, to recognize the revised Health Fund budget approved by JHMB on July 22, 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: 08/06/21

AGENDA ITEM
SUMMARY

JHMB MEETING DATE: July 22, 2021
SUBJECT: Three-Year Budget and Projections
To the JHMB
PREPARED BY: Giovanni Pacheco, Consultant
STATUS: Information
 Action

The budget projection for the July 1, 2021 through June 30, 2022 budget year is included in this report, along with an exhibit detailing the assumptions and trends used in the projections. This projected budget was also used to produce projected budgets for the 2022/23 and 2023/24 fiscal years to give a three year cost projection. These projections give the expected financial cost for the plans as they stand today. While the JHMB is constantly and currently considering a variety of vendor, network, or plan changes, the cost impact of these potential changes are not included in these projections.

This report is an update to the prior budget projection presented to the JHMB in April 2021, based on the most recent data available. This includes the following updates from the original budget projection:

- The 2020/21 current fiscal year projected income includes the \$8 million one time additional revenue
- The latest COLA guidance from the state budget was used to update the annual contribution amounts
- An additional 150 Active lives were added to the projected headcount based on the latest enrollment guidance provided by the District. These additional lives result in additional income as well as additional claim expenses to the plan.
- Cost projections were updated based on actual claims data through March 2021 instead of December 2020
- Medical cost projections for Plan A and C include a load for increasing the coinsurance from 90% to 95%
- Actual stop loss renewal rate and laser information from SwissRe to replace the assumed renewal increase used in the original budget

Some of the key components of the projections are outlined below; the full list of assumptions and trends are included in Exhibit II.

Enrollment

The projected enrollment counts for 2021/22 are based on the March 2021 counts for each line of coverage. The projected Active counts include an additional 150 lives based on the projected growth provided by the District, while the Pre 65 and Post 65 Retiree counts include an additional 2% increase in projected enrollment for 2021/22 and are then forecast to continue increasing an additional 2% per year in 2022/23 and 2023/24 to account for additional future retirements. All other enrollment counts are held steady for those two additional years.

Income

Based on the latest data provided by the District, the employer contribution per active enrollee is set to be \$20,254 in 2021/22, increasing to \$20,620 in 2022/23 and \$21,226 in 2023/24. These contributions amounts represent the most recent state guidance, but could be subject to revision in future months. The other income items are assumed to have the same cost per active employee as the projected amounts for the current 2020/21 fiscal year, and are assumed to remain flat in future years.

Expenses

Self-funded claims were projected by taking the historical claims per employee by line of coverage from July 2018 – March 2021. These historical claims are adjusted to account for large claimant activity, plan design changes, COVID claim impacts, and other factors before applying annualized trend to project these historical claims forward to the 2021/22 fiscal year.

Since the District is large enough to have credible historical data, we based the claims trend used to project future claims costs on the actual plan trends rather than relying on standard market trend rates. The actual plan trends vary year over year based on utilization levels, plan design changes, and large claimant activity, but after studying the claims detail we determined that a 3.0% annual trend was appropriate for the Active and Retiree medical claims. We are using a 4.91% annual trend for commercial Rx claims and a 0.76% EGWP claims trend for 2021/22 based on information provided by Claremont Partners. Retiree Rx claim trend is 2.4% overall, which is a blend of the commercial and EGWP trends weighted based on the historical distribution of Rx claims between Pre 65 and Post 65 retirees.

For fully insured lines of coverage, including the administration expenses associated with the self-funded plans, the expenses were estimated based on the actual current or renewal rates given by the various carriers. Some lines of coverage have multiple year rates guarantees in place, allowing us to use actual rates for the 2022/23 and 2023/24 budget periods as well. For other lines of coverage the actual renewal rates are not yet available and estimated renewal increases were used to project the cost in future years. These rates will be updated as the actual renewals become available.

Operating Expenses are based on the projected costs for the current 2020/21 fiscal year and are generally assumed to increase 2% a year on a per employee basis.

Reserves

The Beginning Reserve Balance for the current budget period is taken from the third quarter projected year end amount for the fiscal year ending June 30, 2021. The annual surplus/deficit from the budget projections is then applied to the Unencumbered Reserves to calculate the Ending Reserve Balance. The Encumbered Reserve is composed of the OPEB Irrevocable Trust, which is estimated to increase \$3.5 million each year, and the Reserve Liability for IBNR, which is set to increase in accordance with the amounts shown in the most recent AB1200 actuarial evaluation through June 30, 2022, and then an estimated \$1 million increase in 2022/23 and 2023/24.

Results

The projected budget for July 1, 2021 through June 30, 2022, shows an annual income of \$195,526,440 with total expenses of \$194,907,736, resulting in a surplus of \$1,618,704, or 0.8% of the total expenses. Over the next two years, the projected expenses increase faster than the expected income, resulting in projected deficits of \$3.098 million in 2022/23 and \$5.534 million in 2023/24.

We look forward to discussing these budget projections with you at the next meeting.

Fresno Unified School District
 Exhibit I: Three Year Budget Projection



	July 2020 - June 2021 Current Budget		July 2020 - June 2021 Projected Actual ¹		July 2021 - June 2022 Projected Budget		July 2022 - June 2023 Projected Budget		July 2023 - June 2024 Projected Budget	
	Annual Cost	Monthly Cost per Active	Annual Cost	Monthly Cost per Active	Annual Cost	Monthly Cost per Active	Annual Cost	Monthly Cost per Active	Annual Cost	Monthly Cost per Active
Number of Employees										
Actives	96,348		96,682		99,192		99,192		99,192	
Retirees	65,088		65,171		66,855		68,192		69,556	
Total Enrollees	161,436		161,853		166,047		167,384		168,748	
INCOME										
1. Employer Contributions	\$155,345,092	\$1,612.33	\$155,122,590	\$1,604.46	\$167,419,564	\$1,687.83	\$170,444,920	\$1,718.33	\$175,454,116	\$1,768.83
2. Employee Contributions	19,922,631	206.78	19,704,314	203.81	20,215,866	203.81	20,215,866	203.81	20,215,866	203.81
3. Retiree Contributions	4,339,483	45.04	4,019,959	41.58	4,123,826	41.57	4,206,303	42.41	4,290,429	43.25
4. COBRA Contributions	458,051	4.75	851,098	8.80	873,194	8.80	873,194	8.80	873,194	8.80
5. Prescription Rebates	492,306	5.11	492,306	5.09	505,087	5.09	505,087	5.09	505,087	5.09
6. Insurance Revenue	0	0.00	2,063,035	21.34	0	0.00	0	0.00	0	0.00
7. Low Income Premium Subsidy	735,472	7.63	1,580,849	16.35	757,182	7.63	757,182	7.63	757,182	7.63
8. Other Income ⁴	150,980	1.57	9,052,260	93.63	155,437	1.57	155,437	1.57	155,437	1.57
9. Interest	855,012	8.87	583,027	6.03	880,250	8.87	880,250	8.87	880,250	8.87
10. Zelis Credit Rebates	99,551	1.03	135,763	1.40	102,490	1.03	99,551	1.00	99,551	1.00
11. Active Reserve Assessment	959,934	9.96	239,984	2.48	988,269	9.96	988,269	9.96	988,269	9.96
12. Retiree Reserve Assessment	491,921	5.11	1,200,240	12.41	505,275	5.09	515,380	5.20	525,688	5.30
13. Authorized Transfer to Reserves	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
14. District Contribution	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
15. Total Income	\$183,850,433	\$1,908.19	\$195,045,425	\$2,017.39	\$196,526,440	\$1,981.27	\$199,641,439	\$2,012.68	\$204,745,069	\$2,064.13
EXPENSES										
Benefits										
16. Active Medical Claims	\$70,144,952	\$728.04	\$68,720,241	\$710.79	\$74,485,286	\$750.92	\$77,278,484	\$779.08	\$79,596,839	\$802.45
17. Retiree Medical Claims	22,319,181	231.65	20,447,502	211.49	23,635,238	238.28	25,011,990	252.16	26,277,597	264.92
18. Kaiser Health Plan ²	13,366,859	138.74	14,136,594	146.22	15,296,451	154.21	15,790,075	159.19	16,263,778	163.96
19. Kaiser Senior Advantage ²	534,542	5.55	544,921	5.64	589,630	5.94	608,658	6.14	626,918	6.32
20. Active Prescription Drug	23,765,718	246.67	21,382,574	221.16	24,720,450	249.22	25,934,224	261.45	27,207,594	274.29
21. Retiree Prescription Drug	14,269,729	148.11	15,459,848	159.90	15,431,060	155.57	16,120,582	162.52	16,840,914	169.78
22. EGWP Premium	8,622,531	89.49	8,380,929	86.69	8,372,643	84.41	8,796,299	88.68	9,241,391	93.17
23. Prescription Drug Fee	630,668	6.55	564,524	5.84	579,187	5.84	594,782	6.00	610,824	6.16
24. Blue Cross PPO Fee	2,352,123	24.41	2,205,994	22.82	2,419,303	24.39	2,511,948	25.32	2,532,415	25.53
25. Delta Health Systems	3,170,946	32.91	2,961,822	30.63	3,181,458	32.07	3,303,289	33.30	3,330,204	33.57
26. Delta Health Systems Kaiser Eligibility	0	0.00	0	0.00	85,392	0.86	87,954	0.89	87,954	0.89
27. Claremont EAP	380,529	3.95	387,702	4.01	365,006	3.68	369,700	3.73	374,499	3.78
28. Halcyon Mental Health	3,696,700	38.37	3,848,795	39.81	4,018,278	40.51	4,200,107	42.34	4,390,743	44.27
29. PhysMetrics	797,011	8.27	741,610	7.67	865,955	8.73	889,286	8.97	913,385	9.21
30. Standard Life Insurance	526,193	5.46	551,289	5.70	572,671	5.77	593,881	5.99	593,881	5.99
31. Delta Dental Claims	7,733,295	80.26	8,070,901	83.48	8,917,058	89.90	9,095,399	91.69	9,277,307	93.53
32. Delta Dental Admin Fees	444,664	4.62	464,077	4.80	512,731	5.17	522,985	5.27	533,445	5.38
33. Pacific Union Dental	616,484	6.40	625,934	6.47	571,322	5.76	579,892	5.85	588,462	5.93
34. MES Vision	1,336,506	13.87	1,417,694	14.66	1,196,640	12.06	1,196,640	12.06	1,214,590	12.24
35. WellPATH Program	537,442	5.58	311,703	3.22	542,652	5.47	544,652	5.49	545,152	5.50
36. EPC Phase 1 ²	264,364	2.74	240,775	2.49	241,979	2.44	241,979	2.44	241,979	2.44
37. EPC Phase 2 ²	739,040	7.67	673,096	6.96	676,461	6.82	676,461	6.82	676,461	6.82
38. ACA PCORI Fee	75,532	0.78	60,794	0.63	82,138	0.83	84,455	0.85	86,846	0.88
39. Stop Loss Premium	1,612,944	16.74	1,615,604	16.71	1,867,323	18.83	2,260,523	22.79	2,736,784	27.59
40. Transfer out to OPEB	2,000,000	20.76	2,000,000	20.69	2,000,000	20.16	2,000,000	20.16	2,000,000	20.16
41. Transfer out to IBNR	1,151,887	11.96	1,151,887	11.91	1,284,185	12.95	1,000,000	10.08	1,000,000	10.08
42. Total Benefits, Premiums & Fees	\$181,089,840	\$1,879.54	\$176,966,808	\$1,830.40	\$192,510,497	\$1,940.79	\$200,294,247	\$2,019.26	\$207,789,962	\$2,094.83

Fresno Unified School District
Exhibit I: Three Year Budget Projection



	July 2020 - June 2021 Current Budget		July 2020 - June 2021 Projected Actual ¹		July 2021 - June 2022 Projected Budget		July 2022 - June 2023 Projected Budget		July 2023 - June 2024 Projected Budget	
	Annual Cost	Monthly Cost per Active	Annual Cost	Monthly Cost per Active	Annual Cost	Monthly Cost per Active	Annual Cost	Monthly Cost per Active	Annual Cost	Monthly Cost per Active
Operating Expenses										
43. Salaries	\$430,766	\$4.47	\$500,050	\$5.17	\$510,051	\$5.14	\$520,252	\$5.24	\$530,657	\$5.35
44. Staff Benefits	254,825	2.64	255,381	2.64	260,489	2.63	265,699	2.68	271,012	2.73
45. Supplies	3,226	0.03	806	0.01	827	0.01	844	0.01	861	0.01
46. Auditor	24,186	0.25	41,393	0.43	42,467	0.43	43,317	0.44	44,183	0.45
47. Delta Fund Administrator Fees	226,653	2.35	252,818	2.61	230,312	2.32	253,797	2.56	258,873	2.61
48. MMA Consultant Fees	197,328	2.05	215,251	2.23	197,328	1.99	197,328	1.99	197,328	1.99
49. Claremont Partners: General	516,819	5.36	510,740	5.28	602,578	6.07	607,430	6.12	625,136	6.30
50. Saltzman & Johnson Legal Fees	105,372	1.09	87,810	0.91	105,372	1.06	105,372	1.06	105,372	1.06
51. KHK Law: Outside Counsel	250,000	2.59	235,346	2.43	250,000	2.52	250,000	2.52	250,000	2.52
52. JHMB Training / Education Expenses	29,476	0.31	7,369	0.08	7,560	0.08	7,712	0.08	7,866	0.08
53. Other Operating Expenses	225,236	2.34	181,879	1.88	186,601	1.88	190,333	1.92	194,140	1.96
54. Communications	7,488	0.08	3,561	0.04	3,654	0.04	3,727	0.04	3,801	0.04
55. Total Operating Expenses	\$2,271,375	\$23.57	\$2,292,404	\$23.71	\$2,397,239	\$24.17	\$2,445,809	\$24.66	\$2,489,229	\$25.10
56. Total Expenses	\$183,361,215	\$1,903.11	\$179,259,212	\$1,854.11	\$194,907,736	\$1,964.95	\$202,740,056	\$2,043.92	\$210,279,191	\$2,119.92
57. Surplus / (Deficit)	\$489,218	\$5.08	\$15,786,213	\$163.28	\$1,618,704	\$16.32	(\$3,098,618)	(\$31.24)	(\$5,534,123)	(\$55.79)
58. Surplus / (Deficit) as % of Total Expenses	0.3%		8.8%		0.8%		-1.5%		-2.6%	
Beginning Reserve Balance										
59. Encumbered Reserves										
60. OPEB Irrevocable Trust	\$54,854,091		\$54,854,091		\$67,409,091		\$70,909,091		\$74,409,091	
61. Reserve Liability for IBNR	\$20,736,474		\$20,736,474		\$21,888,321		\$23,172,506		\$24,172,506	
62. Total Encumbered Reserves	\$75,590,565		\$75,590,565		\$89,297,412		\$94,081,597		\$98,581,597	
63. Unencumbered Reserves	\$37,002,647		\$37,002,647		\$52,788,860		\$54,407,565		\$51,308,947	
64. Total Reserves	\$112,593,212		\$112,593,212		\$142,086,272		\$148,489,162		\$149,890,544	
65. Operating Surplus / (Deficit)	\$489,218		\$15,786,213		\$1,618,704		(\$3,098,618)		(\$5,534,123)	
66. Transfer In from Reserves	\$0		\$0		\$0		\$0		\$0	
67. Adjusted Unencumbered Reserves	\$37,491,865		\$52,788,860		\$54,407,565		\$51,308,947		\$45,774,824	
68. Target Unencumbered Reserves ³	\$30,560,202		\$29,876,535		\$32,484,623		\$33,790,009		\$35,046,532	
Ending Reserve Balance										
69. Encumbered Reserves										
70. OPEB Irrevocable Trust	\$58,354,091		\$67,409,091		\$70,909,091		\$74,409,091		\$77,909,091	
71. Reserve Liability for IBNR	\$21,888,321		\$21,888,321		\$23,172,506		\$24,172,506		\$25,172,506	
72. Total Encumbered Reserves	\$80,242,412		\$89,297,412		\$94,081,597		\$98,581,597		\$103,081,597	
73. Unencumbered Reserves	\$37,491,865		\$52,788,860		\$54,407,565		\$51,308,947		\$45,774,824	
74. Total Reserves	\$117,734,277		\$142,086,272		\$148,489,162		\$149,890,544		\$148,856,421	

¹ Projected 2020/21 costs based on actual costs for July 2020 - March 2021 and projected costs for April - June 2021

² Projected 2020/21 costs pro-rated based on budget distribution

³ Target Unencumbered Reserves calculated as 2.0 months of total expenses.

⁴ \$8 million income funded to JHMB was collectively bargained in FY 2020/21

Fresno Unified School District

Exhibit II: Assumptions and Trends



Projected Monthly Enrollment	July 2021 - June 2022	July 2022 - June 2023	July 2023 - June 2024	Average Contract Size
1. Medical Actives	8,266	8,266	8,266	2.62
2. Medical Pre-65 Retirees	791	806	822	1.94
3. Medical Post-65 Retirees	4,781	4,876	4,974	1.52
4. Total Self Funded Medical	13,837	13,949	14,062	2.20
5. EGWP Membership	5,383	5,491	5,600	1.52
6. Kaiser Active & Early Retirees	1,073	1,073	1,073	2.72
7. Kaiser Senior Advantage	113	113	113	1.47
8. Delta Dental DPPO	10,305	10,305	10,305	
9. Pacific Union Dental	935	935	935	
10. MES Vision	9,000	9,000	9,000	

Projected Annual Renewal / Trend		
2021/22*	2022/23	2023/24
2.7%	0.00%	0.00%
-6.2%	2.00%	2.00%
4.4%	2.00%	2.00%
2.9%	0.81%	0.81%
-4.1%	2.00%	2.00%
9.4%	0.00%	0.00%
13.0%	0.00%	0.00%
3.9%	0.00%	0.00%
-5.9%	0.00%	0.00%
-3.3%	0.00%	0.00%

July Renewals	July 2021 - June 2022	July 2022 - June 2023	July 2023 - June 2024	Frequency
INCOME				
11. Employer Contributions	\$20,254	\$20,620	\$21,226	PEPY
12. Employee Contributions	\$203.81	\$203.81	\$203.81	Cost/Active
13. Retiree Contributions	\$61.68	\$61.68	\$61.68	Cost/Retiree
14. COBRA Contributions	\$8.80	\$8.80	\$8.80	Cost/Active
15. Prescription Rebates	\$5.09	\$5.09	\$5.09	Cost/Active
16. Low Income Premium Subsidy	\$7.63	\$7.63	\$7.63	Cost/Active
17. Other Income	\$1.57	\$1.57	\$1.57	Cost/Active
18. Interest	\$8.87	\$8.87	\$8.87	Cost/Active
19. Zelis Credit Rebates	\$1.03	\$1.00	\$1.00	Cost/Active
20. Active Reserve Assessment	\$9.96	\$9.96	\$9.96	Cost/Active
21. Retiree Reserve Assessment	\$7.56	\$7.56	\$7.56	Cost/Retiree
22. Authorized Transfer to Reserves	\$0.00	\$0.00	\$0.00	Cost/Active
23. District Contribution	\$0.00	\$0.00	\$0.00	Cost/Active
EXPENSES				
Benefits				
24. Active Medical Claims	\$750.92	\$779.08	\$802.45	Cost/Active
25. Retiree Medical Claims	\$353.53	\$366.79	\$377.79	Cost/Retiree
26. Active Prescription Drug	\$249.22	\$261.45	\$274.29	Cost/Active
27. Retiree Prescription Drug	\$230.81	\$236.40	\$242.12	Cost/Retiree
28. Prescription Drug Fee (Actives)	\$1.27	\$1.31	\$1.35	PMPM
29. Blue Cross PPO Fee	\$14.57	\$15.01	\$15.01	PEPM
30. Delta Health Admin	\$19.16	\$19.73	\$19.73	PEPM
31. Delta Health Admin - Kaiser Eligibility	\$6.00	\$6.18	\$6.18	Cost/Kasier/Month
31. Claremont EAP Claims	\$1.05	\$1.06	\$1.07	PEPM
32. Halcyon Mental Health Claims	\$21.20	\$22.05	\$22.93	PEPM
33. PhysMetrics Claims	\$3.96	\$4.04	\$4.12	PEPM
34. Delta Dental Claims	\$72.11	\$73.55	\$75.02	PEPM
35. Claremont Partners	\$3.63	\$3.63	\$3.70	PEPM
36. WellPATH	\$5.47	\$5.49	\$5.50	Cost/Active
37. EPC Phase 1	\$2.44	\$2.44	\$2.44	Cost/Active
38. EPC Phase 2	\$6.82	\$6.82	\$6.82	Cost/Active
39. Stop Loss Premium	\$12.30	\$14.76	\$17.71	PEPM
Operating Expenses				
40. Salaries	\$5.14	\$5.24	\$5.35	Cost/Active
41. Staff Benefits	\$2.63	\$2.68	\$2.73	Cost/Active
42. Supplies	\$0.01	\$0.01	\$0.01	Cost/Active
43. Auditor	\$0.43	\$0.44	\$0.45	Cost/Active
44. Legal Fees	\$1.06	\$1.06	\$1.06	Cost/Active
45. Consultant Fees	\$1.99	\$1.99	\$1.99	Cost/Active
46. JHMB Training / Education Expenses	\$0.08	\$0.08	\$0.08	Cost/Active
47. Other Operating Expenses	\$1.88	\$1.92	\$1.96	Cost/Active
48. Communications	\$0.04	\$0.04	\$0.04	Cost/Active

Projected Annual Renewal / Trend		
2021/22*	2022/23	2023/24
4.7%	1.8%	2.9%
0.0%	0.0%	0.0%
0.0%	0.0%	0.0%
0.0%	0.0%	0.0%
0.0%	0.0%	0.0%
-53.3%	0.0%	0.0%
-98.3%	0.0%	0.0%
47.2%	0.0%	0.0%
-26.4%	-2.9%	0.0%
301.4%	0.0%	0.0%
-59.0%	0.0%	0.0%
0.0%	0.0%	0.0%
0.0%	0.0%	0.0%
8.9%	3.8%	3.0%
12.7%	3.8%	3.0%
12.7%	4.9%	4.9%
-2.7%	2.4%	2.4%
0.0%	3.0%	3.0%
0.0%	3.0%	0.0%
0.0%	3.0%	0.0%
0.0%	3.0%	0.0%
-13.6%	1.0%	1.0%
1.3%	4.0%	4.0%
-2.9%	2.0%	2.0%
6.3%	2.0%	2.0%
-0.8%	0.0%	3.0%
0.0%	3.0%	3.0%
0.0%	0.0%	0.0%
0.0%	0.0%	0.0%
12.6%	20.0%	20.0%
-0.6%	2.0%	2.0%
-0.6%	2.0%	2.0%
0.0%	2.0%	2.0%
0.0%	2.0%	2.0%
17.0%	0.0%	0.0%
-10.6%	0.0%	0.0%
0.0%	2.0%	2.0%
0.0%	2.0%	2.0%
0.0%	2.0%	2.0%

January Renewals	2021	2022	2023	2024	Frequency
49. Kaiser Health Plan	\$1,167.77	\$1,208.20	\$1,244.44	\$1,281.77	PEPM
50. Kaiser Senior Advantage	\$290.77	\$300.84	\$309.86	\$319.16	PMPM
51. EGWP Premium	\$127.70	\$131.53	\$135.48	\$139.54	PMPM
52. Prescription Drug Fee (WRAP)	\$3.50	\$3.50	\$3.50	\$3.50	PMPM
53. Delta Fund Admin	\$1.66	\$1.69	\$1.73	\$1.76	PEPM
54. Claremont EAP Admin	\$1.15	\$1.15	\$1.15	\$1.15	PEPM
55. Halcyon Mental Health Admin	\$3.00	\$3.00	\$3.09	\$3.09	PEPM
56. PhysMetrics Admin	\$1.24	\$1.28	\$1.28	\$1.32	PEPM
57. Pacific Union Dental	\$50.92	\$50.92	\$52.45	\$52.45	PEPM
58. Delta Dental Admin Fees	5.75%	5.75%	5.75%	5.75%	% of claims
59. MES Vision	\$11.08	\$11.08	\$11.08	\$11.41	PEPM
60. BridgeHealth	165.00%	165.00%	165.00%	165.00%	Cost/Active
61. PCORI Fee (ACA)	\$2.67	\$2.72	\$2.78	\$2.83	PMPY

Projected Annual Renewal / Trend			
2021*	2022	2023	2024
4.4%	3.5%	3.0%	3.0%
-2.6%	3.5%	3.0%	3.0%
2.6%	3.0%	3.0%	3.0%
0.0%	0.0%	0.0%	0.0%
3.0%	2.0%	2.0%	2.0%
0.0%	0.0%	0.0%	0.0%
0.0%	0.0%	3.0%	0.0%
0.0%	3.0%	0.0%	3.0%
0.0%	0.0%	3.0%	0.0%
0.0%	0.0%	0.0%	0.0%
-6.0%	0.0%	0.0%	3.0%
0.0%	0.0%	0.0%	0.0%
6.0%	2.0%	2.0%	2.0%

April Renewals	April 2020 - March 2021	April 2021 - March 2022	April 2022 - March 2023	April 2023 - March 2024	Frequency
62. Standard Life Insurance	\$5.70	\$5.99	\$5.99	\$5.99	Cost/Active

Projected Annual Renewal / Trend			
2021/22*	2022/23	2023/24	2024/25
0.0%	5.0%	0.0%	0.0%

* Fully insured costs show increase in rates from prior period; all other items show increase in cost per Active from 2019/20 projected actual costs
Green font indicates rates when the 2020 renewal increase is estimated pending the actual renewal

Fresno Unified School District

Exhibit III: Self-Funded Net Paid Claims Trend

	Jul-12 - Jun-13	Jul-13 - Jun-14	Jul-14 - Jun-15	Jul-15 - Jun-16	Jul-16 - Jun-17	Jul-17 - Jun-18	Jul-18 - Jun-19	Jul-19 - Jun-20	Jul-20 - Mar-21
Active Medical						2,4	2,4,5	5,6	6,7
Claims per Enrollee	\$522.34	\$536.98	\$542.45	\$563.91	\$548.89	\$555.09	\$630.07	\$662.05	\$641.22
% Change		2.8%	1.0%	4.0%	-2.7%	1.1%	13.5%	5.1%	-3.1%
Retiree Medical					3	2	2		
Claims per Enrollee	\$296.29	\$313.75	\$311.88	\$295.35	\$363.42	\$313.00	\$338.62	\$322.34	\$304.41
% Change		5.9%	-0.6%	-5.3%	23.0%	-13.9%	8.2%	-4.8%	-5.6%
Medical Total					3	2,4	2,4,5	5,6	6,7
Claims per Enrollee	\$427.83	\$444.61	\$448.46	\$455.19	\$473.59	\$456.88	\$512.27	\$536.13	\$529.81
% Change		3.9%	0.9%	1.5%	4.0%	-3.5%	12.1%	4.7%	-1.2%
Active Rx *									
Claims per Enrollee	\$185.45	\$216.59	\$285.17	\$216.55	\$205.10	\$195.70	\$216.95	\$228.58	\$213.93
% Change		16.8%	31.7%	-24.1%	-5.3%	-4.6%	10.9%	5.4%	-6.4%
Retiree Rx *									
Claims per Enrollee	\$185.48	\$217.69	\$240.52	\$241.47	\$260.46	\$244.90	\$215.84	\$197.26	\$242.79
% Change		17.4%	10.5%	0.4%	7.9%	-6.0%	-11.9%	-8.6%	23.1%
Rx Total *									
Claims per Enrollee	\$185.46	\$217.05	\$286.79	\$226.75	\$227.75	\$215.76	\$216.50	\$219.08	\$225.55
% Change		17.0%	32.1%	-20.9%	0.4%	-5.3%	0.3%	1.2%	3.0%
Avante/Halcyon Mental Health **									
Claims per Enrollee	\$12.21	\$12.08	\$12.54	\$11.76	\$12.10	\$11.15	\$19.01	\$18.71	\$20.99
% Change		-1.1%	3.8%	-6.2%	2.9%	-7.8%	70.4%	-1.6%	12.2%
Physmetrics									
Claims per Enrollee	\$3.30	\$4.11	\$3.45	\$3.64	\$3.11	\$3.28	\$3.62	\$3.55	\$3.11
% Change		24.6%	-16.1%	5.3%	-14.4%	5.6%	10.1%	-1.8%	-12.4%
Claremont EAP									
Claims per Enrollee	\$0.83	\$0.75	\$0.88	\$0.78	\$0.78	\$0.59	\$0.78	\$0.80	\$1.12
% Change		-9.1%	17.0%	-11.4%	0.4%	-24.5%	32.5%	1.9%	39.7%
Delta Dental									
Claims per Enrollee	\$71.87	\$69.40	\$70.09	\$74.11	\$71.22	\$70.90	\$69.40	\$58.99	\$65.76
% Change		-3.4%	1.0%	5.7%	-3.9%	-0.4%	-2.1%	-15.0%	11.5%

Vendor Changes

* CitizensRx was implemented January 2014 and terminated June 2015. Otherwise Rx claims are through Envision

** Halcyon replaces Avante as of 1/1/2020

Claim Adjustments

¹ Rx Claims offset by Rx Rebate amounts, pro-rated between Actives and Retirees based on claims spend

² Shifted \$6 million in medical claims, pro-rated between Actives and Retirees, from 2018/19 to 2017/19 due to DHS claims

³ 2016/17 Large Claims (incurred in 2016/17, paid through December 2017):

-Claimant 1: Removed \$3,329,781 from 2016/17 Retiree medical claims

⁴ 2017/18 Large Claims (incurred in 2017/18, paid through December 2018):

-Claimant 1: Removed \$2,618,620 from 2017/18 Active medical claims and \$1,629,440 from 2018/19 Active medical claims

-Claimant 2: Removed \$1,045,083 from 2017/18 Active medical claims and \$2,637,286 from 2018/19 Active medical claims

⁵ 2018/19 Large Claims (incurred in 2018/19, paid through December 2019):

-Claimant 1: Removed \$2,007,733 from 2018/19 Active medical claims and \$2,662,093 from 2019/20 Active medical claims

⁶ 2019/20 Large Claims (incurred in 2019/20, paid through December 2020):

-Claimant 1: Removed \$2,159,258 from 2019/20 Active medical claims and \$1,289,572 from 2020/21 Active medical claims

-Claimant 2: Removed \$1,571,666 from 2019/20 Active medical claims and \$1,293,937 from 2020/21 Active medical claims

-Claimant 3: Removed \$1,647,748 from 2019/20 Active medical claims and \$354,225 from 2020/21 Active medical claims

⁷ 2020/21 Large Claims (incurred in 2020/21, paid through December 2021):

-No claimants above \$2 million as of March 2021

Other Considerations:

-Medical Plan A was enhanced on 6/1/2018 to 90/10 coinsurance, \$2500 OOP Max

-Claims and trends above do NOT include any adjustments for the 2020/21 COVID pandemic

Fresno Unified School District

Exhibit III: Self-Funded Gross Paid Claims Trend

	Jul-12 - Jun-13	Jul-13 - Jun-14	Jul-14 - Jun-15	Jul-15 - Jun-16	Jul-16 - Jun-17	Jul-17 - Jun-18	Jul-18 - Jun-19	Jul-19 - Jun-20	Jul-20 - Mar-21
Active Medical									
Claims per Enrollee	\$522.34	\$536.98	\$542.45	\$563.91	\$548.89	\$545.63	\$746.53	\$746.16	\$681.83
% Change		2.8%	1.0%	4.0%	-2.7%	-0.6%	36.8%	-0.1%	-8.6%
Retiree Medical									
Claims per Enrollee	\$296.29	\$313.75	\$311.88	\$295.35	\$418.62	\$288.79	\$362.26	\$322.34	\$304.41
% Change		5.9%	-0.6%	-5.3%	41.7%	-31.0%	25.4%	-11.0%	-5.6%
Medical Total									
Claims per Enrollee	\$427.83	\$444.61	\$448.46	\$455.19	\$496.00	\$441.44	\$591.22	\$576.18	\$529.81
% Change		3.9%	0.9%	1.5%	9.0%	-11.0%	33.9%	-2.5%	-8.0%
Active Rx *									
Claims per Enrollee	\$185.45	\$216.59	\$290.28	\$216.59	\$205.19	\$195.75	\$216.95	\$230.46	\$213.93
% Change		16.8%	34.0%	-25.4%	-5.3%	-4.6%	10.8%	6.2%	-7.2%
Retiree Rx *									
Claims per Enrollee	\$185.48	\$217.69	\$281.74	\$241.68	\$260.77	\$245.06	\$215.84	\$202.08	\$242.79
% Change		17.4%	29.4%	-14.2%	7.9%	-6.0%	-11.9%	-6.4%	20.1%
Rx Total *									
Claims per Enrollee	\$185.46	\$217.05	\$286.79	\$226.75	\$227.75	\$215.76	\$216.50	\$219.08	\$225.55
% Change		17.0%	32.1%	-20.9%	0.4%	-5.3%	0.3%	1.2%	3.0%
Avante/Halcyon Mental Health **									
Claims per Enrollee	\$12.21	\$12.08	\$12.54	\$11.76	\$12.10	\$11.15	\$19.01	\$18.71	\$20.99
% Change		-1.1%	3.8%	-6.2%	2.9%	-7.8%	70.4%	-1.6%	12.2%
Physmetrics									
Claims per Enrollee	\$3.30	\$4.11	\$3.45	\$3.64	\$3.11	\$3.28	\$3.62	\$3.55	\$3.11
% Change		24.6%	-16.1%	5.3%	-14.4%	5.6%	10.1%	-1.8%	-12.4%
Claremont EAP									
Claims per Enrollee	\$0.83	\$0.75	\$0.88	\$0.78	\$0.78	\$0.59	\$0.78	\$0.80	\$1.12
% Change		-9.1%	17.0%	-11.4%	0.4%	-24.5%	32.5%	1.9%	39.7%
Delta Dental									
Claims per Enrollee	\$71.87	\$69.40	\$70.09	\$74.11	\$71.22	\$70.90	\$69.40	\$58.99	\$65.76
% Change		-3.4%	1.0%	5.7%	-3.9%	-0.4%	-2.1%	-15.0%	11.5%

Vendor Changes

* CitizensRx was implemented January 2014 and terminated June 2015. Otherwise Rx claims are through Envision

** Halcyon replaces Avante as of 1/1/2020

Fresno Unified School District
Board Communication

BC Number AS-6

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

Date: August 06, 2021

Phone Number: 457-3907

Regarding: Medi-Cal Administrative Activity Program

The purpose of this communication is to provide the Board information regarding the reimbursements from the Medi-Cal Administrative Activity Program (MAA).

The district recently received \$596,641 in MAA reimbursements from 2019/20 first quarter claims. As mentioned in previous board communications and budget revisions, the California Department of Health Care Services held back reimbursement funds. After several years of uncertainty, invoices are now being processed.

In December 2016, the State released a new claims method for submission of reimbursements beginning with January 2015. The district is working with the Madera County Superintendent of Schools (MCSOS) to submit claims. The district has received \$3.5 million in reimbursements in 2020/21.

The MCSOS continues to recommend that districts recognize MAA revenues only after they are received since future funding adjustments may occur. Therefore, additional funds will be recognized once received.

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: 08/06/21

Fresno Unified School District
Board Communication

BC Number AS-7

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



Date: August 06, 2021

Phone Number: 457-3661



Regarding: Federal Program Monitoring

The purpose of this communication is to inform the Board of the upcoming Federal Program Monitoring (FPM) review. The purpose of the review is to ensure compliance with statutory regulations that accompany the receipt of federal funding and it is facilitated by the California Department of Education (CDE). Districts that receive a large portion of federal funding, such as Fresno Unified, are reviewed every two years, rotating between an on-line and on-site review. This year's review is on-line and will take place May 09, 2022 - May 19, 2022.

Schools selected for the review are Edison High School, Fresno High School, Hoover High School, Terronez Middle School, Yosemite Middle School, King Elementary and Norsemen Elementary School.

In addition to the review of school sites, the CDE monitors different program areas to ensure compliance. This year the areas of review include:

- CARES Act Monitoring
- Compensatory Education
- Education Equity
- English Learners
- Expanded Learning Programs
- Fiscal Monitoring
- Homeless Education
- Physical Education
- Supporting Effective Instruction
- Student Support and Academic Enrichment
- Student Support and Improvement

Trainings provided by the CDE took place this week to assist school districts to prepare for the review. In addition, the review is supported by various Fresno Unified department and school site administrators who all participated in the training. The Office of State and Federal Programs coordinates all communication and documentation collection with the CDE.

Staff will update the Board close to the time of the review and at the conclusion. In addition, staff will update the Board on any findings, recommendations, or resolutions required as a result of the review.

If you have any questions or require further information, please contact Tammy Townsend at 457-3661.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 08/06/21

Fresno Unified School District
Board Communication

BC Number C-1

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

Date: August 06, 2021
Phone Number: 457-3498

Regarding: Crisis Response and Communication Protocols

The purpose of this communication is to provide the Board an update around the district's communication procedures in the event of a school site crisis/incident.

When an incident occurs on campus that poses imminent danger, site leaders are instructed to first call 911. Their second call is to the district's public information officer (PIO). If the incident does not pose imminent danger, then the site leader's first phone call is to the PIO. The PIO gathers all pertinent information from the site leader and deploys necessary supports, including but not limited to, safety, maintenance, social emotional supports, human resources, food service, transportation, etc.

The PIO then sends an initial "FYI notification" via text message to the district's instructional superintendents, the superintendent's chief of staff, superintendent's secretary and the chief information officer (CIO) or Communication's department designee. Incidents at this notification level range from ambulances being called for medical emergencies, 5150's, CPS cases, and lockdowns.

If an incident is more significant and involves a social media or weapon threat, death of a student/staff member, or an arrest of an employee, a secondary text message goes out to Superintendent Nelson, Deputy Superintendent Her and cabinet chiefs. As noted on the attached protocol document, in cases of imminent danger, the regional board trustee would also be notified based on the attached student progression map. We have also noted by number order and color code where in the process board leadership and all trustees are notified.

The CIO or communication department designee notifies the board when incidents of imminent danger occur, along with student/staff deaths and employee arrests.

Several years ago, Communications created a two-page crisis response reference guide for site leaders and office staff. The sheet is derived from the large emergency planning/crisis response flip chart that is given to all site leaders and is posted in every classroom district wide. The guide was intended to serve as a quick reference tool. This guide is available on the district's staff portal on Communication's website and is re-shared at district trainings and throughout the school year. The response sheet is included with this board communication and outlines protocols, supports and messaging guidelines.

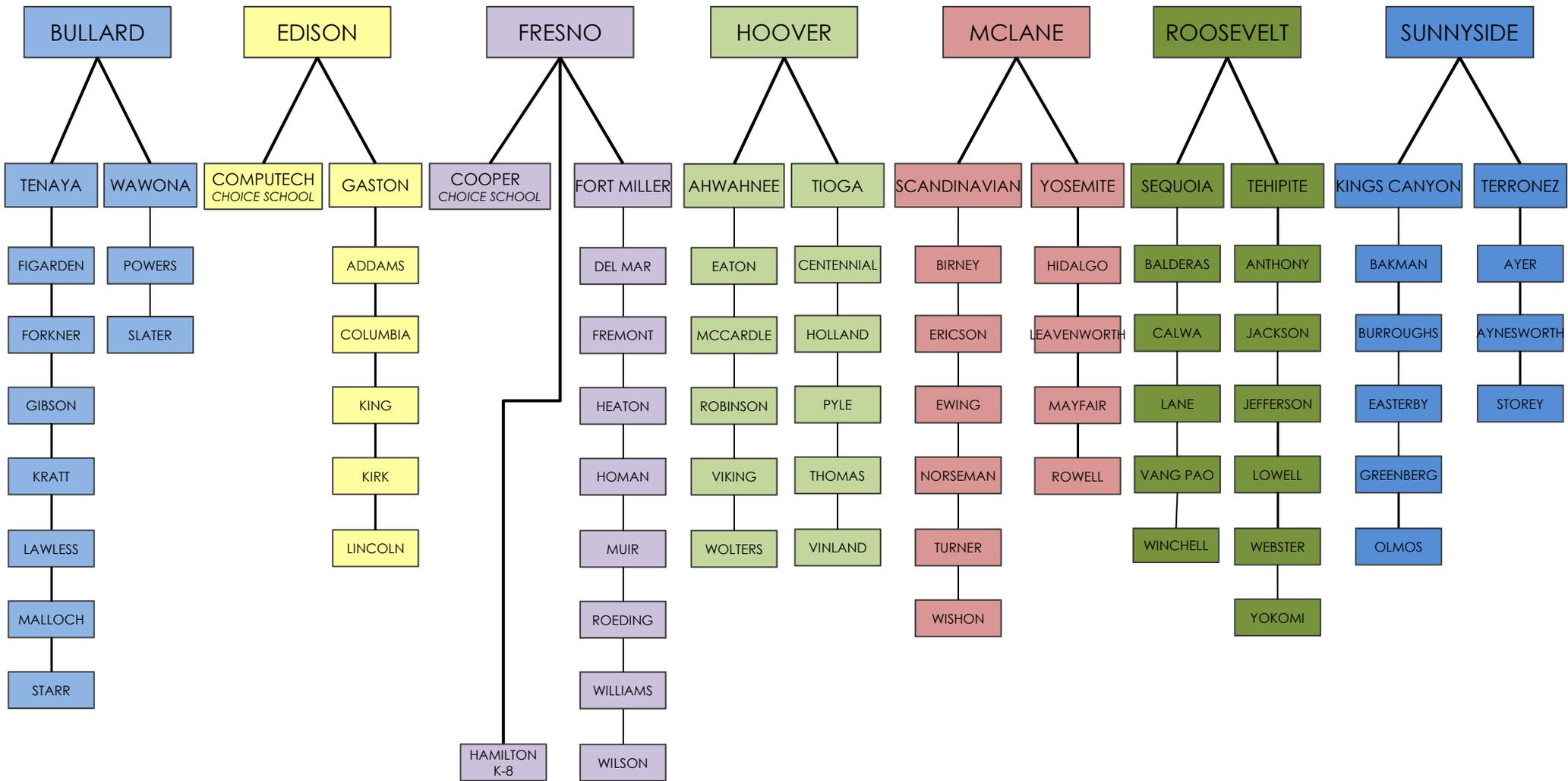
Should you have feedback or questions, please contact Amy Idsvoog at 457-3498.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 08/06/21

K-12 Student Progression for 2021-22



NON-BOUNDARIED SCHOOLS

NON-BOUNDARIED ELEM. SCHOOLS

- ADDICOTT SPECIAL ED K-8
- BULLARD TALENT MAGNET K-8
- J.E. YOUNG ELEM. K-6
- MANCHESTER G.A.T.E. 2-6
- PHOENIX ACADEMY 1-6
- SUNSET DUAL IMMERSION K-6
- WAWONA DUAL IMMERSION K-8

NON-BOUNDARIED MIDDLE SCHOOLS

- BAIRD MAGNET 5-8

NON-BOUNDARIED HIGH SCHOOLS

- CAMBRIDGE CONTINUATION
- DESIGN SCIENCE MIDDLE COLLEGE
- DEWOLF CONTINUATION
- DUNCAN POLYTECHNICAL
- eLEARN ACADEMY 7-12
- FULTON SPECIAL ED 7-12
- J.E. YOUNG ACADEMIC 7-12
- PATINO SCHOOL OF ENTREPRENEURSHIP
- PHOENIX SECONDARY 7-12
- RATA SPECIAL ED 9-12

FUSD Crisis Communication Response

1 DISCOVERY OF CRISIS

Imminent danger?

- Medical emergency
- Suspicious package
- Intruder with a weapon
- Social media/bomb threat
- Reports of a weapon on campus

1. Call and notify 911 or your SRO
2. Call PIO Vanessa Ramirez:
(C) 443-9644 (O) 457-3733

PIO will contact safety team, instructional superintendents, leadership team and any needed support teams. Regional board member notified.

All other situations

- Police/EMS activity
- Fire alarm
- Non-students or adults on campus who could create volatile situation
- Assistance with threat assessment
- Students who left campus who may hurt themselves or others
- Lockdown
- Campus climate — issues/concerns that may lead to heightened tensions
- 5150 involuntary psychiatric hold

Call PIO Vanessa Ramirez:
(C) 443-9644 (O) 457-3733

If you cannot reach PIO, please report incident to support staff in the following order:

1. Safety Manager:
Armand Chavez
(C) 289-4059 (O) 457-3981
2. Amy Idsvoog:
(C) 355-6410 (O) 457-3498
3. Your instructional superintendent

PIO to contact appropriate department supports

2 ASSESS CRISIS

School site leaders to assess situation

Depending on situation, the assessment team may include:

- Staff
- Safety manager
- Police/EMS
- Communications
- School support teams

3 ACT ON CRISIS

What actions need to be taken based on what you know now?

Depending on situation, part of the action may include:

- Work with Communications on messaging
- Secure additional departmental support
- Contacting board leadership

4 CLOSURE OF CRISIS

What needs to happen to close the circle?

Depending on situation part of the closure may include:

- Email to entire Board of Education
- Phone message to parents
- Emails to staff
- Letter home
- Follow up with support departments
- Team debrief

FUSD Communication- Crisis Support Once PIO is Notified

This checklist outlines basic support provided by the Communications Office. Additional supports may be provided based on the severity of the incident. The crisis response team notifies trustees in the event of imminent danger, an arrest or student/staff death following this process.

▼ CRISIS ▼

Imminent Danger <i>Weapon, social media, bomb or shooting threat</i>	✓	✓	1 ✓	2 ✓	3 ✓	✓	✓	✓	✓
Arrests <i>Staff members arrested for inappropriate behavior with a minor, domestic assaults, or disorderly conduct Students who committed crimes and are arrested on campus for posting threats, thefts, or assaults</i>	✓	✓	1 ✓	2 ✓	3 ✓				
Death <i>Of student or staff member by violence, suicide, automobile, train or long-term illness/health condition</i>	✓		1 ✓	2 ✓	3 ✓		✓	✓	✓
Lockdown <i>When there is police activity in the neighborhood near a school site (subpoena being served, police pursuits, standoffs, suspicious individuals)</i>	✓	✓							
Hospital/ Health <i>Student/staff taken to hospital for health issue (i.e. broken bone, asthma, illness, 5150)</i>	✓								
Student Fight <i>With injury</i>	✓	✓				✓	✓		
Staff Member Injured <i>Due to deescalating altercation</i>	✓	✓				✓	✓		
Fire Alarm	✓	✓							
ACTION ►	Notify Sup/ Instructional Sup/ Dept. Supporters	Script School Messenger	Region	Leadership	All	Create Talking Points for Fielding Parent Phone Calls	Generate Talking Points for Staff	Craft Talking Points for Communicating with Students	Create Letter for Home
			Contact Board Members						

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: August 06, 2021

Phone Number: 457-3134

Regarding: Update on School Facility Improvement Projects

The purpose of this communication is to provide the Board information regarding school facility improvements students and staff will experience when they return to campus for the start of school.

Major Projects Complete and Underway (by school)

- Addams – New classroom and administration buildings, playgrounds and parking lot Improvements; pending Board award 8/11/2021
- Bullard – New/relocated varsity softball field, baseball bleachers, and accessibility improvements; construction in progress
- Centennial – Multi-purpose room heating, ventilation, air conditioning; construction in progress
- Columbia – New classroom building, kindergarten play structure and new parking lot; construction in progress
- Dailey – Multi-purpose room heating, ventilation, air conditioning; construction in progress
- Duncan – New career technical education building for Medical Science and Pharmacy Technician programs; construction in progress
- Edison – New second gym and improvements to existing main gym, new student support space and snack bar; construction in progress
- Edison – Ball field reconstruction, bleachers, and accessibility improvements; construction in progress
- Ewing – New early learning building, play structures, and parking lot improvements; construction in progress
- Francine and Murray Farber Educational Campus, Office Buildings C and D – remodel and new parking lots; construction in progress
- Fresno High – New career technical education building for Video Production, Engineering, HVAC and Construction Trades; construction in progress with completion anticipated early fall
- Herrera – New dual immersion, science, technology, engineering, arts and mathematics elementary school and health clinic; construction in progress
- Hoover – Career technical education classroom modernization for Construction Trades; construction in progress
- Hoover - Event Center heating, ventilation, air conditioning, and roofing; construction in progress
- Jackson – Cafeteria reconstruction and site improvements; construction in progress; outdoor dining area and nutrition services serving facility provided
- McLane – New campus-wide fire alarm; completed
- Scandinavian – Multi-purpose room heating, ventilation, air conditioning; construction in progress
- Sunnyside – Varsity ball field bleachers and accessibility improvements; construction in progress
- Wishon – Multi-purpose room heating, ventilation, air conditioning; construction in progress

Other Facility Improvements/Replacement (by project type)

- Asphalt Parking and Playcourt Maintenance – In progress at 30 schools; scheduled for completion in early August
- Audio-Visual System Upgrades (Cafeterias) – Ahwahnee, Burroughs, Centennial, Heaton, Scandinavian and Sunset complete; Balderas, Greenburg, Lawless, Terronez and Williams in design
- Electrical Service Upgrade – Cooper in progress, scheduled for completion prior to start of school
- HVAC System Upgrades – Hoover multi-purpose room in progress; scheduled for completion early August
- Intrusion System Upgrades – Jackson is complete; Columbia, Computech, Lawless, and Slater are underway; ten additional sites in design
- Lighting Improvement Projects – nearing completion at various schools
- Marquees – Aynesworth, Ewing, Norseman, Roosevelt, and Scandinavian complete; Baird, Cooper, Hoover, Sunnyside, Tehipite, Terronez, and Winchell in various stages of design, approval and construction
- McLane Stadium – Installation of new scoreboard is complete
- Play Structures – Gibson, Thomas, Webster, and Winchell projects targeted for completion in early September; there have been delays in equipment delivery
- Public Address/Intercom System Upgrades – Computech, Cooper, Patiño, and Sequoia projects underway; 30 additional sites in design and development
- Security Cameras – Upgrades at Hamilton and Wawona in progress; scheduled for completion mid-August
- Single Point-of-Entry Projects – Tenaya project complete; Cooper, Holland, Scandinavian, and Tioga in design
- Track Renovation – Sunnyside track is underway and scheduled for completion in mid-August

Classroom Ventilation Improvements

- Plug-in air purifier units have been distributed to all schools for use in classrooms, common areas and support spaces
- Chiller water buffer tanks are being installed at 17 schools to increase the capacity of the water system, allowing fans to operate at higher speeds to increase air exchange and filtration
- Work has been completed and is underway at approximately 30 schools, as the existing equipment allows, to increase the level of air filtration to MERV-13 (minimum efficiency reporting value; delivery of filters has been challenging as they are in high demand)
- Contractors are evaluating HVAC systems across the district to assist in developing a scope and plan for upgrades to all systems to accommodate MERV-13 filtration; once this information is available a Board recommendation will be prepared; challenges are expected to include capacity of design firms, equipment manufacturing timelines, and availability of qualified contractors

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

Approved by Superintendent

Robert G. Nelson Ed.D.



Date: 08/06/21

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: Ambra O'Connor, Executive of Prevention & Intervention
Cabinet Approval: 

Date: August 06, 2021
Phone Number: 457-3340

Regarding: Firearm Inoperability

The purpose of this communication is to provide the Board requested information regarding the legal definition of an inoperable firearm.

In California, a firearm is defined in Penal Code §16520:

- a) As used in this part, "firearm" means a device, designed to be used as a weapon, from which is expelled through a barrel, a projectile by the force of an explosion or other form of combustion.
- a) (b) As used in the following provisions, "firearm" includes the frame or receiver of the weapon

While there is no statutory definition of an inoperable firearm, California case law indicates that a firearm can be deemed inoperable in a myriad of ways including a broken firing pin or disabled trigger mechanism.

The California Supreme Court has held that an inoperable firearm is one that is designed to be used as a weapon and presently incapable of being fired. Additionally, the Court has found criminal violation for persons in the commission or attempted commission of a felony when armed with an inoperable firearm if the weapon was designed to shoot and gave the reasonable appearance of shooting capability. (People v. Nelums (1982) 31 Cal.3d 356)

If you have any questions or require additional information, please contact Ambra O'Connor at 457-3340.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 08/06/21

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: Sandra Toscano, Assistant Superintendent
Cabinet Approval: 

Date: August 06, 2021

Phone Number: 457-3916

Regarding: District English Learners Advisory Committee Meeting Dates 2021/22

The purpose of this communication is to provide the Board with the 2021/22 District English Learners Advisory Committee meeting schedule. Meetings will be held virtually and in-person at various school sites dependent on California Department of Education guidelines and recommendations.

There are a total of four meetings scheduled from 5:00 p.m. to 7:30 p.m. on the following dates:

- Thursday, August 19, 2021 - Virtual
- Thursday, December 02, 2021 – Site to be determined
- Thursday, March 03, 2022 – Site to be determined
- Thursday, May 12, 2022 – Site to be determined

If you have any questions or require additional information, please contact Sandra Toscano at 457-3916.

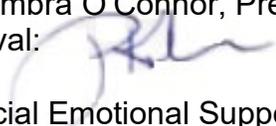
Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 08/06/21

Fresno Unified School District
Board Communication

BC Number SL-3

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Ambra O'Connor, Prevention & Intervention Executive
Cabinet Approval: 

Date: August 06, 2021

Phone Number: 457-3340

Regarding: Social Emotional Support Spaces

The purpose of this communication is to provide the Board an update regarding availability of social emotional support spaces at secondary school sites (i.e., Bear Cave, Care & Connect rooms). Such rooms provide a space on campus where students can spend time if they need time for reflection, reengagement, or social emotional support.

The Department of Prevention & Intervention began an assessment of all secondary sites in late June, meeting with principals to assess current reality and potential needs. Initial areas of identified need include flexible soft seating and other items to enhance the functionality of the rooms. Additionally, some sites will require physical modifications to create additional usable space for this purpose.

The Board will receive additional information at the conclusion of the assessment, which is anticipated to be complete within two weeks.

If you have any questions or require additional information, please contact Ambra O'Connor at 457-3340.

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



Date: 08/06/21

Fresno Unified School District
Board Communication

BC Number SL-4

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

Date: August 06, 2021

Phone Number: 457-3554

Regarding:  Independent Study

The purpose of this communication is to provide the Board information regarding the updated Board Policy (BP) on Independent Study BP 6158.

In the Board binders for the August 11, 2021 Board meeting you will find a copy of Board Policy 6158. This Board Policy is required by Assembly Bill 130 (AB 130), which was signed into office by Governor Newsom on July 9, 2021 and was published on July 12, 2021. AB 130 states that this Board Policy is required to be in place in school districts before the start of the 2021/22 academic school year. Fresno Unified is prepared to meet all elements required by AB 130.

Students who choose the online option for the 2021/22 school year will be able to enroll at eLearn Academy. Students who choose this option will be able to attend school virtually. Students have the option to enroll at eLearn Academy now or any time during the school year and can return to their school of residence at any time during the year as per AB 130.

Families can sign up for eLearn Academy by clicking on the eLearn link found on the main Fresno Unified website, their home school's website, and the eLearn website. This enrollment information is accessible in multiple languages. In addition, parents can call the Educational Resource Center (ERC), or have a site administrator at their home school put in a referral to the ERC.

If you have any questions or require additional information, please contact Carlos Castillo at 457-3554.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 08/06/21