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BOARD COMMUNICATIONS – March 11, 2022

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

SUPERINTENDENT – Robert G. Nelson, Ed.D.

S-1 Robert G. Nelson, Ed.D. Superintendent Calendar Highlights

BUSINESS AND FINANCIAL SERVICES – Santino Danisi, Chief Officer

BFS-1 Kim Kelstrom	School Services Weekly Update Report
BFS-2 Kim Kelstrom	March Legislative Committee Meeting
BFS-3 Kim Kelstrom	Medi-Cal Administrative Activity Program
BFS-4 Tammy Townsend	Local Control and Accountability Plan
	Educational Partner Engagement Input

COMMUNICATIONS – Nikki Henry, Chief Officer

C-1 Maiyer Vang Southeast Asian Family Education Conference,
Family Leadership Retreat, Fatherhood
Program, and Residents' Academy

OPERATIONAL SERVICES – Karin Temple, Chief Officer

OS-1 Karin Temple Piggyback Contracts Lead Agency Information

Fresno Unified School District
Board Communication

BC Number S-1

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

Date: March 11, 2022
Phone Number: 457-3884

Regarding: Superintendent Calendar Highlights

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

- Site visits at Addams, Sunset, Yokomi and Yosemite
- Attended CART Foundation Board Nominating Subcommittee Meeting
- Met with Executive Cabinet
- Attended CART Board Meeting
- Participated in weekly call with Fresno County Superintendents
- Participated in the Californians for Civil Learning Meeting
- Attended the CTE Virtual Advisory Meeting

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 03/11/22

Fresno Unified School District
Board Communication

BC Number BFS-1

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

Date: March 11, 2022
Phone Number: 457-3907

Regarding: School Services Weekly Update Report for March 04, 2022

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

The SSC Weekly Update for March 04, 2022 is attached and includes the following articles:

- Geography, Politics Key Factors in Whether California Districts Will Still Require Masking – March 03, 2022
- California Legislators Propose New Slate of COVID-19 Vaccine Laws – March 02, 2022
- Biden Sounds Alarm on Youth Mental Health, Urges Americans to Aid Schools' COVID Recovery – March 01, 2022

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

Approved by Superintendent
Robert G. Nelson Ed.D. 

Date: 03/11/22



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DATE: March 4, 2022

TO: Robert G. Nelson
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

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

Statewide School Masking Mandate to End March 11

On Monday, Health and Human Services Secretary Dr. Mark Ghaly announced that the state will lift its indoor mask mandate for schools and childcare, effective Saturday, March 12, 2022. This means that beginning Monday, March 14, schools can conduct class without students and staff needing to wear masks. However, an important caveat to remember is that local jurisdictions, including local educational agencies (LEAs) can still implement additional requirements beyond the state guidance, including requiring indoor masking for schools and public accommodations. This means it will be important to check that your county or city does not plan on requiring stricter indoor mask protocols for schools after March 11.

Dr. Ghaly also announced that the state has lifted its indoor public mask mandate for unvaccinated individuals, which became effective on Tuesday. The state, however, is maintaining its mask mandate for high transmission settings like public transit, emergency shelters, health care settings, correctional facilities, homeless shelters, and long-term care facilities and has not set a date for when those mandates may be lifted.

It is important to note that while the state no longer requires public indoor masking and will no longer require indoor masking for schools after March 11, they are still “strongly recommending” masking.

Senate Budget Education Subcommittee Hosts Final Hearing Before May Revise

On Tuesday morning, the Senate Budget Subcommittee on Education, which is tasked with vetting Governor Gavin Newsom’s education proposals in the State Budget, held its final hearing before the May Revision. This hearing focused on the Governor’s workforce proposals, including the \$1.5 billion to establish the Golden State Pathways Program and the \$500 million to expand dual enrollment and provide college credit opportunities to high school students.

The \$1.5 billion (one-time, Proposition 98) investment would establish a competitive grant program whereby grantees would have to establish pathways

in education, computer science, health care, or science, technology, engineering, and mathematics (STEM) pathways that also focus on climate resilience. While the subcommittee members expressed their support for career technical education (CTE), they questioned why another program was warranted considering the state already funds two ongoing CTE programs: the \$300 million CTE Incentive Grant (CTEIG) and the \$150 million K12 Strong Workforce Program (K12 SWP). The Department of Finance (DOF) representative Chris Ferguson said that this funding is intended to be used for career academy partnerships and for program areas that lead to college education that aren't typically captured by traditional CTE programs. He said he doesn't think the current CTE programs are necessarily focused on the career pathway areas highlighted in this proposal.

Senator Ochoa Bogh (R-Yucaipa) said she respectfully disagreed with the DOF's assessment of the current CTE programs and said that the CTE programs in her district are specifically addressing or inquiring about the current need for workforce development. She said that the programs are working in collaboration with local industries to find out what is exactly needed in the region to train that specific workforce.

Senator Laird (D-Santa Cruz) wanted to know why this one-time program is being funded over five years rather than just the amount that is necessary for the program in the Budget year, so that the state can use \$1 billion or so for things like pension relief and facility needs. The DOF said that pension relief and facilities have been traditionally funded outside of the Proposition 98 guarantee and the Golden State Pathways program is proposed to be funded using Proposition 98 dollars. Senator Laird responded that while he understands this, he would still prefer to see one-time investments in the State Budget utilized in one year, rather than over multiple years, and perhaps the additional funds would be better spent on other investments.

The discussion shows that the subcommittee is unsure whether the state should be investing such significant one-time resources (\$2 billion in total for Golden State Pathways program and dual enrollment) when there are other areas of needs for LEAs. This signals that if the Administration does not make changes to these proposals in their May Revision, that the subcommittee may take action to reduce the amount of funding for these proposals and redirect funding to other priorities.

The Senate Subcommittee on Education will not meet again before the May Revision, which means that it will be more than two months until this subcommittee will reconvene again.

Leilani Aguinaldo

Note: Despite the state lifting its indoor mask mandate for schools after March 11, a number of school districts have announced that they will continue to require masks in the classroom for the foreseeable future.

Geography, Politics Key Factors in Whether California Districts Will Still Require Masking

By Diana Lambert
EdSource
March 3, 2022

California returned the contentious issue of masking to school district officials to decide when Gov. Gavin Newsom announced Monday that the school mask mandate would end March 12. Now, district officials are trying to decide what is best for students and how to adapt when families are so sharply divided over Covid protocols.

The state also has given school staff the option to go without a mask if their county public health office and school district approve.

Some districts already have made decisions about masking, sending letters to parents outlining their plans. Most stress that masks are still mandatory through March 11 and that the district will follow the state's recommendation and "strongly recommend" them after that date, although they will not require them.

Other messages are more vague, leaving parents scratching their heads, unsure whether "strongly recommended" means the masks are still required or that they are optional.

In California, decisions about masking are sometimes more about geography and politics than infection rates. In more liberal areas, often with lower Covid rates, mask mandates are more likely to remain than in conservative areas with much higher infection rates.

Los Angeles Unified, San Francisco Unified, South San Francisco Unified and San Diego Unified are among the districts that have announced they will keep indoor mask policies for the time being. The San Francisco school districts have decided to continue mask mandates despite high vaccination rates and low infection rates in the city, while San Diego has high Covid-19 infection rates.

"Health officials have stated that masking is one of the least burdensome policies on schools and is effective at curbing transmission," San Francisco Unified officials said in a statement. "It helps prevent infections among students and staff and their families, and reduces missed school days."

Los Angeles Unified Superintendent Alberto Carvalho said the district could relax some Covid protocols closer to summer. In a Tweet Monday, Carvalho said the district will continue to consult with its medical director and health partners to establish an updated mask policy.

"We respect the voices of all stakeholders, and as such, we will remain engaged with our labor partners, employees and families as we maintain and seek practices that are protective, responsive and in the best interest of school communities," he said.

Carmel Levitan, who is a parent to a first- and a fifth-grade student at Eagle Rock Elementary School and Magnet in Los Angeles Unified, thinks things are moving too fast. She would like to wait until all age groups can be vaccinated and there are higher vaccination rates.

"I mean two months ago we were upgrading our masks to the best ones we could get," she said. "And so it seems very quick that they're suddenly optional."

Levitana is considering sending her children to virtual school.

The district's teachers union, United Teachers Los Angeles, also would like the district to keep the mandate. In a statement to KTLA and other media on Monday, UTLA President Cecily Myart-Cruz said that though Covid-19 cases have been declining, there are still many unvaccinated children in schools and early education programs, so discussing dropping the mandate would be "premature."

The district's contract with the union calls for masking through the remainder of the school year, so an end to the mandate would need to be negotiated with the union.

In the Central Valley, where masking or not masking has become a political statement, the announcement was celebrated by many.

"The Lodi USD Board of Education thanks our community for their cooperation and patience through all of the challenges brought on by the health pandemic and they look forward to the end of the mask mandate in schools," said a statement from Lodi Unified Superintendent Cathy Nichols-Washer. "We will continue to provide masks after March 11 for those who want them as long as supplies last. We greatly appreciate your continued cooperation."

Bakersfield City School District announced Tuesday that masks would no longer be required beginning March 14. That makes Camila Chavez, a parent and executive director of the Dolores Huerta Foundation, nervous. Chavez, who has two elementary school age children in the district, notes that it is young children who are least likely to be vaccinated in Kern County.

Chavez said she's "fearful" of school districts rolling back mask requirements because it has been Latino communities who have been hardest hit by the effects of the Covid-19 pandemic. The Dolores Huerta Foundation has promoted vaccination, hosted vaccine clinics and distributed masks throughout the Central Valley.

Sacramento City Unified officials have not yet decided whether to end mask mandates. Parent Rashida Dunn-Nasr does not want that to happen. Three of her four children have contracted Covid-19 at district schools, she said.

Her children will continue to wear masks in school, whatever the district's decision, she said.

"I'm concerned, and I think they should have masks," she said. "If they are going to press the matter of forcing them to go to school at least have the added protection of the mask."

Some district officials are concerned that the change in masking rules could cause conflict among students, who — like their parents — have widely divergent opinions about the Covid-19 virus and the safety measures that have been put in place to curtail its spread. For some, the pandemic has become political and masking is a symbol of a political position.

In a letter to parents Feb. 28, Katie Perata, executive director of Catholic Schools Diocese of Sacramento, said the mask mandate would immediately end for students at its 40 schools if their counties rated low or medium on the new U.S. Centers for Disease Control and Prevention rating system. The letter encouraged families to talk to their children about respecting other students' right to wear a mask.

"Whether or not a student wears a mask is a family decision and, in the classroom, we want to ensure no child is made to feel uncomfortable due to that choice," said Perata. "This preparation is essential for inclusive and respectful environments as we move forward."

San Juan Unified, which has had an uptick in mask protests by students since March 1 when the state removed most other indoor mask mandates, will also make masking optional March 12. Recently, district officials have started to hear from parents concerned about the prospect of removing the mask requirements. Some have a family member at home with underlying conditions or who hasn't been vaccinated, said Raj Rai, district spokeswoman.

"San Juan Unified recognizes that there are a variety of very strong feelings regarding mask coverings," said a statement on the district's website. "For some individuals, relaxing these requirements will cause anxiety and stress while others will advocate for a more rapid move to only recommending a mask. Throughout the pandemic, San Juan Unified has followed the guidance and advice of our public health and epidemiology experts and that is what we continue to do as we implement this change."

Alameda Unified is waiting for guidance from the Alameda County Public Health Department before it makes a decision, said Susan Davis, spokeswoman for the district. District officials also will confer with the school board and labor unions, she said.

Assia Day, who teaches at Maya Lin School in the district, is afraid some students will remove their mask on March 12, whatever the district's decision.

"Students in my third-grade class have told me that their parents do not want them to be around other kids who have not been vaccinated," Day said. "And, I'm afraid the same will happen when the required mask mandate ends."

Whittier Union High School District school psychologist Stephanie Murray said school staff should talk to students about being respectful and should be vigilant to prevent bullying. Whittier Union High School District, in Los Angeles County, has yet to decide whether to make masking optional.

"I know a lot of students may choose to continue to wear masks, and I think part of the conversation will be that we don't know what is going on in the life of a child sitting in the classroom, and their peers need to recognize that everyone has a different comfort level, and may have loved ones who are immunocompromised, and we know they may have their own anxiety about wearing or not wearing a mask for many other reasons," Murray said. "I think the vast majority of students will be respectful."

Brett McFadden, superintendent of Nevada Joint Union High School District, in rural Nevada County, has witnessed many contentious school board meetings and protests over masking. He and other administrators have been meeting with union leadership to try to rebuild trust after the school board voted to rescind the mask mandate, in advance of the state decision, without renegotiating an agreement with staff unions that included masks among the required safety protocols.

McFadden Is hopeful that with masking no longer an issue, the district will be able to return to normal operations, without the loud combative school board meetings and other disruptions.

But California Health and Human Services Secretary Dr. Mark Ghaly has said Covid mitigation measures, like masking, could come back if the virus surges across the state again.

“People aren’t going back,” McFadden said. “Maybe that happens in Los Angeles, maybe in San Francisco but not in Modoc County, Riverside County, Nevada County. There is no going back.”

EdSource reporters Carolyn Jones, Kate Sequeira, Emma Gallegos and Ali Tadayon contributed to this report.

Note: The Legislature has introduced eight bills related to COVID-19, including a measure that would mandate the vaccine for school attendance and another that would require employers to ensure employees and independent contractors are vaccinated.

California Legislators Propose New Slate of COVID-19 Vaccine Laws

By Elizabeth Aguilera

CalMatters

March 2, 2022

Gov. Gavin Newsom is easing mask restrictions and declaring that the pandemic is moving into a less critical phase. Yet an aggressive slate of COVID-19-related bills — to mandate vaccines for children and workers, to allow 12 to 17 year-olds to get the vaccine without parental consent and more — remain in play under the Capitol dome.

The vaccine working group of Democratic legislators behind the proposals say their aim is to increase vaccination rates across all age groups, improve the state vaccine registration database and crack down on misinformation about the virus and the vaccine.

Taken together, the adoption of these bills would make California an outlier among states — and give it the country’s strictest COVID-19 regulations. Other states are considering various mandates and legislation related to COVID-19, but none appear to have the coordination of this effort, steered by some of the most powerful legislators in Sacramento.

“These bills all attempt to bring cohesion, consistency and clarity to our overall approach and response to the pandemic,” said Democratic Sen. Josh Newman of Fullerton, a member of the group.

The bills:

- SB 871 would require all children 0 to 17 to get the COVID-19 vaccine to attend child care or school;
- SB 866 would allow kids 12 to 17 to get the COVID-19 vaccine without parental consent;
- SB 1479 would require schools to continue testing and to create testing plans;

- SB 1018 would require online platforms to be more transparent about how information is pushed out to consumers;
- SB 1464 would force law enforcement officials to enforce public health orders;
- AB 1993 would require all employees, including independent contractors, to show proof of COVID-19 vaccine to work in California;
- AB 1797 would make changes to the California Immunization Record Database;
- AB 2098 would reclassify the sharing of COVID-19 “misinformation” by doctors and surgeons as unprofessional conduct that would result in disciplinary action.

Critics said the bills infringe on the health privacy of children, interfere with how doctors work, impose a burden on businesses and workers, and rely on vaccines that do not in many cases prevent the transmission of COVID-19.

“With these types of regulations, it doesn’t matter who you are: If you work or have children in California, you will be affected by these mandates,” said Christina Hildebrand, head of A Voice for Choice, a group focused on informed consent that has fought to keep personal belief exemptions for required vaccines since 2015. “This is going on while the rest of the world is getting rid of mandates and COVID requirements. and the governor is talking about his smarter plan and that we are moving into the endemic phase.”

Ten days ago Newsom said the state was turning a page and would begin treating COVID-19 as endemic, meaning treating the disease more like a flu. Monday, Newsom said March 11 was the last day schools would be under a state mask mandate, although masking would still be required for public transit and in health care settings.

Also on Monday, Mark Ghaly, the state’s top public health official, said that while the state is moving away from masking, there could be new variants and surges of COVID-19. He referred to Newsom’s “SMARTER” plan’s advocacy of vaccines, which he said “have been a big part of the success in California.”

The legislators behind these bills seem to be pulling out ahead of Newsom on COVID-19 issues. Newsom’s administration did not comment on the pending legislation. The governor is focused on opening up the state and is keenly aware Californians are experiencing pandemic fatigue.

GOP political consultant Mike Madrid said that while it might look like the legislators and Newsom are at odds, it’s actually two sides looking toward the same goal: an answer to the crisis.

“They are legitimately trying to find a solution to the situation,” he said about the legislators. “Are they getting ahead of the governor? Yes. Are they going in a different direction? Yes. Are they trying to find a solution? Yes.”

This is part of the political process, Madrid said. Early on in the pandemic, the Legislature deferred to Newsom to set the agenda because there was little information available. Now armed with two years of data and a vaccine, the Legislature is operating with more agency.

It’s typical for the legislature to respond to current events with immediate legislation and it’s their job to push the issues, said Kristina Bas Hamilton, a political consultant at KBH Advocacy.

"The Legislature is an equal branch of government putting forth their priorities and assuming they get the votes to pass they are saying 'governor, we want you to go farther' and then that's when discussions begin," said Kristina Bas Hamilton, a political consultant at KBH Advocacy. "It's the dance of state government."

The ambitious vaccine legislation far outpaces what other states are doing.

For instance, New Hampshire is considering a bill that would mandate a federal Food and Drug Administration-approved vaccine for school children and New York is considering requiring the COVID-19 vaccine for school attendance. Other states are contemplating legislation on the opposite end of the spectrum: In Alabama, legislators are reviewing a bill that would allow employers to be sued for injury or death from the vaccine if it is mandated for workers, according to the National Conference of State Legislatures.

It's no surprise California's Democratic-supermajority Legislature would be considering a stricter slate of COVID bills.

"We take California's role in the nation very seriously," said Bas Hamilton. "It's a state in which certain policies are able to go further than in other places. The size of the state in and of itself creates an enormous push against the rest of the country to follow."

Sen. Richard Pan, a Sacramento Democrat and chair of the Senate Health Committee, is carrying several of the bills. Pan, a pediatrician, has been in the spotlight before for ushering controversial vaccine-related bills through the Legislature, having previously eliminated personal belief exemptions for children in public schools. He also tightened the rules for physicians issuing vaccine medical exemptions.

"The virus is not going away," said Pan. "And so, it's not just about temporary measures but we need ongoing measures to keep this virus under control."

The legislative working group is made up of Democratic Sens. Pan, Newman and Scott Wiener of San Francisco, and Democratic Assemblymembers Akilah Weber of San Diego, Buffy Wicks of Oakland, Cecilia Aguiar-Curry of Winters and Evan Low, of Cupertino. All of the bills are being sponsored by ProtectUS, a pro-vaccine group created by Crystal Strait, a former member of Pan's staff.

The most contentious vaccine bills

The proposals expected to receive the most heated debate are the two that would mandate vaccines in schools and for businesses, according to supporters and critics of the bills.

"Each of these bills removes the civil rights of some group," said Greg Glaser, general counsel for Physicians for Informed Consent, a doctor group based in Newport Beach that opposes all vaccine mandates. "California has really alienated families and this is going to take more people out of the state."

In previous years, vaccine-related bills have been so hotly contested that police had to remove protestors from the capitol and Pan faced death threats.

"This is a virus that our kids are very resilient to," said McKeeman, of Let Them Breathe, the San Diego-based parent coalition that opposes masks and vaccine mandates. The group successfully sued to overturn the San Diego Unified School District's vaccine mandate. "This isn't even a discussion we should be having. With no long-term studies and with no FDA approval for most ages (of kids) this bill should not have been introduced."

COVID-19 is mild for children in most cases and vaccinated children still get the virus but Pan points to cases in which children get very sick, are hospitalized or even die from the diseases as a reason for the mandate. So far in California, 55 children have died from COVID-19, according to [state data](#).

“It’s not okay for children to get disabled and die while we are waiting for the final schedule,” Pan said. “Just because we don’t know everything doesn’t mean we don’t try to stop it.”

Hildebrand, of A Voice for Choice, points to the pandemic’s quick evolution with various surges and ever-changing treatments for the disease as reasons to hold off on such a mandate.

“It’s premature and arbitrary,” Hildebrand said. “Adding the vaccine for kids, daycare through 12th grade, is too broad. The vaccine isn’t effective with transmission and there need to be more clinical trials and long-term studies. It should be left up to the parents and their doctors.”

[Data](#) reviewed by researchers and the State of New York, released this week, showed that the Pfizer vaccine for 5 to 11-year-olds is significantly less effective in preventing the disease among kids than in adolescents. But it does protect from severe illness. Meanwhile, the FDA recently put off approving the vaccine for infants and toddlers under 5 until there is more data about how a three-dose regimen affects them.

“The virus is not going away. So, it’s not just about temporary measures, but we need ongoing measures to keep this virus under control.”

The vaccine mandate for workers faces strong opposition from business groups including the California chapter of the National Federation of Independent Businesses. Nationally, the organization successfully challenged the federal workplace mandate that was jettisoned by the Supreme Court.

The chapter’s state director John Kabateck called the bill an “absurdly unnecessary policy” especially at a time when the governor recently said he is ready to start easing restrictions and recognizing the pandemic is becoming endemic.

“Why in the world would we want to advance this kind of policy that further burdens not just small business owners but all Californians and communities?” he said. “This policy is over-reactive and over burdensome for already stretched small business owners trying to keep their doors open and their people employed.”

Wicks said vaccinating all workers in the state helps raise the overall vaccination rate and cited companies such as United Airlines that have implemented their own vaccine requirements with success.

Other bills

Wiener’s bill to allow 12 to 17 year-olds to get the COVID-19 vaccine without parental consent is also garnering a lot of push back.

“A 12-year-old can get an abortion, the HPV vaccine, the Hep B vaccine, mental health services and domestic abuse services,” he said. “We trust them to do that on their own and we should trust them (with the COVID-19 vaccine) as well.”

Critics counter that this kind of bill interferes with parental oversight.

"There are a lot of decisions we guide kids through as they are maturing, especially during this time when we have seen a lot of pressure to get vaccinated," McKeeman said. "That's why they can't drive or drink alcohol or join the military until they get to a certain age. Because there is a level of maturity that goes along with decisions that are unalterable."

The proposed changes to the state's immunization registry raise questions for critics about the health privacy of children.

"I don't understand why schools are being given access to all of this data that doesn't apply to them and it's not their role to have," Hildebrand said. "It's concerning that all of this data gets to be made public."

Weber, who proposed the bill, said it would make it easier for schools to check vaccination and let them see what other vaccines their students have in case they choose to require more than the state already does. Adding race and ethnicity to the database, she said, would allow officials to target public health marketing efforts based on the data.

So far, no opposition has emerged to the bills to combat social media misinformation or require law enforcement to uphold public health orders.

Note: During his first State of the Union address, President Joe Biden pledged to push for \$1 billion in new federal funding to help schools hire mental health and student support professionals, building on the programs they have launched using COVID-19 recovery aid.

Biden Sounds Alarm on Youth Mental Health, Urges Americans to Aid Schools' COVID Recovery

By Evie Blad
Education Week
March 1, 2022

The nation must make new commitments to respond to an unprecedented mental health crisis that has had particularly harsh effects on children and teens, who have faced rising rates of depression and anxiety amid pandemic isolation, President Joe Biden said Tuesday.

Biden's first State of the Union Address came alongside a pledge to push for \$1 billion in new federal funding to help schools hire mental health and student support professionals, building on the programs they have launched using COVID-19 recovery aid.

Citing concerns about youth isolation and declines in academic progress, he challenged Americans to aid schools in their pandemic recovery as volunteer tutors and mentors or by considering careers in education.

"Let's take on mental health," Biden said. "Especially among our children, whose lives and education have been turned upside down."

Educators expressed concern about students' mental health—and schools' ability to address it—in the years leading up to the pandemic. But the isolation and uncertainty of remote learning, parental job loss, family health concerns, and national divisions have exacerbated the problem.

That led the U.S Surgeon General Vivek Murthy to issue an advisory on youth mental health in December, calling the situation a “crisis.”

Biden’s speech and accompanying White House proposals outlined a set of actions, including several that involve schools:

- He called on the U.S. Department of Health and Human Services to make it easier for schools to seek Medicaid reimbursement for mental health services. This has been a priority of groups like AASA, the School Superintendents Association.
- The White House said the U.S. Department of Education will continue to support states and schools in using an unprecedented surge of pandemic aid provided through the American Rescue Plan to address students’ mental health needs.
- The White House plan said Biden will “work with Congress” to ensure health insurance plans cover the cost of virtual access to mental health services, an approach which is increasingly used in schools. And he pledged to create a working group to explore state-level barriers to telehealth coverage.
- A White House outline said Biden’s next budget will propose “dramatically expanding funding” for full-service community schools, about \$400 million above its current \$30 million funding level. Democratic lawmakers have made similar proposals since Biden took office. Community schools coordinate “wraparound supports,” like access to food pantries, family services, and mental health support.
- Biden called on Congress to rein in social media platforms, including efforts to ban “excessive data collection” and advertising targeted at child users, to place limits on the algorithms that determine what content is prioritized in their feeds, and to provide new funding for research on the effects of social media on children.

Asking Americans to lend a hand

Supporting students’ learning is a key part of supporting their well-being, Biden said.

In a fact sheet released in advance of the speech, the Biden administration said it would continue to encourage schools to spend relief funds to support “more individual and small group instruction, hire instructional and other critical staff, launch high-impact tutoring programs, provide high-quality after-school and summer learning and enrichment programs, and invest in other evidence-based strategies.”

But schools have already reported challenges with such efforts. Staffing is strained by a lack of substitute teachers and teacher quarantines, and groups like after-school providers have reported a shortage of volunteers.

“The American Rescue Plan gave schools money to hire teachers and help students make up for lost learning,” Biden said. “I urge every parent to make sure your school does just that. And we can all play a part—sign up to be a tutor or a mentor.”

What else Biden said about education in the State of the Union

What Biden said about infrastructure: ”We’ll build a national network of 500,000 electric vehicle charging stations, begin to replace poisonous lead pipes—so every child—and every American—has clean water to

drink at home and at school, provide affordable high-speed internet for every American—urban, suburban, rural, and tribal communities.”

Why it matters to schools: A bipartisan infrastructure bill passed by Congress last year provides \$15 billion to replace major lead pipe lines. That bill, and the American Rescue Plan, also provided funding to expand broadband access, to help low-income families cover internet costs, and to close the “homework gap” for children without home internet access.

What Biden said about pre-K: ”My plan doesn’t stop there. It also includes home and long-term care. More affordable housing. And pre-K for every 3- and 4-year-old.”

Why it matters to schools: Biden has called on Congress to extend the expanded child tax credit, which expired in December and was used by some families to cover child care costs. Biden also unsuccessfully pushed for free universal prekindergarten through his Build Back Better plan, which failed to win adequate support in the Senate.

What Biden said about college costs: ”Let’s increase Pell Grants and increase our historic support of [historically Black colleges and universities], and invest in what Jill—our First Lady who teaches full-time—calls America’s best-kept secret: community colleges.”

Why it matters to schools: The Build Back Better plan would have also covered two years free college for all Americans, but some members of Congress have been skeptical about a plan that is not more narrowly targeted at low-income students. Biden may include some of his Build Back Better priorities in a separate legislative push.

What Biden said about COVID-19: ”Our schools are open. Let’s keep it that way. Our kids need to be in school. And with 75 percent of adult Americans fully vaccinated and hospitalizations down by 77 percent, most Americans can remove their masks, return to work, stay in the classroom, and move forward safely.”

Why it matters to schools: Federal health officials gave schools in most of the country the green light to lift mask requirements in new guidance Friday. And the administration has said American Rescue Plan aid should give schools and public health officials the tools they need to address any future variants of COVID-19.

What Biden said about transgender rights: ”As I said last year, especially to our younger transgender Americans, I will always have your back as your president, so you can be yourself and reach your God-given potential.”

Why it matters to schools: Biden’s Education Department has insisted that transgender students are protected under Title IX, even as states like Florida debate laws that would limit how topics like sexual orientation and gender identity can be discussed in schools and as Texas Gov. Greg Abbott directed his state to investigate gender-affirming healthcare as child abuse. Biden has also called on Congress to pass the Equality Act, which would include gender identity and sexual orientation alongside protected classes like race in the nation’s civil rights laws.

Fresno Unified School District
Board Communication

BC Number BFS-2

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

Date: March 11, 2022

Phone Number: 457-3907

Regarding: March Legislative Committee Meeting

The purpose of this communication is to provide the Board information shared at the March 04, 2022 Legislative Committee Meeting.

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

State revenues continue to exceed projections. Since the Governor's January Proposal, state revenues are projecting \$16 billion more, of which Proposition 98's share would be approximately \$6.4 billion.

An Arts Initiative will be on the November 2022 ballot which will support arts and music and will take effect in 2023/24.

Legislative Update – Ms. Aguinaldo provided a legislative update. The following bills were discussed:

- AB 1785 (Davies) – Establishes the California Parents' Bill of Rights including the right to access and review all school attendance and academic records
- AB 1797 (Weber, Akilah) – Updates the California Immunization Registry to improve access to implement school-based vaccine requirements
- AB 1868 (Rivas, Luz) – Sets goals and delineates investments in the Local Control and Accountability Plans where at least 25% of the elementary or secondary population are English learners at risk of becoming long term English learners
- AB 1948 (Ting) – Changes the definition of unduplicated pupils for the Local Control Funding Formula, adds homeless students, counts homeless students or foster youth, or both, or who are English learners or low-income pupils, or both, to be counted twice
- SB 866 (Wiener) – Permits minors 12 and older to get vaccinated without parental consent for any vaccine approved by the U.S. Food and Drug Administration
- SB 878 (Skinner) – Requires districts to provide free transportation to all students to and from their neighborhood school. Transportation would be required for students in TK – grade 6 who live more than half a mile and grade 7 – 12 who live more than a mile from their neighborhood school

The School Services Legislative Committee March 2022 report is attached. The next Legislative Committee meeting is scheduled for April 08, 2022.

If you have any questions or require further information, please contact either Kim Kelstrom at 457-3907 or Santino Danisi at 457-6226.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 03/11/22

Fresno Unified School District

**LEGISLATIVE COMMITTEE MEETING
MARCH 4, 2022**

2022–2023 Legislative Session

Prepared By:

**Leilani Aguinaldo
Director, Governmental Relations**

SCHOOL SERVICES OF CALIFORNIA INC.



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Legislative and Economic Update

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State Revenues Look Promising

By Patti F. Herrera, EdD

February 22, 2022

In its February *Finance Bulletin*, the Department of Finance (DOF) issued a promising state revenue outlook but cautions against too much optimism before May when we will have a more accurate account of tax collection revenues.

The cautionary tone is due primarily to corporation tax revenues that can and likely will be offset by personal income tax credits, which will moderate net state revenues. The other reason for caution is the broader impact of historic inflation on the U.S. and California economies. On this latter issue, U.S. inflation grew to 7.5% in January 2022 after Governor Gavin Newsom issued his 2022-23 State Budget proposal. Many anticipated higher inflation, which had already reached 7% in December 2021; however, the DOF reports that the latest inflation figure represents the fastest increase since February 1982. According to the DOF, U.S. inflation almost quadrupled from 1.2% in 2020 to 4.7% in 2021 with many factors contributing to it, including increased transportation and housing costs.

Relative to employment, national trends continue to be better than the state with nearly every industry sector having recovered from job losses at the start of the COVID-19 pandemic and four sectors exceeding pre-pandemic employment levels. California, by contrast, has recovered just 71.7% of the nonfarm jobs lost in March and April 2020 with only two sectors (professional and business services) fully recovering to their pre-pandemic February 2020 levels.

To the issue that we track most carefully through the monthly bulletins, 2021-22 year-to-date state revenues are outpacing estimates assumed in the 2022-23 Governor's Budget forecast by \$15.95 billion. Again, the DOF cautions that current estimates could be moderated later by less personal income tax revenues, which we will not know until more complete tax return data are available, or after April 15. This is because of the nearly \$16 billion in unanticipated revenues, \$6.2 billion is due to higher revenues from a corporation tax component that allows some taxpayers to reduce their federal tax liability. Every dollar received by this corporation tax component generates an equal dollar of personal income tax credit. Thus, when California residents file their 2021 tax returns, we will have a much clearer picture of how impactful this tax policy has on personal income tax revenues. However, as it stands, state revenues from the big three revenue sources are provided in the table below.

“Big Three” Taxes			
Year-to-Date (in millions)			
	Projection	Actual	Change
Personal Income Tax	\$76,711	\$85,886	\$9,175 (12.0%)
Sales and Use Tax	\$17,919	\$17,696	-\$223 (-1.2%)
Corporation Tax	\$10,003	\$17,998	\$7,995 (79.9%)

Notwithstanding the DOF’s caution, state revenues will be higher than the Governor’s January estimates when he issues his revised State Budget in May. It’s just a question of by how much. Since Test 1 is the operative test for the Proposition 98 minimum guarantee for 2021-22 and 2022-23, K-14 education funding will increase by 40 cents of every new, unanticipated state dollar.

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CDE Principal Apportionment Data Confirms Significant ADA Decline

By Wendi McCaskill and Patti F. Herrera, EdD
February 25, 2022

On February 18, 2022, the California Department of Education (CDE) certified the 2021-22 First Principal (P-1) Apportionment. Due to the fact that most of the funding included in the Principal Apportionment is driven by average daily attendance (ADA) and ADA was not reported for the 2020-21 school year, the posting of the 2021-22 P-1 Apportionment provides the first look at actual reported ADA since the 2019-20 school year. As you recall, ADA-based programs for 2020-21 used 2019-20 ADA for most local educational agencies (LEAs) and proxy ADA for approximately 300 LEAs.

As expected, according to the CDE's School Fiscal Services Division, overall statewide 2021-22 ADA declined by 8.5% when compared to 2019-20 for all LEA types. When looking at ADA figures by LEA type, county offices of education (COEs) experienced the steepest 2019-20 to 2021-22 ADA decline with a 50.36% reduction in alternative education ADA and a 7.59% reduction in district-funded ADA. School districts experienced an overall decline of 9.07%. Charter schools had both the smallest statewide decline with a 3.18% reduction and the greatest variance with 125 charter schools reporting increased ADA of 30% or more since the 2019-20 school year. Prior to the pandemic, school district ADA was declining, (although at a much slower rate) and charter school ADA was growing.

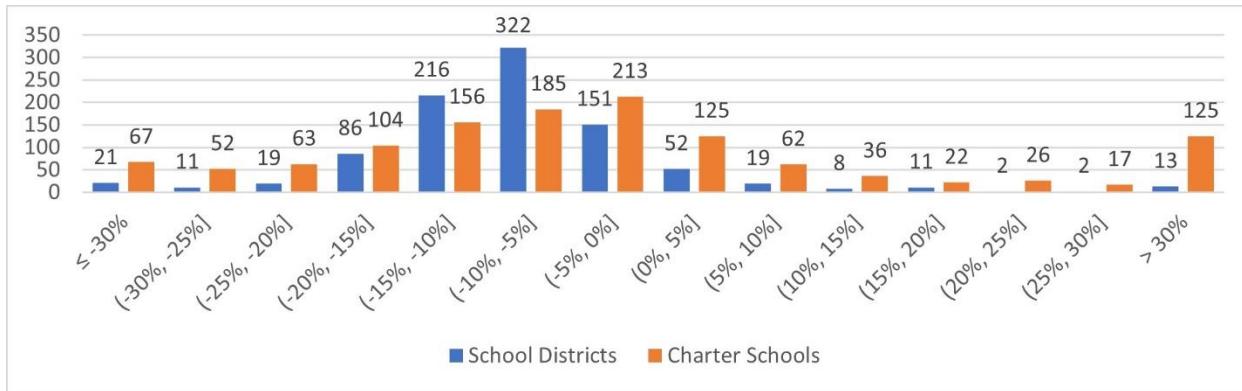
The summary of ADA by grade level shows that transitional kindergarten (TK)/K-3 experienced the greatest decline with 2021-22 P-1 ADA coming in 12.47% lower than 2019-20 annual ADA. Grades 9-12 experienced the smallest rate of decline with a 3.61% reduction from 2019-20 Annual to 2021-22 P-1.

The following tables and histogram, prepared by the talented School Fiscal Services Division team led by Director Elizabeth Dearstyne, further illustrate the changes in ADA over the past few years.

Reported ADA/Proxy ADA

	School Districts		Charter Schools		COEs				Statewide Total	
Fiscal Year	ADA	Change	ADA	Change	Alternative Education ADA	Change	District-Funded ADA	Change	ADA	Change
2018-19	5,219,725		621,142		12,084		18,607		5,871,558	
2019-20	5,199,697	-0.38%	661,667	6.52%	13,726	13.59%	19,746	6.12%	5,894,836	0.40%
2020-21	5,208,722	0.17%	666,993	0.80%	13,744	0.13%	19,804	0.29%	5,909,263	0.24%
2021-22	4,728,058	-9.23%	640,596	-3.96%	6,813	-50.43%	18,248	-7.86%	5,393,715	-8.72%
2019-20 to 2021-22	(471,639)	-9.07%	(21,071)	-3.18%	(6,913)	-50.36%	(1,498)	-7.59%	(501,121)	-8.50%

2019-20 to 2021-22 Percentage Change Distribution for School Districts and Charter Schools



School District and Charter School ADA by Grade Level

Fiscal Year	Grades TK/K-3	Grades 4-6	Grades 7-8	Grades 9-12
2019-20 AN* Reported ADA	1,774,173	1,318,029	918,473	1,850,689
2021-22 P-1 Reported ADA	1,552,895	1,209,546	822,260	1,783,953
2019-20 to 2021-22 Change	(221,278)	(108,483)	(96,213)	(66,736)
Percent Change	-12.47%	-8.23%	-10.48%	-3.61%

*Annual

The 2021-22 ADA will be updated at the Second Principal Apportionment in June. At that time, the CDE will post ADA for all full school months through April 15 reported by LEAs in funding exhibits.

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Confirmation of Governor's ADA Proposal

By Matt Phillips, CPA, Dave Heckler, and Wendi McCaskill
February 3, 2022

A significant pain point for many school districts across the state has been declining enrollment, and the resulting declining average daily attendance (ADA). While the state has experienced a decline in enrollment, the rate of the decline was accelerated significantly in 2020-21 when the K-12 population decreased from 6.2 million to 6 million—a single year decline of more than 160,000 students. To put that decline in context, the preceding years' decline averaged about 22,000 students per year.

Included in the 2021 Budget Act, Governor Gavin Newsom and the Legislature provided an augmented hold harmless on ADA which benefited charter schools and county offices of education (COEs) experiencing a decline in ADA in 2020-21, and school districts experiencing a decline in ADA in 2021-22. Looming in the 2022-23 fiscal year is the ADA cliff which is a result of the expiring hold harmless provision. As a result of strong advocacy, Governor Newsom included a proposal to change the way funded ADA is determined, and the details of the proposal were included in the recently released trailer bill language.

Current law, codified in Education Code Section 42238.05(a)(1), allows a school district to use the greater of the current- or prior-year ADA when calculating their Local Control Funding Formula entitlement. The Governor is proposing to add a third option which would allow school districts to also consider the computed average of the prior three years' ADA. In each of these instances the actual ADA is used, not the funded ADA for each year. Below is a hypothetical scenario:

Fiscal Year	Actual ADA	Funded ADA for 2022-23
2019-20	10,000	
2020-21	10,000*	
2021-22	9,500	
2022-23	9,250	

Under current law the school district's funded ADA for 2022-23 would be 9,500 (greater of 2021-22 or 2022-23), but if the Governor's State Budget proposal is enacted, the funded ADA for 2022-23 would be 9,833 (average of the prior three years). The Governor was explicit that this proposal as it is currently written would only benefit school districts, not charter schools or COEs.

He did signal in the “A” pages of the State Budget proposal that his Administration is willing to engage in a conversation to provide relief for charter schools.

It will be interesting to watch how this plays out as the Governor’s State Budget proposal is not the only option on the table. There are several competing proposals that School Services of California Inc. have discussed (see “[2021-22 Second Interim Report Considerations](#)” in the January 2022 *Fiscal Report*). As more details become available, we will pass them along.

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Multilingual School and Classroom Library Grant Program

By Michelle McKay Underwood

February 9, 2022

The 2022-23 State Budget trailer bill provides additional details of the proposed Multilingual School and Classroom Library Grant Program. The Newsom Administration proposes \$200 million in one-time funding to an anticipated 2,000 qualifying school sites for purposes of creating or expanding access to site-based multilingual school or classroom libraries offering culturally relevant and leveled texts to support pupils' independent reading acquisition and mastery. "Leveled texts" means texts that are at a student's independent reading level, as determined through an appropriate assessment.

To qualify for this funding, which would be provided on a formula and not through a competitive grant program, a site-based public school site must:

- Have a free or reduced-price meals program student population that is at least 80% of the school's total student population
- Have an English learner student population that is at least 15% of the school's total student population
- House any combination of preschool, transitional kindergarten, or K-3 at the school

The local educational agency will receive at least \$100,000 for each qualifying school site. Funds must be encumbered or expended by June 30, 2023.

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School Kitchen Funding Proposal Details

By Charlene Quilao and Kyle Hyland

February 9, 2022

In his 2022-23 State Budget proposal, Governor Gavin Newsom proposed \$450 million (one-time Proposition 98) for local educational agencies (LEAs) to upgrade school kitchen infrastructure and equipment to incorporate more fresh, minimally processed California-grown foods in school meals. With the release of budget trailer bill language from the Department of Finance, we now know the specifics of how the Newsom Administration is proposing to implement this initiative, which we detail below.

The language states that each LEA may receive a base allocation of \$100,000 from the California Department of Education (CDE) for kitchen infrastructure upgrades to increase capacity to prepare and serve nutritious meals.

After accounting for the base grants, half of the remaining funds would be allocated to LEAs where at least 30% of the students are eligible for free or reduced-price meals (FRPM). These funds would be distributed proportionally based on an LEA's population of students that qualify for FRPM.

The language stipulates that the allowable uses for the \$100,000 base grant and the per-FRPM student grant include all of the following:

- Cooking equipment (i.e., electrical support and facility upgrade requirements, combination ovens, steamers, or tilting skillets)
- Service equipment (i.e., service lines, point-of-sale systems, or mobile carts)
- Refrigeration and storage (i.e., system upgrades, walk-in refrigerators, freezers, or blast chillers)
- Transportation of ingredients, meals, and equipment between sites (i.e., vehicles and equipment to prevent spoilage of food in transit)
- Supporting infrastructure system needs
- Training and professional development for staff promoting nutritious foods

The remaining funds would be allocated to LEAs based on the number of meals served in October 2022 and could be used for planning and implementation of facility improvements and equipment upgrades to increase capacity for scratch cooking and speed scratch cooking. To be eligible for this funding, LEAs would have to attest that, beginning with the 2023-24 school year, no less than 40% of prepped meals each week are prepared from scratch cooking¹ or speed scratch cooking².

The funding under this program would be available for encumbrance through June 30, 2025. LEAs would be required to report to the CDE how they used the funding to improve the quality of school meals, increased participation in subsidized school meal programs, and, if applicable, increased the capacity for scratch cooking and speed scratch cooking.

This proposal, as well as the others included in the Governor's State Budget for 2022-23, will be considered by the Legislature in budget committee hearings in the next few weeks. More information will be provided in future *Fiscal Report* articles if this proposal is included in the final adopted Budget.

¹Preparation of meals takes place on a daily basis at or near the site of consumption, using whole ingredients in their most basic, minimally processed form

²Cooking with fresh, raw, whole ingredients and ready-made products

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LCAP Changes Proposed to Increase Responsiveness to Students With Disabilities

By Anjanette Pelletier
February 10, 2022

In addition to proposed funding changes, the [K-12 omnibus trailer bill](#) language released by the Department of Finance includes two policy adjustments to the Local Control and Accountability Plan (LCAP) related to students with disabilities.

Under existing law, local educational agencies (LEA) must include parent advisory committee input in the LCAP, with a requirement to include parents of pupils who are English learners, foster youth, and participants in the free or reduced-price meals program. Under Governor Gavin Newsom's proposals, starting in 2022-23, an LEA's parent advisory committee must also include parents or legal guardians of currently enrolled pupils with disabilities. This will provide a pathway for local participation of parents of students with disabilities, and for the support from the Special Education Local Plan Area (SELPA) Community Advisory Committee, which is mandated to support community involvement in the LCAP advisory process.

Additional changes would impact the LCAP template, most recently revised in November 2021 (see "[SBE Approves Revised LCAP Template](#)" in the November 2021 *Fiscal Report*). Proposed changes would require the State Board of Education (SBE) to develop and approve a special education addendum to the LCAP by January 2024. The intended purpose of the special education addendum is to allow for "integrated continuous improvement planning to improve outcomes for individuals with exceptional needs." The addendum would be required for any LEA for which students with disabilities are identified for performance or compliance monitoring activities under [Section 300.600 of Title 34](#) of the Code of Federal Regulations, and/or for which the LEA is required to have LCAP goals for the students with disabilities student group.

LEAs identified for federal compliance monitoring in special education under Section 300.600 of Title 34 must complete analysis and reviews related to disproportionate representation of racial and ethnic groups in special education and related services, identification for eligibility, and provision of a free and appropriate public education in the least restrictive environment. SELPAs currently support LEAs in monitoring status to complete annual indicator reviews with results required to be included in Special Education Plans (SEP) and Comprehensive Coordinated Early Intervening Services (CCEIS) plans.

Under the budget proposal, the special education addendum must be developed, adopted, and posted along with the rest of the LCAP by July 1 each year, starting with the 2024-25 LCAP. In

addition, the special education addendum would be submitted to the California Department of Education for review and approval consistent with federal law. Much like the existing SEP and CCEIS plans, the new addendum must be in parent-friendly language and, with the delay of the annual assurances support plan to 2027, may represent an opportunity for the CDE to achieve further alignment between monitoring and planning focused on students with disabilities into the LCAP required for all LEAs.

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Governor Newsom Proposes Changes to Expand Dual Enrollment

By Kyle Hyland
February 10, 2022

Last week the Department of Finance released the trailer bill language for Governor Gavin Newsom's 2022-23 State Budget proposal. The [trailer bill language](#) is the implementing language of the State Budget, which stipulates the implementation details, parameters, and accountability measures for the proposed investments in the State Budget Act. Below we detail Governor Newsom's proposed investment to expand dual enrollment and proposed changes to existing statute.

\$500 Million Grant Program

As part of his initiative to increase access to college level courses and expand dual enrollment opportunities, Governor Newsom is proposing to establish a \$500 million (one-time, Proposition 98) competitive grant program that would be administered by the California Department of Education (CDE) in consultation with the California Community Colleges Chancellor's Office. The goal of the investment would be to enable more local educational agencies (LEAs) to establish dual enrollment partnerships with community colleges and provide high school students with access to college credit. LEAs would be eligible to apply for any or all of the following one-time grants that would make up the allocation:

- \$500,000 grant to support an LEA's costs to couple student advising and success supports with available dual enrollment and accelerated college credit opportunities
 - 60% of the allocation is to be used for this grant type
- \$250,000 grant to support the costs to plan for a middle and early college high school that is located on the campus of an LEA and that is consistent with the specifications of [Chapter 14 of Part 7, of Division \(1\), of Title 1 of the Education Code](#)
 - 27.5% of the allocation is to be used for this grant type
- \$100,000 grant to establish a dual enrollment College and Career Access Pathways partnership agreement that is consistent with the requirements of [Education Code Section 76004](#) and to enable students at the participating high school to access dual enrollment opportunities
 - 12.5% of the allocation is to be used for this grant type

The trailer bill language states that the funding would be for encumbrance through June 30, 2027. The CDE would be required to give application priority to LEAs with at least 50% unduplicated pupils, higher dropout rates than the statewide average, higher suspension/expulsion rates than the statewide average, higher homeless/foster youth/justice involved youth than the statewide average, or lower A-G completion rates than the statewide average.

Finally, there is intent language included (meaning it doesn't have the force of law) that courses offered to high school students pursuant to a dual enrollment partnership agreement established under this funding predominantly consist of courses that offer students credit that is transferable to a public institution of higher education.

Dual Enrollment Statute Changes

Separate from the \$500 million investment, the Newsom Administration is also proposing to make a handful of significant changes to the current statute governing dual enrollment.

Current law states that dual enrollment students may not exceed 10% of all full-time equivalent students statewide at the California Community Colleges. The trailer bill language would eliminate that cap completely, essentially putting no cap on the number of students that can enroll in a dual enrollment program. The proposal to remove this cap is likely due to the steady increase in dual enrollment participation over the last several years and also complements the Governor's investments to expand dual enrollment statewide.

The proposed trailer bill language would also repeal the January 1, 2027, sunset date for dual enrollment programs to operate. Repealing this date would effectively make dual enrollment programs permanent and pave the way for future programs.

Next Steps

These dual enrollment proposals, as well as the others included in the Governor's State Budget for 2022-23, will be considered by the Legislature in budget subcommittee hearings over the next several months. More information will be provided in future *Fiscal Report* articles if these dual enrollment changes are included in the final adopted Budget.

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Governor Proposes Changes to Expanded Learning Opportunities Program

By Leilani Aguinaldo and Dave Heckler
February 11, 2022

The single biggest Proposition 98 investment in Governor Gavin Newsom's proposed 2022-23 State Budget is \$3.4 billion in ongoing funds for the Expanded Learning Opportunities Program (ELOP). First enacted as part of the 2021 Budget Act, the ELOP currently is funded with \$1 billion of ongoing funds and \$754 million of one-time funds. With the Governor's proposal, total funding for the ELOP would be \$4.4 billion ongoing starting in 2022-23.

The proposed [trailer bill language](#) to implement the 2022-23 State Budget includes various changes to the ELOP in response to concerns raised by local educational agencies (LEAs) about implementation of the program. Perhaps most important, the trailer bill extends the grace period for implementation by an additional year. It proposes to delay the first year the program is audited to 2023-24. Further, 2022-23 ELOP funds received by an LEA may be carried over to the 2023-24 fiscal year.

The trailer bill also amends the distribution methodology of the new funding level for the program starting in 2022-23. [Education Code Section 46120](#) details the requirements for the ELOP and includes language that it is the intent in future years to fund the program at \$2,500 per unduplicated pupil. Accordingly, funds are used first to fund LEAs with an unduplicated pupil percentage (UPP) greater than or equal to 75% at \$2,500 per pupil. The remaining funds are distributed to LEAs with a UPP less than 75%, and the Department of Finance estimates this will produce a per-pupil rate of \$2,027 for these LEAs (School Services of California Inc. estimates the per-pupil rate will be between \$2,009 and \$2,030). Under current law, LEAs with a UPP greater than or equal to 80% are funded at \$1,170 per student, and LEAs below this threshold receive \$672 per student. An LEA's allocation is determined by applying the appropriate per-pupil rate to the LEA's prior-year Second Principal Apportionment average daily attendance for students in transitional kindergarten (TK) through grade 6, which is then multiplied by the LEA's UPP. A look-up tool is available below to see estimated allocations for eligible LEAs.

The UPP cutoff also impacts the requirements that would apply to LEAs starting in 2023-24. Currently, all LEAs must work to offer the program to their unduplicated students in grades TK-6 and provide access to at least 50% of these students. The proposal expands this requirement, starting in 2023-24, for LEAs with a UPP greater than or equal to 75%, at which time these LEAs must offer the program and provide access to all students in grades TK-6.

An audit finding for failure to implement these requirements would generate prorated penalties under the trailer bill. If an LEA fails to offer and provide access to the required students, then its ELOP funds would be reduced by an amount proportionate to the number of required students not covered by the program. A second penalty also could be assessed if an LEA does not maintain the number of days or hours required by the program, in an amount equal to 0.0048 times the LEA's ELOP apportionment for each day the LEA did not meet the day or hour requirements. Under current law, an LEA may be required to return all its ELOP funds if there is an audit finding.

In addition to the substantial investment in the ELOP, Governor Newsom has proposed spending an additional \$937 million of one-time funds on infrastructure needs for the program. These funds would not be distributed via a competitive grant, but rather would be allocated over four years, from 2022-23 through 2025-26. Per-pupil amounts are not currently available, but this separate investment would be apportioned using a formula similar to the distribution of the ongoing ELOP funds. An LEA would be required to spend at least 75% of its allocation on arts education for its program. Remaining funds may be used to acquire equipment or support infrastructure upgrades needed to operate the program.

Like the other investments proposed by Governor Newsom, funding for the ELOP and implementation of the program will be scrutinized by the Legislature in budget hearings and negotiations over the next few months. The sizable investment has garnered a lot of attention, particularly in light of staffing challenges and other considerations raised by LEAs that have struggled to implement the program thus far. Stay tuned for future updates on the ELOP in future *Fiscal Report* articles.

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\$1.5 Billion Golden State Pathways Proposal Details

By Kyle Hyland
February 22, 2022

One of the largest Proposition 98 initiatives that Governor Gavin Newsom is proposing to fund in his 2022-23 State Budget proposal is a one-time \$1.5 billion investment to establish the Golden State Pathways Program.

As a competitive grant, prioritization would be given to high-priority local educational agencies (LEAs) that seek to establish pathways in education, computer science, healthcare, or science, technology, engineering, and mathematics (STEM) pathways that also focus on climate resilience. High-priority LEAs are defined as any LEA that meets one of the following: at least 50% of pupils are unduplicated, dropout rate is higher than the statewide average, the suspension and expulsion rate is higher than the statewide average, the homeless/foster youth/justice-involved youth is higher than the statewide average, or the average rate of students completing A-G courses is lower than the statewide average.

Successful applicant LEAs would be required to:

- Commit to providing participating high school students with:
 - An integrated program of study that meets the A-G requirements and at least one of the other criteria to be considered prepared for meeting academic and career-readiness standards as defined in the College/Career Indicator on the California School Dashboard
 - The opportunity to earn at least 12 postsecondary credits that are applicable toward the completion of a degree, certificate, or credential through dual enrollment, Advanced Placement (AP), or International Baccalaureate (IB) courses
 - Opportunities to participate in work-based learning experiences in partnership with regional business and industry, state and local governmental entities, and nonprofit and community-based organizations
 - Integrated support services necessary to address a student's social, emotional, and academic needs
- Develop and integrate standards-based academics with a career-relevant, sequenced curriculum following industry-themed pathways that are aligned to high-skill, high-wage, high-growth jobs in their regional economy and/or the state economy

- Provide articulated pathways from high school to postsecondary education and training that are aligned with the workforce development needs of their regional economy
- Collaborate with other LEAs, colleges, local and regional employers, and other relevant community interest holders to develop, or expand upon the availability of, innovative college and career pathways that align with their regional labor market needs
- Leverage available resources or in-kind contributions from public, private, and philanthropic sources to sustain the ongoing operation of their Golden State Pathways Program

Grant recipients would not be able to use these funds to supplant state, federal, or any other public or private resources and would be required to identify and set aside funding within their own budget, or obtain funding commitments from program partners, to sustain the ongoing operation of their program.

Up to 10% of the total funds would be used for consortium development and planning grants, at least 85% for implementation grants, and up to 5% would be permitted to be used to contract with up to ten LEAs to provide technical assistance.

Like the other investments proposed by Governor Newsom, the \$1.5 billion Golden State Pathways Program will be scrutinized by the Legislature in State Budget hearings and negotiations over the next several months. We will keep you posted on this proposal, and others as they are vetted by the Legislature, in subsequent *Fiscal Report* articles. Stay tuned.

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Governor Proposes More Money for TK Ratios

By Danyel Conolley and Patti F. Herrera, EdD
February 28, 2022

When Governor Gavin Newsom reached an historic agreement with the California State Legislature last summer to install a plan to make access to transitional kindergarten (TK) programs universal for all four-year-olds by the 2025-26 school year, state leaders wanted to see quality improvements in TK, primarily by reducing teacher-to-student ratios to allow for more meaningful engagement and interaction between them. So, beginning with the 2022-23 school year, local educational agencies (LEAs) serving TK students will be required to maintain classroom ratios of one adult for every 12 students. In other words, in the conventional TK classroom of 24 students, LEAs would need to add another employee (classified or certificated) to the classroom to comply with the new requirements.

To address the cost of adding staff to TK classrooms, the Governor and Legislature agreed to provide additional funding for LEAs operating TK programs. Thus, Governor Newsom's 2022-23 State Budget proposal includes \$383 million in ongoing Proposition 98 funding to pay for the lower ratios in TK classrooms.

Specifically, the trailer bill language maintains the K-3 grade span adjustment of 10.4% of the K-3 base grant as a condition of maintaining average maximum class sizes of 24 students in grades K-3, inclusive of TK classes. And then the Governor's proposal would provide the funding for TK ratios as a Local Control Funding Formula add-on—similar to the add-ons for the Home-to-School Transportation and Targeted Instructional Improvement Block Grants.

Under the Governor's proposal, every LEA's Local Control Funding Formula (LCFF) calculation would be increased by \$2,813 per TK average daily attendance (ADA) based on the higher of their prior-year or current-year TK ADA under the TK add-on policy. In a TK classroom of 24 students, this proposal would yield just over \$67,000 per classroom to pay for the required additional employee. As proposed, districts with an LCFF entitlement that is funded through property taxes (community-funded or basic aid), would not receive these funds.

This added funding proposal is welcomed news for LEAs that are preparing to comply with the lower ratio requirements by considering available internal staffing resources, and developing recruitment plans to accommodate additional four-year-olds with birthdays on or before February 2. While funding is one part of the equation, staffing classrooms and housing programs represent the next hurdles to resolve.

We will discuss Governor Newsom's TK funding proposals and their impacts on TK program design and implementation in our upcoming [The Mechanics of Universal TK: Staffing and Facilities webinar](#), during which we will dive deeply into ways to maximize resources to meet TK needs.

The FISCAL REPORT *an informational update*

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CalPERS Rates Projected to Decrease

By Charlene Quilao

February 8, 2022

The California Public Employees' Retirement System (CalPERS) recently posted an addendum to the Schools Pool Actuarial Valuation report as of June 30, 2020, and corresponding employer and employee contribution rates.

The June 30, 2020, Schools Pool Actuarial Valuation report (including community colleges) sets the current year (2021-22) employer contribution rate at 22.91%, but it does not include projected contribution rates for the outyears beginning in 2022-23 because the CalPERS Experience Study and Review of Actuarial Assumptions were not completed prior to the release of the report. The projected contributions will be determined during the April 2022 CalPERS Board meeting (Schools Pool Actuarial Valuation as of June 30, 2021) with the projected future employer contribution rates beginning in 2022-23:

	2021-22 ¹	2022-23	2023-24	2024-25	2025-26	2026-27
Old Projected Rates	22.91%	26.10%	27.10%	27.70%	27.80%	27.60%
New Projected Rates	22.91%	25.40%	25.20%	24.60%	23.60%	22.50%

¹Reflects the supplanting payment under Government Code Section 20825.2, which served to reduce the employer contribution rate for fiscal year 2021-22 by 2.16%

The new projected rates are a reflection of the 2020-21 investment gains of approximately \$11,086 million and the decrease in costs of new hires in the low-cost benefit tiers.

Member Contribution Rates

Under the Public Employees' Pension Reform Act (PEPRA), new members hired on or after January 1, 2013, are required to contribute 50.00% of the total annual normal cost of their pension benefit as determined by the actuary. PEPRA school members currently contribute 7.00% of their salary; however, it is estimated to increase to 8.00% in 2022-23. The contribution rate for school members not subject to the PEPRA (i.e., classic members) is set by statute and remains at 7.00% of salary.

For additional information, the addendum to the Schools Pool Actuarial Valuation (as of June 30, 2020) can be found [here](#).

The FISCAL REPORT an informational update

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Changes to the Full-Day Kindergarten Facilities Grant Program

By Patti F. Herrera, EdD and Brianna García
February 4, 2022

Assembly Bill (AB) 1808 (Committee on Budget, Statutes of 2018) was signed into law by former Governor Jerry Brown in June 2018 and established the Full-Day Kindergarten Facilities Grant Program under the administration of the State Allocation Board (SAB). The program, as it was originally conceived, provided one-time grants to school districts to construct new school facilities or retrofit existing school facilities for the purposes of providing full-day kindergarten classrooms. The program has undergone several changes since its inception and the education omnibus budget trailer bill (AB 130 [Committee on Budget, Statutes of 2021]) that accompanied the 2021 Budget Act spawned the latest evolution.

AB 130 does a number of things:

1. Changes the name of the program to the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program (try to say that three times really fast!)
2. Expressly allows for funding to go toward facilities for California State Preschool Programs and transitional kindergarten (TK) classrooms
3. Adds grant eligibility to county offices of education for preschool facilities
4. Prohibits using program funds for the purchase or installation of portable classrooms
5. Appropriates \$490 million to the program for 2021-22

In order to administer the program, the Office of Public School Construction (OPSC)—staff to the SAB—proposed amendments to the regulations governing the program, which were approved by the SAB at its January 26, 2022, meeting. The amendments impact program eligibility, funding criteria, eligible expenditures, and use of savings. The following is a summary of the changes, a full description of which can be found in the January 26 agenda item.

- **Eligibility**—Documentation must be submitted to identify current enrollment and classroom inventory at proposed school sites. Enrollment must be provided using California Longitudinal Pupil Achievement Data and it must encompass the current year and the three immediately preceding years. Further, a methodology has been determined for the calculation of enrollment if preschool and/or TK data is not available.

- **Funding**—The OPSC proposes to allocate a total of \$477.75 million across two funding rounds with \$225 million in round three (the program completed two rounds with the initial \$100,000 appropriation) open from April 1-30, 2022, and the remaining funds in round four open a year later from April 1-30, 2023. Any monies returned to the program after the 2022 round will be included in the 2023 round. The amount a school district will be required to contribute (i.e., matching share) ranges from 25% to 50% depending on:
 - Type of facility—kindergarten, TK, or preschool facility
 - Program status—new, existing, or converting from part-day to full-day
 - Project type—new construction or a retrofit
- **Eligible expenditures**—Classrooms must be built to Title 5 of the California Code of Regulations standards and meet minimum size requirements. School sites offering licensed preschool programs must meet both Title 5 and Title 22 requirements. While program funds cannot be used to purchase or install portable classrooms, a school district may choose to retrofit an existing portable building. In addition, project funding will be limited to four TK and four preschool classrooms per project school site to allow more school districts to participate in the program. Lastly, preschool projects must provide a copy of an approved Child Care License or proof of license-exempt status.
- **Use of savings**—For school districts that received program funds provided from the 2019 Budget Act, including those that received financial hardship funding, savings and interest can be retained by the district and used to provide professional development and purchase instructional materials to build capacity for the implementation of preschool, TK, and full-day kindergarten programs, as well as other high priority capital facility needs. Savings and interest have to be expended or encumbered within one year of projection completion or returned to the state.

While the proposed amendments were approved by the SAB at its January meeting, the amended regulations must still be filed with the Office of Administrative Law. The OPSC plans to file the regulations, forms, and grant agreement for approval on an emergency basis to enable the SAB to more quickly administer the program based on the new requirements.

More information about the program, including eligibility, funding, fiscal reporting, and other resources can be found on the OPSC's website [here](#).

December 21, 2021

Hon. Rob Bonta
Attorney General
1300 I Street, 17th Floor
Sacramento, California 95814

Attention: Ms. Anabel Renteria
Initiative Coordinator

Dear Attorney General Bonta:

Pursuant to Elections Code Section 9005, we have reviewed the proposed statutory initiative (A.G. File No. 21-0036, Amendment No. 1) related to funding for arts and music education in schools.

Background

State Has 6 Million Public School Students. Public schools are operated primarily by local education agencies (LEAs)—school districts, charter schools, and county offices of education. In 2020-21, California’s public schools enrolled just over 6 million students from Transitional Kindergarten through grade 12. Roughly 60 percent of public school students are low income, as defined by their eligibility to receive a free- or reduced-price school meal under a federal nutrition program. The state also provides public preschool to some three- and four-year olds from low-income families, though funding is not sufficient to serve all eligible children.

Constitutional Allotment. Proposition 98 (1988) sets aside a minimum amount of state General Fund and local property tax revenue for public schools and community colleges. The size of this allotment depends on several factors, including the number of students attending public schools, growth in the state economy, and General Fund revenues. In most years, the state must allocate about 40 percent of General Fund revenue to meet this requirement. (The General Fund—the state’s main operating account for education, prisons, health care, and other public services—is estimated to receive about \$175 billion in revenues this year.) The 2021-22 budget package includes \$93.7 billion in total Proposition 98 funding, with \$80.5 billion provided for K-12 schools. The state allocates nearly all of the Proposition 98 allotment to public schools through a per-pupil formula. With a two-thirds vote of each house of the Legislature, the state can suspend the guarantee and provide less funding than the formulas require that year.

Arts Education in Elementary and Middle Schools. The state does not require schools to provide instruction or programming in the arts (such as music) in elementary and middle schools. These programs are funded based on the discretion of local governing boards. In some cases, LEAs hire teachers or other staff to provide arts instruction during the school day. Schools may also provide arts education through before/after school and summer programs. The state funds two such

programs: the After School Education and Safety program (\$646 million annually) and the Expanded Learning Opportunities Program, a newly created program in 2021-22 (\$1.8 billion). These programs require an academic and an enrichment component. The enrichment component of both programs may include arts or music.

Arts Education in High School. The state sets minimum course completion requirements for high school graduation. In addition to requirements in core academic subjects (English, history/social science, mathematics, and science) the state requires that students complete one year of either (1) visual or performing arts, (2) a foreign language, or (3) career technical education (CTE). At the discretion of the local governing board, LEAs may also add other requirements for high school graduation. A 2017 Public Policy Institute of California survey found that 51 percent of school districts set their minimum graduation requirements as equal to the minimum coursework required to be eligible for admission to the California State University and University of California. Under these requirements, students must take one year of visual and performing arts, which cannot be fulfilled with foreign language or CTE coursework. High schools may also provide after school programming in arts and music, based on local discretion.

Proposal

Provides Additional Funding for Arts Education in Schools. Beginning in 2023-24, the measure requires the state to provide additional funding to increase arts instruction and programming in schools. The amount provided each year would be equivalent to 1 percent of the total Proposition 98 funding provided to K-12 schools in the prior year. In 2023-24, this funding would be considered a supplementary payment above the Proposition 98 minimum guarantee provided to schools and community colleges. Moving forward, the minimum guarantee would be adjusted upwards to reflect the additional funding required by the measure. The measure would allow the Legislature to reduce the allocation for arts education in a year when the Legislature suspends the minimum guarantee. In this case, the percentage reduction in funding for arts education shall not exceed the percentage reduction in total funding to schools and community colleges.

Distributes Funding Based on Formula. The measure allocates the additional funding to LEAs through a formula based on prior-year enrollment in public preschool and Transitional Kindergarten through grade 12. Of the total amount, 70 percent would be distributed to LEAs based on their share of statewide enrollment. The remaining 30 percent would be distributed based on each LEA's share of low-income students statewide. LEAs may set aside up to 1 percent of their funding for administrative expenses, while the remainder of the funding must be distributed to all school sites within the LEA based on the amount of funding generated by its student enrollment.

Requires Funding Be Used Primarily to Hire New Arts Staff. The measure requires LEAs to use funding for arts education programs and to certify that these funds were spent to supplement existing funding for arts education programs. This may include a variety of disciplines within the arts, including dance, media arts, music, theatre, and various types of visual arts. The measure also requires LEAs with enrollment of more than 500 students to spend at least 80 percent of the additional funding to hire staff. The remaining funding could be used for training, supplies and materials, and arts educational partnership programs. Under the measure, the California Department of Education (CDE) would have the discretion to waive the spending requirements for a school site, upon written request from the school principal that shows good cause for a waiver. Schools will have

three years to expend the funding they receive. CDE would reallocate any unused funds to all LEAs in the following year.

Gives Discretion to School Principals to Determine How Funds Are Spent. The measure requires the principal of a school site (or the program director of a preschool) to develop an expenditure plan for the funding they receive. The principal or program director would have discretion to determine how to expand a site's arts and music programs, including pooling funds with other schools to develop joint programs and share staff.

Requires LEAs to Report Data Annually. Each year, LEAs must certify that the funding they received in the prior year was spent on arts education, as required by the measure. Additionally, LEAs must make public on their website a report which details the type of arts education programs funded, the number of staff employed, the number of students served, and the number of school sites providing arts education with the funding received. This report must also be submitted to CDE, which will make all LEAs' reports publicly available on the department's website.

Fiscal Effects

Beginning in 2023-24, the measure would require additional spending likely in the range of \$800 million to \$1 billion annually for arts education in schools. Because the measure requires this funding to be in addition to the Proposition 98 minimum guarantee, it would result in a corresponding reduction in General Fund resources available for non-Proposition 98 programs. Over time, funding would fluctuate based on changes in the minimum guarantee for schools and community colleges.

Summary of Fiscal Effects. This measure would have the following major fiscal effect:

- Increased spending likely in the range of \$800 million to \$1 billion annually, beginning in 2023-24, for arts education in schools.

Sincerely,

for Gabriel Petek
Legislative Analyst

for Keely Martin Bosler
Director of Finance

Bill Update

SCHOOL SERVICES OF CALIFORNIA, INC.

**Legislative Report Prepared for:
Fresno Unified School District
Status as of March 3, 2022**

Bill No./ Author	Title	Position	Current Status	Page
AB 75 O'Donnell	Education Finance: School Facilities: Kindergarten-Community Colleges Public Education Facilities Bond Act of 2022		Senate Education	30
AB 102 Holden	Pupil Attendance at Community Colleges: College and Career Access Pathways Partnerships: County Offices of Education	Support	Senate Rules Committee	30
AB 408 Quirk-Silva	Homeless Children and Youths: Reporting		Senate Desk	30
AB 1607 Muratsuchi	Education Finance: Local Control Funding Formula		Assembly Education Committee	31
AB 1609 Muratsuchi	Education Finance: Local Control Funding Formula		Assembly Education Committee	31
AB 1614 Muratsuchi	Education Finance: Local Control Funding Formula: Base Grants: Aspirational Funding Level: Reports		Assembly Education Committee	31
*AB 1785 Davies	California Parents' Bill of Rights Act		Assembly Education Committee	31
*AB 1786 Davies	Intradistrict and Interdistrict Transfers: Low-Performing Pupils		Assembly Education Committee	32
*AB 1797 Weber, Akilah	Immunization Registry		Assembly Desk	32
*AB 1868 Rivas, Luz	School Accountability: English Learners and Special Education: Data		Assembly Education Committee	32
*AB 1877 Fong	State Teachers' Retirement: Retirees		Assembly Public Employment and Retirement Committee	32
*AB 1948 Ting	Education Finance: Local Control Funding Formula: Low-Income Pupils: Pupils Experiencing Homelessness		Assembly Education Committee	33
*AB 1993 Wicks	Employment: COVID-19 Vaccination Requirements		Assembly Desk	33

*SB 22 Glazer	Education Finance: School Facilities: Public Preschool, K-12, and College Health and Safety Bond Act of 2022		Assembly Education Committee	33
SB 532 Caballero	Pupil Instruction: High School Coursework and Graduation Requirements: Exemptions	Support	Assembly Desk	34
SB 579 Allen	Education Finance: Local Control Funding Formula		Assembly Desk	34
SB 830 Portantino	Education Finance: Supplemental Education Funding		Senate Education Committee	34
*SB 866 Wiener	Minors: Vaccine Consent		Senate Judiciary Committee	34
*SB 871 Pan	Public Health: Immunizations		Senate Judiciary Committee	35
SB 878 Skinner	School Transportation		Senate Education Committee	35
*SB 906 Portantino	School Safety: Mass Casualty Threats: Firearm Disclosure		Senate Education Committee	35

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.

AB 102 (Holden)

Amended: 1/3/2022

Title: Pupil Attendance at Community Colleges: College and Career Access Pathways Partnerships: County Offices of Education

Status: Senate Rules Committee

Position: Support

Summary:

Removes the January 1, 2027, sunset date for the College and Career Access Partnership (CCAP) program. Also expands the program to allow county offices of education to enter into CCAP partnerships with community colleges.

AB 408 (Quirk-Silva)

Amended: 1/3/2022

Title: Homeless Children and Youths: Reporting

Status: Senate Desk

Position:

Summary:

This bill does the following:

- Requires local educational agencies to establish homeless education program policies and to update these policies at least every three years
- Requires homeless education liaisons to offer annual training to staff who work with students on the homeless education program policies and recognizing signs that students are experiencing homelessness
- Requires the California Department of Education to develop a risk-based monitoring plan for homeless education requirements.

AB 1607 (Muratsuchi)

Title: Education Finance: Local Control Funding Formula

Status: Assembly Education Committee

Position:

Summary:

Starting with 2022-23 and for Local Control Funding Formula purposes, calculates average daily attendance (ADA) using a three year average of ADA based on current fiscal year and previous two fiscal years.

AB 1609 (Muratsuchi)

Title: Education Finance: Local Control Funding Formula

Status: Assembly Education Committee

Position:

Summary:

For the 2022-23 fiscal year, requires apportionments to local educational agencies (LEAs) under the Local Control Funding Formula to be calculated based on the greater of each LEA's 2019-20, 2020-21, 2021-22, or 2022-23 average daily attendance.

AB 1614 (Muratsuchi)

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

Status: Assembly Education Committee

Position:

Summary:

Expresses the intent of the Legislature that the state aspire to increase the Local Control Funding Formula base grants to amounts equal to the national average per-pupil funding level. Commencing with the 2022–23 fiscal year, this bill would increase the base grants to specified amounts.

***AB 1785 (Davies)**

Title: California Parents' Bill of Rights Act

Status: Assembly Education Committee

Position:

Summary:

This bill:

- Establishes the California Parents' Bill of Rights which recognizes certain rights of parents, including the right of a parent or guardian to advise on the moral or religious training of their minor child, and the right to access and review all school attendance and academic records, among other rights. The bill specifies that the recognition of these rights does not preclude an employee from acting in the employee's official capacity.
- Requires local educational agencies (LEAs) to provide parents and guardians with opportunities to participate in schools to improve parent and teacher cooperation in areas, including homework, school attendance, and discipline each quarter.

- Requires LEAs to post information for parents or guardians on its website including, among other topics, opting out of comprehensive sexual health education, immunization requirements, and school choice options offered by the LEA.

***AB 1786 (Davies)**

Title: Intradistrict and Interdistrict Transfers: Low-Performing Pupils

Status: Assembly Education Committee

Position:

Summary:

Requires a school district to approve an intradistrict transfer request for a low-performing pupil if the school of attendance is in the red or orange performance band in two or more of the state measures for three consecutive years on the California School Dashboard. If the school of attendance is in the red or orange performance band in two or more of the state measures for three consecutive years on the California School Dashboard, a low-performing pupil of a school district may apply for an interdistrict transfer, and the school district of residence shall not prohibit the transfer if the school district of proposed enrollment approves the application for transfer.

***AB 1797 (Weber, Akilah)**

Title: Immunization Registry

Status: Assembly Desk

Position:

Summary:

This bill would update the California Immunization Registry to improve access for local educational agencies that use the registry to implement school-based vaccine requirements. While currently a placeholder bill, it will be amended at a later date to effectuate these changes to law.

***AB 1868 (Rivas, Luz)**

Title: School Accountability: English Learners and Special Education: Data

Status: Assembly Education Committee

Position:

Summary:

This bill would require local educational agencies(LEAs) where at least 25% of their elementary English learner (EL) population is at risk of becoming long-term ELs or have at least 25% of their secondary EL population identified as long-term ELs to set goals and delineate investments in their Local Control and Accountability Plans focused on the needs of those students.

***AB 1877 (Fong)**

Title: State Teachers' Retirement: Retirees

Status: Assembly Public Employment and Retirement Committee

Position:

Summary:

This bill would exempt from the California State Teachers' Retirement System postretirement compensation limit, the compensation of a retired member who has returned to work to fulfill a critical need in special education.

***AB 1948 (Ting)**

Title: Education Finance: Local Control Funding Formula: Low-Income Pupils: Pupils Experiencing Homelessness

Status: Assembly Education Committee

Position:

Summary:

Changes the definition of unduplicated pupils for the Local Control Funding Formula:

- Replaces pupils who are eligible for free or reduced-price meals with low-income pupils, which is defined as pupils whose household income level is at or below 250% of the federal poverty level as adjusted annually
- Adds pupils experiencing homelessness as unduplicated pupils
- Pupils who are only English learners or low-income pupils, or pupils who only fall within both of these categories, to be counted only once as an unduplicated pupil.
- Pupils experiencing homelessness or foster youth, or both, or who are also English learners or low-income pupils, or both, to be counted twice.

***AB 1993 (Wicks)**

Title: Employment: COVID-19 Vaccination Requirements

Status: Assembly Desk

Position:

Summary:

This bill would require an employer to ensure employees or independent contractors provide proof that they have been vaccinated against COVID-19. This bill would exempt any individual who is ineligible to receive a COVID-19 vaccine due to a medical condition, disability, or because of a sincerely held religious belief.

***SB 22 (Glazer)**

Amended: 5/20/2021

Title: Education Finance: School Facilities: Public Preschool, K-12, and College Health and Safety Bond Act of 2022

Status: Assembly Education Committee

Position:

Summary:

This bill would place a statewide school bond for K-14 and the University of California and the California State University on the 2022 ballot providing \$15.5 billion of funds that focus primarily on new construction, modernization, career technical education, and charter school projects.

SB 532 (Caballero)**Amended:** 4/8/2021**Title:** Pupil Instruction: High School Coursework and Graduation Requirements: Exemptions**Status:** Assembly Desk**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 579 (Allen)**Amended:** 1/20/2022**Title:** Education Finance: Local Control Funding Formula**Status:** Assembly Desk**Position:****Summary:**

For the 2022-23 fiscal year, requires apportionments to local educational agencies (LEAs) under the Local Control Funding Formula to be calculated based on the greater of each LEA's 2019-20, 2021-22, or 2022-23 average daily attendance.

SB 830 (Portantino)**Title:** Education Finance: Supplemental Education Funding**Status:** Senate Education Committee**Position:****Summary:**

Establishes a process for school districts and county offices of education to apply for "supplemental education funding" using "average daily membership" data which relies on enrollment. In order to be eligible for the supplemental funds, a local educational agency (LEA) must maintain at least the same per-pupil spending level on staff who address chronic absenteeism and habitual truancy as in the 2019-20 school year. LEAs would be required to use at least 50% of the supplemental education funds on efforts focused on chronic absenteeism and habitual truancy.

SB 866 (Wiener)*Title:** Minors: Vaccine Consent**Status:** Senate Judiciary Committee**Position:****Summary:**

This bill would permit minors 12 and older to get vaccinated without parental consent for any vaccine approved by the U.S. Food and Drug Administration that meet the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.

***SB 871 (Pan)**

Title: Public Health: Immunizations

Status: Senate Judiciary Committee

Position:

Summary:

This bill would add the COVID-19 vaccine to the list of compulsory vaccines required for students to attend school. The bill would also repeal Health and Safety Code Section 120338, which is the statute that requires any vaccine mandate enacted via the regulatory process to include a personal belief exemption.

SB 878 (Skinner)

Title: School Transportation

Status: Senate Education Committee

Position:

Summary:

Requires local educational agencies (LEAs) to provide free transportation to all students to and from their neighborhood school. Transportation would be required for students in transitional kindergarten through grade 6 who live more than half a mile from their neighborhood school, and more than one mile for students in grades 7-12. Establishes the Transportation Access to Public Schools Fund to provide funds to LEAs for this purpose.

***SB 906 (Portantino)**

Title: School Safety: Mass Casualty Threats: Firearm Disclosure

Status: Senate Education Committee

Position:

Summary:

Senate Bill 906 would require:

- Parents or guardians to disclose whether any firearms are located at the home of the student and details on ownership, storage, and accessibility of those firearms as it relates to the student upon registration at a school
- Schools to include information related to the safe storage of firearms in the annual notification provided to the parents or guardians
- Schools are to immediately report, upon becoming aware of a credible violent threat, to the law enforcement authorities, and require school leaders, in consultation with law enforcement to search a student's on-campus property for the presence of firearms.

Fresno Unified School District
Board Communication

BC Number BFS-3

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

Date: March 11, 2022

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 \$763,300 in MAA reimbursements from 2019/20 third 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 received \$3.5 million in reimbursements in 2020/21 and \$1.5 million in reimbursements thus far in 2021/22.

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.

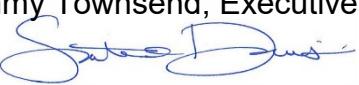
If you have any questions or require further information, please contact Kim Kelstrom at 457-3907.

Approved by Superintendent
Robert G. Nelson Ed.D. 

Date: 03/11/22

Fresno Unified School District
Board Communication

BC Number BFS-4

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

Date: March 11, 2022

Phone Number: 457-3934

Regarding: Local Control and Accountability Plan Educational Partner Engagement Input

The purpose of this communication is to provide the Board information regarding the best way to access additional details on input received from the Fresno Unified community on the Local Control and Accountability Plan (LCAP). A summary presentation will be provided by staff at the March 16, 2022, Board of Education meeting.

Last year Fresno Unified utilized a new online platform, ThoughtExchange, to engage the community, gather, rank, and organize the feedback received during outreach efforts. This year, use of the platform was expanded, and the district launched several different exchanges. As a reminder, participants in an exchange can share their thoughts and ideas in their own words, but they can also rate the thoughts and ideas of others.

In each ThoughtExchange, staff asked the question, "What feedback do you have on the needs of students as Fresno Unified plans for the 2022/23 school year?" Previously, the Board requested access to all the individual thoughts and ideas gathered. To accommodate this request, and to ensure transparency for our Fresno Unified community, all of the ThoughtExchange reports, as well as feedback from other surveys and outreach efforts, have been posted to the LCAP page of the district's website (<https://stafed.fresnounified.org/lcap/>). In the interactive exchange reports, individuals can see the common themes of the thoughts entered, as well as the specific ranking and wording of the individual thoughts shared.

If Trustees or any member of the public would like assistance accessing these reports, they are encouraged to reach out to Tammy Townsend at 457-3934 or at tammy.townsend@fresnounified.org.

If you have any questions or require further information, please contact Tammy Townsend at 457-3934.

Approved by Superintendent
Robert G. Nelson Ed.D. 

Date: 03/11/22

Fresno Unified School District
Board Communication

BC Number C-1

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Maiyer Vang, Interim Executive Director
Cabinet Approval: 

Date: March 11, 2022

Phone Number: 250-1322

Regarding: Southeast Asian Family Education Conference, Family Leadership Retreat, Fatherhood Program, and Residents' Academy

The purpose of this communication is to provide the Board information regarding the fourth annual Southeast Asian Family Education Conference, Family Leadership Retreat, the Fatherhood Program, and the Residents' Academy.

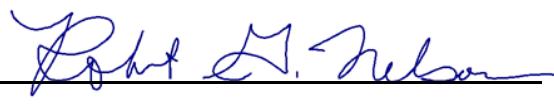
Parent University, The Fresno Center, and California State University, Fresno have collaborated to put on the annual Southeast Asian Family Conference. The conference will be held at Fresno State's Satellite Student Union on Saturday, March 19, 2022, from 9:00 a.m. to 2:30 p.m. This year's conference will provide families and students an opportunity to participate in educational workshops focused on higher education, leadership, civic engagement, arts, and culture. Family workshops will be provided in native languages, including English, Hmong, Lao, Khmer, and Punjabi. The keynote speaker will be Neng Thao, known as Neng Now, a Hmong documentarian, author, and artist. Neng will also facilitate two workshops for students and families.

In collaboration with Inter-Act, Parent University's Family Leadership Retreat will be held on Saturday, March 19, 2022, and Sunday, March 20, 2022, from 8:45 a.m. to 4:30 p.m. at California State University, Fresno. With the goal of continuing to grow family leaders, students and families will have the opportunity to improve leadership skills through team-building activities, mutual support, networking, trust-building, social-emotional learning, and higher education opportunities with a campus tour. Students and families will also have the chance to hear an inspiring story from our keynote speaker, Sandra Toscano, to motivate our families in their journey as leaders. Opportunities such as these, help build family leaders and positively impact students.

Parent University and Workforce Connection offer Fresno Unified's fathers an opportunity to come together to share and learn in a 12-week Fatherhood Program. The program is designed to equip fathers with self-awareness, compassion, and a sense of responsibility. Topics include showing and handling feelings, men's health, communication, and co-parenting with mom. Hybrid sessions are offered every Monday from 5:00 p.m. to 7:00 p.m. at Parent University.

In collaboration with the Fresno Police Department, Parent University provides families and community members an opportunity to participate in the Residents' Academy. The program's goal is to educate Fresno residents on the functions of the Fresno Police Department. This hybrid program meets for 18 weeks. Sessions are offered every Thursday from 6:00 p.m. to 9:00 p.m. at Wawona K-8 School. Each week, representatives from various special units will present an overview and detail their focus, including discussions on how the department can assist the community. Participants will also have an opportunity to tour the K-9 Demo, Skywatch, headquarters, and training centers. The sessions are held in English, Hmong, Punjabi, and Spanish.

Attached are flyers and information for each engagement. If you have any questions or require additional information, please contact Maiyer Vang at 559-250-1322.

Approved by Superintendent
Robert G. Nelson Ed.D. 

Date: 03/11/22

SOUTHEAST ASIAN FAMILY EDUCATION CONFERENCE

Journey to Success!



**SATURDAY
MARCH 19, 2022**

9:00 AM – 2:30 PM



- Keynote Speaker- **NENG THAO** from "Neng Now"
- Student/Family Workshops (Hmong, Lao, Punjabi & Khmer)
- Resource Fair • Entertainment

**FREE
Parking,
Lunch, and
Childcare**



FRESNO STATE
Satellite Student Union
(2485 E San Ramon Avenue, Fresno, CA 93710)

For more information please call: (559) 412-1143

Exhibitor Vendor Registration:
<https://bit.ly/seavendors2022>



Guest Registration:
<https://bit.ly/seafamily2022>



PARENT UNIVERSITY Presents...



FAMILY LEADERSHIP *Retreat*



Saturday & Sunday

MARCH 19 & 20 | APRIL 30 & May 1 | 9AM – 4:30PM

Saturday & Sunday

Families will have an opportunity to participate in a two-day Leadership retreat with their students to learn leadership strategies, communication skills, higher education, social emotional, and advocacy. Participants will receive a certificate of participation at the end of the retreat.



Location:

Fresno State University
5241 N. Maple Ave.
Fresno, CA 93740

To Sign-up

Please scan the QR code or visit <https://tinyurl.com/2p84t658> to complete the interest form.

Contact Parent University at 559-457-3390 with any questions.



(559) 457-3390 | 850 N. Blackstone Ave., Fresno, CA 93701 | parent.university@fresnouified.org



Achieving our Greatest Potential!



Fatherhood PROGRAM

► **February 14-May 23, 2022**
MONDAYS 5:00 P.M. - 7:00 P.M.

In Person Meetings at Family Resource Center,
Parent University



Fresno Unified School District



Family Goal

Increase inclusive opportunities for families to engage in their students' education

Come and learn how to built a stronger healthy relationship with your family and the community.

BECAUSE BEING A PARENT AND BEING A FATHER IS NOT THE SAME!



Strongly Recommended

To Sign-up

Please scan the QR code OR <https://tinyurl.com/3y2nmx9f> and complete the registration form. A Parent University team member will connect to invite you to our next family engagement opportunity.



Contact Parent University at 559-457-3390 with any questions.



(559) 457-3390 | 850 N. Blackstone Ave., Fresno, CA 93701 | parent.university@fresnounified.org



Achieving our Greatest Potential!



Fresno Regional WDB
**Workforce
Connection®**

A proud partner of America's Job Center of California® network.

Parent University is proud to partner with Workforce Connection to offer Fatherhood Program for our Fresno Unified Families

FRESNO POLICE DEPARTMENT

Presents



Residents' Academy

Members of the community that live or work in the City of Fresno are invited to participate at the Residents' Academy at no cost to the public. The goal of the program is to educate Fresno residents on the functions of the Fresno Police Department. Participants of this program will meet one evening a week over the course of 18 weeks. Each week representatives from various department units will present an overview and responsibilities of the unit, including discussions on how the department can assist the community.

02/17/22 - 06/16/22

Northwest Fresno Area Host

Location: Wawona Middle School

4524 N. Thorne Ave, Fresno

Time: 6:00 pm. - 9:00 pm.

Interested participants can call (559) 621-2353 or email mgpi@fresno.gov for an enrollment application.

Applications can also be picked up at the Fresno Police Department lobby at 2323 Mariposa Street or Parent University at 850 North Blackstone Avenue, Fresno, CA.

~Applications are due by February 7th.~

~Seating is limited~

~Hmong, Punjabi and Spanish translation will be provided~

~Free Childcare available on-site~



Fresno City College will be providing college credits to participants if enrolled by 2/17/22



In-Person Meetings



**Virtual participation available*

**Links provided upon enrollment*

Fresno Police Department Residents Academy

Information Phone: (559) 621-2353 or mgpi@fresno.gov

Parent University Office: (559)457-3390

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: *KTemple*

Date: March 11, 2022
Phone Number: 457-3134

Regarding: Piggyback Contracts – Lead Agency Information

The purpose of this communication is to provide the Board additional information regarding the piggyback contracts approved by the Board on March 09, 2022. Use of piggyback contracts is allowed under Public Contract Codes 10299 and 20118 and is a procurement best practice that takes advantage of competitive pricing from a contract formally bid by another school district or public agency (the lead agency). Attached is the backup document provided with the Board agenda item, with the lead agency added. Piggybacking on these contracts allows the district to reduce administrative time and expense, provides favorable pricing, and/or provides options and flexibility for procurement. All purchases associated with piggyback contracts are presented to the Board for ratification on monthly purchase order reports.

If you have questions or need further information, please contact Karin Temple at 457-3134 or Ann Loorz at 457-3582.

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



Date: 03/11/22

PIGGYBACK BACKUP SUPPLEMENTAL LIST

March 09, 2022 BOARD MEETING

Piggyback Contract		Lead Agency	Supplier and Primary Location	Estimated Annual \$	Purpose of Piggyback	Additional Information (pricing structure, examples of items purchasing)
1. OMNIA Partners Region 4 Education Service Center Contract R190501 Educational School Supplies		Region 4, Texas Consists of 47 Public schools and 40 charter schools	Lakeshore Learning Materials Carson, AZ	\$1,000,000	Allows purchase of the entire catalog of Arts and Crafts, Manipulatives, Classroom Supplies and Materials, Games, Puzzles, Sensory Materials, and Furniture	6% discount off list price. Replaces SDUSD contract # GD19-0545-03 which has expired.
2. California Department of General Services (DGS) California Multiple Award Schedule Contract 3-21-06-1069 Cloud Data Management and Enterprise Backup Software		State of California	Development Group Inc. Redding, CA	\$250,000	Allows purchase of equipment and software as well as ongoing maintenance subscription and support for Rubrik data protection and backup equipment and services.	Discount off list price. New piggyback for purchase of Rubrik data protection and backup equipment and services.
3. Houston-Galveston Area Council Cooperative Purchasing Program Contract RA05-21 Radio Communications/Emergency Response Equipment		Composed of 36 elected officials representing 13 counties in the Houston Galveston Area	Nokia of America Corporation Dallas, TX	\$1,000,000	Allows for purchase of additional equipment for continued build out of the District LTE Network. NetSync is the reseller partner for this contract.	Percent discount off list price or specific pricing on major equipment. New piggyback for purchase of Nokia equipment to continue build out of District LTE network.
4. NASPO ValuePoint State of Washington Contract 00318 Public Safety Communications Products, Services, and Solutions		State of Washington, Department of Enterprise Services	JVCKenwood USA Corporation Long Beach, CA	\$150,000	Allows purchase of public safety equipment including our District standard Kenwood radios used at all school site and safety office. Contract allows purchase through our local reseller Vincent Communications.	Discount off list price. Replaces contract 06913 which has expired.