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BOARD COMMUNICATIONS – JULY 29, 2022

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

BUSINESS & FINANCIAL SERVICES – Santino Danisi, Chief Officer

BFS-1	Kim Kelstrom	School Services Weekly Update Reports for June 16, 2022 through July 15, 2022
BFS-2	Kim Kelstrom	June and July Legislative Committee Meeting
BFS-3	Kim Kelstrom	2022/23 State Adopted Budget Update
BFS-4	Tammy Townsend	Federal Program Monitoring

COMMUNICATIONS – Nikki Henry, Chief Officer

C-1	Mayer Vang	Parent University's Family Goal Kickoff Event
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ENGAGEMENT & EXTERNAL PARTNERSHIPS – Wendy McCulley, Chief Officer

EEP-1	Wendy McCulley	Office of Engagement & External Partnerships Update
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INSTRUCTIONAL DIVISION – Dr. Natasha Baker, Chief Officer

ID-1	Dr. Sean Virnig	2022/23 Community Advisory Committee on Special Education
ID-2	Leslie Loewen	Class of 2022 Graduation Expenses and Support

OPERATIONAL SERVICES – Paul Idsvoog, Chief Officer

OS-1	Ann Loorz	Resolution 22-01, Self-Certifying Increased Micro-Purchase Threshold
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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: July 29, 2022

Phone Number: 457-3907

Regarding: School Services Weekly Update Reports for June 16, 2022 through July 15, 2022

The purpose of this board communication is to provide the Board a copy of School Services of California's (SSC) Weekly Updates. Each week SSC provides an update and commentary on different educational fiscal issues. In addition, they include different articles related to education issues. The SSC Weekly Updates for June 16, 2022 through July 15, 2022 are attached and include the following articles:

- Primary Elections Also Yield Local School Bonds – June 15, 2022
- California Budget: Big Surplus, Big Differences – June 13, 2022
- Bill Would Give \$25,000 to Aspiring School Counselors, Social Workers – June 14, 2022
- CDE Certifies 2021-22 P-2 Apportionment – June 23, 2022
- School Meal Waivers Expire in 9 Days. After Axing Them, Congress May Try to Save Them – June 21, 2022
- California Prop. 13's 'Unjust Legacy' Detailed in Critical Study – June 22, 2022
- Finance Bulletin Updates Inflation and Revenues for June – June 27, 2022
- Charter Schools, Abundant in California, Could be a Supreme Court Target – June 29, 2022
- 4 Ways Ed Leaders Can Prepare for Funds in Newly Enacted Gun Safety Bill – June 27, 2022
- Key Education Bills Stall – July 07, 2022
- California Will Not Bring Back Mask Mandate for the New School Year – July 05, 2022
- College or Career? California Invests \$500 Million in Program That Tackles Both – July 07, 2022
- Feds Extend Meal Flexibilities – July 11, 2022
- How One District Used Covid Funds to Send Kids to Camp – on a College Campus – July 11, 2022
- California's Newsom Goes to Washington; 2024 Chatter Follows – July 12, 2022

If you have any questions pertaining to the information in this communication, or require additional information, please contact Kim Kelstrom at 457-3907.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: July 29, 2022



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DATE: June 16, 2022

TO: Robert G. Nelson
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

Legislature Passes Placeholder 2022-23 State Budget

On Monday afternoon, the Assembly and Senate approved Senate Bill (SB) 154, which is the Legislative Version of the 2022-23 State Budget Act. By approving SB 154 before the June 15 constitutional deadline, legislators will continue to collect their paychecks as legislative leadership negotiates with the Newsom Administration on a final State Budget agreement. It is important to view SB 154 as a placeholder budget that essentially allows the Legislature to meet their constitutional deadline and position itself in negotiations with Governor Gavin Newsom.

During budget committee hearings leading to the passage of SB 154, the Department of Finance (DOF) highlighted that one of the largest sticking points between the Administration and the Legislature is how much to invest in one-time versus ongoing funds. The DOF expressed significant concerns that the Legislature's framework proposes to provide more funding in ongoing resources than the May Revision given recent economic conditions that indicate challenging fiscal times ahead. The DOF highlighted that the legislative budget commits \$2.4 billion in ongoing expenses above the Governor's May Revision in 2022-23, which grows to \$5.6 billion in ongoing expenses by 2025-26. They fear that if state revenues decline in future years, new or expanded programs supported by ongoing funding proposed by the Legislature may have to be cut.

There are also disagreements between the Legislature and the Governor on how to issue relief to Californians who are impacted by rising inflation and gas prices. In fact, the legislative budget rejects Governor Newsom's proposal to provide a \$400 rebate to households based on registered vehicles and instead wants to provide tax rebates of \$200 per taxpayer and dependent for those with incomes below \$125,000 (\$250,000 for joint filers) and one-time cash assistance to low-income individuals and families.

SB 154 was presented to the Governor on Wednesday, June 15, 2022, which means he has until Monday, June 27, 2022, to sign, veto, or line-item veto the bill. This 12-day timeline for the Governor to act on SB 154 marks when the Legislature and the Administration need to come to a deal on the State Budget package. Once the parties do come to an agreement, it will likely be reflected

in a separate bill, known as the Budget Bill Jr., which will make the necessary amendments to SB 154 and allow the Governor to sign both bills.

K-12 Art and Music Initiative Qualifies for November Ballot

Last week, Secretary of State Shirley Weber announced that an initiative that would provide funding for K-12 art and music education has received the requisite signatures needed to qualify for the November 8 General Election ballot.

If approved by voters in November, the measure would require the state to provide additional funding to increase arts instruction and programming in schools beginning in 2023-24. The amount would be equal to 1% of Proposition 98 funding that K-12 schools received in the previous fiscal year. The funding would be considered a payment above the Proposition 98 minimum guarantee. The initiative would allow the Legislature to reduce funding only in years when it suspends the minimum guarantee. The Legislative Analyst's Office estimates that 2023-24 funding would likely be in the range of \$800 million to \$1 billion.

If approved by voters, 70% of the funding would be distributed to schools based on their share of statewide enrollment, while the remaining 30% would go to schools based on their share of low-income students. The initiative would allow governing boards to set aside 1% of their funding for administrative purposes. Schools would be required to use at least 80% of their funding to hire staff; however, school districts and charter schools with less than 500 students would be exempt from this requirement. The initiative also permits the California Department of Education to allow a school site to spend less on staff subject to a written request by a school principal.

In order to pass the ballot initiative must be approved by a majority of California voters on November 8, 2022.

Leilani Aguinaldo

Primary Elections Also Yield Local School Bonds

By Brianna García and Carmen Thompson
 School Services of California Inc.’s *Fiscal Report*
 June 15, 2022

The elections held on June 7, 2022, were closely watched for a number of reasons. As the state’s Primary Election, most of the attention throughout was on congressional, mayoral, and other hotly contested statewide races. For the most part, the primaries are used to determine the top two vote getters for runoffs in November. Less publicized, but equally as important for local communities, were the K-12 bond and parcel tax measures.

Matching historical trends, local voters passed the majority of the bond and parcel tax measures put before them. Of the 17 General Obligation (GO) Bond measures placed on ballots across California, voters passed 64.7%.¹ They also passed 87.5% of the parcel tax measures.

There were a total of 25 local measures on ballots across California, 16 of which were Proposition 39 (or 55%) GO Bond measures totaling \$1.68 billion. Of the 16 55% GO Bond measures, 10 (62.5%)—totaling \$935.6 million—passed. Notably, the passage rate for this election’s Proposition 39 local school bonds was significantly lower than historical trends when well over 80% of them have passed. Some believe that new ballot language requirements may be affecting the ability of local educational agencies to pass their bonds.

There was only one two-thirds GO Bond measure for \$3.6 million and it also passed with 73.7% approval. Seven of the eight parcel tax measures also passed. (Click here to see a list of the local measures that were on the ballot.)

	Local Measures	Passed	Failed	Passage Rate	Total Dollars Passed	Total Dollars Failed	Total Dollars
					(in millions)		
2/3 GO Bond	1	1	—	100.0%	\$3.6	—	\$3.6
55% GO Bond	16	10	6	62.5%	\$935.6	\$740.3	\$1,675.9
Parcel Taxes	8	7	1	87.5%	—	—	—

School Services of California Inc. congratulates all the school districts that passed local tax measures. And education’s collective thanks also goes to all California voters, including yourselves, who year after year support all students by providing needed funding both in the classroom and for the construction and modernization of those classrooms.

¹The total number of local bond measures was determined based on information obtained through publicly available sources and may not represent all local bond measures. In addition, the figures noted above represent the semi-official tally as of June 8; the final numbers will be certified within 30 days by local registrar of voters’ offices.

Note: With just a little over two weeks until the new fiscal year begins, the Legislature and Administration still need to work out several key issues to come to an agreement on the 2022-23 State Budget package.

California Budget: Big Surplus, Big Differences

By Alexei Koseff
CalMatters
June 13, 2022

California lawmakers approved a \$300 billion state budget today, but it is far from final as legislative leaders continue to negotiate with Gov. Gavin Newsom over items including a proposed multibillion-dollar rebate to taxpayers.

The Legislature adopted the record spending plan anyway, to meet a constitutional requirement that members pass a balanced budget by Wednesday or forgo their pay. The bill will be sent this week to Newsom, who then has 12 days to sign or veto it — another critical deadline that should propel the two sides toward a deal.

The start of the next fiscal year looms on July 1, less than three weeks away. Yet the budget process will likely extend well beyond that date, as lawmakers pass follow-up measures amending provisions of their spending plan to reflect compromises with the governor. That’s what happened last year, when Newsom and legislative leaders announced an agreement in late June and continued to put finishing touches on it into August.

Newsom and the Democratic-controlled Legislature share general values for state spending and their budget proposals have broadly similar frameworks. But with an unprecedented amount of money at their disposal — unexpectedly strong recovery from the coronavirus pandemic, especially among the wealthiest Californians, has produced a discretionary surplus of almost \$49 billion, state officials estimate — they have yet to agree on many of the details.

State Sen. Nancy Skinner, a Berkeley Democrat who leads the Senate Budget Committee, said the Legislature is more than 95% in agreement with Newsom and she expects they will reach a consensus soon.

“I like these kinds of negotiations,” she said in an interview. “Our perspectives are so aligned that we’re in good shape.”

A spokesperson for Newsom said the governor still wants “more immediate, direct relief to help millions more families with rising gas, groceries and rent prices,” as well as more money directed to pay down debts, build reserves and “shore up our state’s energy supply to ensure we can continue to keep the lights on.” He also “remains opposed to massive ongoing spending,” Anthony York, Newsom’s senior advisor for communications, said in a statement.

The budget bill approved by the Legislature today includes about \$236 billion in general fund expenditures, with the remainder coming from special funds. It would grow state budget reserves to nearly \$38 billion, increase compensation rates for state-subsidized child care providers and expand eligibility for Medi-Cal, the state’s health insurance program for the poor, to all adults, regardless of immigration status, by the start of 2024.

Under the legislative plan, California would spend \$1.7 billion over the next few years to build up its health care and social services workforces, as well \$100 million to develop a generic insulin and \$100 million to establish trust funds for low-income children who lost parents or caregivers to COVID-19.

Anticipating a U.S. Supreme Court ruling as soon as this month that would overturn constitutional protections for abortion rights and potentially bring a wave of women to California for care, state leaders want to significantly expand abortion access. The budget would set aside more than \$130 million to train more providers, enhance clinic infrastructure and security, reimburse providers who care for people without health coverage and establish a statewide fund to help patients with travel costs.

The Legislature overwhelmingly passed the measure, by a vote of 57–16 in the Assembly and 28-8 in the Senate. Republicans complained that not enough of the surplus was directed toward struggling Californians and budget reserve accounts, especially with a potential economic recession looming.

“As state coffers grow, family bank accounts are shrinking,” Assemblymember Vince Fong, a Bakersfield Republican, said on the Assembly floor. “Californians are rightfully frustrated. They are paying more and getting less. State spending continues to rise, but the problems get worse and crises go unaddressed.”

The biggest remaining dispute between Newsom and legislative leaders is over competing proposals to provide Californians with relief from soaring gas prices and inflation. The governor has pushed to send every registered vehicle owner in the state a \$400 debit card — as many as two per person — at a cost of about \$9 billion.

But Democratic lawmakers want to focus the rebate on low- and middle-income families, earning less than \$250,000 for a couple or \$125,000 for an individual. Their plan would cut \$200 checks for each eligible taxpayer and their dependents at a cost of about \$8 billion.

Both sides have agreed to a \$21 billion climate package, but have not yet worked out how exactly to distribute that money among drought relief, wildfire preparedness, zero-emission vehicle incentives, clear energy development and other programs.

Other lingering disagreements revolve around higher levels of new spending proposed in the Legislature’s budget compared to the governor’s plan. At a Senate budget hearing last week, Erika Li, chief deputy director for the budget in Newsom’s Department of Finance, expressed opposition to several billion dollars in additional ongoing expenses that lawmakers are seeking for universities, housing and social safety net programs.

“Given the uncertainty of the economy and rising inflation, we’re concerned that the Legislature’s budget commits an unsustainable amount to ongoing expenditures,” Li said.

Those legislative proposals include increasing the state’s earned income tax credit, a tool for returning cash to low-income working parents, to at least \$255 starting in 2023. The change would cost at least \$400 million annually.

Lawmakers want to increase the base funding for the University of California and California State University by \$150 million more than Newsom and pour hundreds of millions more into financial aid, expanding assistance to approximately 150,000 newly eligible students. They would also direct an additional \$2 billion to student housing projects over the next three years.

The Legislature is pushing to create a new homeownership assistance program, setting aside \$1 billion a year for the next decade to subsidize down payments for first-time buyers, who would eventually repay the money into a self-sustaining loan fund. Newsom has not signed off on that idea, nor on billions of dollars in additional funding that lawmakers have proposed for affordable housing development and homelessness services.

Note: SB 1229 would establish the Mental Health Workforce Grant Program to increase the number of mental health professionals serving children and youth.

Bill Would Give \$25,000 to Aspiring School Counselors, Social Workers

The aim is to help ease mental health problems among California students.

By Carolyn Jones
EdSource
June 14, 2022

Bailey Adling would stay up some days until 3 a.m. studying for his master's degree in school counseling, and then wake up at 7 a.m. to work a full day as a substitute teacher. He was so exhausted he often considered dropping out of the program.

While Priscilla Park was enrolled full-time in her graduate school counseling program, she taught school during the day and gave up her social life, while still paying off her six-figure undergraduate loans.

Even the state's top educator, Superintendent Tony Thurmond, struggled to make ends meet while earning his master's in social work 20 years ago. If he hadn't had a paying internship, he said, he never would have managed.

Now Thurmond is pushing for a bill that would provide up to \$25,000 in grants for students pursuing careers in school counseling, social work and other fields related to youth mental health. Senate bill 1229 aims to bring 10,000 new mental health professionals to California young people, who've struggled with soaring rates of depression, anxiety and stress.

"This is one of the most important bills that'll come out of the Legislature this year," Thurmond said. "Just about every student in California has suffered from mental health challenges. If the pandemic wasn't enough, there's the fallout from school shootings, wildfires, economic uncertainty. ... We are at a critical moment, and we need to do everything we can to help."

More grants available in Newsom's budget

Gov. Gavin Newsom's revised budget also includes incentives for those considering careers in school-based mental health. Under his proposal, the Golden State Teacher Grant Program would expand to include school counselors, social workers and psychologists, as well as teachers already eligible since 2020. Those who qualify could get up to \$20,000 in grants to help offset the cost of tuition at public or private universities.

Under SB 1229, those grants could be \$5,000 larger than the governor's plan. If the bill passes, which is likely because so far it has no opposition, students could start receiving those grants as soon as this fall. The bill would cost \$250 million overall, with the funds coming from the state surplus.

Grants could boost diversity

To become a school counselor in California, applicants must earn a master's degree in school counseling, typically a two-year commitment that includes at least 600 hours of field work at a school. Those internships are often unpaid, which means many potential counselors take out loans to cover tuition as well as living expenses.

Tuition for California State University's 15 graduate counseling programs, which train the majority of California's school counselors, is about \$20,000. State grants could make a big difference for students who otherwise would not be able to afford to become school counselors, said Caroline Lopez-Perry, associate professor in the school counseling program at California State University Long Beach.

"It's a really strategic way to ensure a strong, consistent workforce in school counseling," Lopez-Perry said. "The need for financial assistance can be a barrier to diversity in the program, so this is a good way to address that."

Because of the tuition costs and time commitment, most people who pursue school counseling degrees tend to be middle- or upper-income and white – despite the increasing diversity of the state's K-12 population as a whole. Advocates have been calling for schools to recruit and hire more Black and Latino counselors, who might be better able to connect with students in those groups. According to SB 1229, almost 8 million Californians – many of them Black, Latino and Native American – live in communities with a shortage of mental health professionals.

If either or both SB 1229 and the governor's budget proposal pass, they would provide a welcome respite for students in CSU graduate programs, who generally receive little financial aid and rely mostly on loans, said system spokeswoman Toni Molle.

"Offering \$25,000 will assist students in paying for programs and potentially assist with the need to work full-time while pursuing a graduate degree," she said. "It may also prompt students working in the field to return to school to pursue a graduate program."

In some areas, a tight job market

One possible hitch for SB 1229 is the job market and Cal State's capacity to train more school counselors. Since the pandemic, school districts throughout California have been hiring more counselors and social workers to address student mental health needs, but it's still a tight job market in some regions for new graduates and the state doesn't require districts to have any counselors or social workers at all.

A recent search on EdJoin, an online job board for California educators, showed 493 openings for school counselors. It's unclear how an additional 10,000 counselors, social workers and other mental health professionals will be able to find work, especially in competitive areas like Los Angeles or the Bay Area.

But Thurmond is confident that districts will continue to expand their counseling and social worker staffs, and that those 10,000 new mental health professionals will find positions – especially in rural and low-income areas, where the need is higher. And they won't be restricted to schools, according to the bill: they could also work at community clinics, public health agencies or nonprofits that provide mental health services to young people. The grants also aren't limited to school counselors, social workers or psychologists – marriage or family therapists and clinical social workers and counselors are also eligible to participate.

San Bernardino City Unified is among the districts that's been expanding its counseling staff, and is grateful for any efforts to increase and diversify the pool of qualified applicants. The district currently has 82 counselors and 65 psychologists, and recently hired 16 nurses and a social worker.

"It is important for our lawmakers to understand the diverse needs of our students and the resources and support structures that schools need to effectively service the 'whole' student, not just the academic part of the student," district spokeswoman Maria Garcia said.

Recruiting 10,000 new mental health professionals won't solve the mental health crisis overnight, nor will it work if it's an isolated measure, Thurmond said. It's meant to be part of the state's broader effort to help young people who are struggling. The state's recent \$3 billion investment in community schools with on-campus clinics, along with investments in social-emotional learning, summer and after-school enrichment programs, links between Medi-Cal and schools, universal preschool and other initiatives are also meant to ease students through the past few years of hardship.

'It would be a huge burden lifted'

For Priscilla Park, a recent school counseling graduate and resident of Buena Park, the road to becoming a school counselor started with her own experience as a high school student. The daughter of immigrants, she lacked guidance when applying for colleges, and ended up taking on far more debt than she was comfortable with when she enrolled in a private college in Illinois.

"I just thought it was something everyone did, that it was the price of an education," Park said. "I didn't have financial literacy." She later enrolled in a counseling program at Cal State Long Beach.

While working as a school teacher, she knew it would be decades before she could pay off her college loans, a fact that hung over her constantly. By becoming a counselor, she could earn more money and prevent other students from making the same mistakes she did.

The idea of \$25,000 grants, she said, "is amazing. It would be a huge burden lifted for so many students who are just barely making it – working multiple jobs, supporting families."

For Bailey Adling, a \$25,000 grant would have made a huge difference in his graduate school experience at Cal State Long Beach. For starters, he would not have had to work several days a week as a substitute teacher, allowing him to focus more on his classwork and internships.

"It's hard. You're trying to support students and be there for them, when you're just trying to survive yourself, wondering if your basic needs are going to be met this month," he said. "It takes a toll on your own mental health."

As much as he struggled, Adling has no regrets. He plans to graduate with his master's this summer and start working as a school counselor this fall. He's already had five job interviews.

"Now that I'm almost done, I know that this is the career I love," he said. "School counselors have such an important role to play. I'm so excited to be doing this work. It's what I was meant to be."

Thurmond worked as a youth social worker for about a decade in Oakland and elsewhere before running for public office. His experience with young people in need "has informed everything I've done as a legislator and as state superintendent," he said.

But he knows firsthand how hard it can be to enter the profession. As a graduate student in social work at Bryn Mawr College in Pennsylvania, he felt lucky to land an internship that paid and a job that included housing. Without that, he said, he never would have graduated.

“I’m grateful we have resources right now to fund these initiatives,” Thurmond said. “No other state has prioritized student mental health as aggressively as California has. I hope other states head in the same direction.”



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DATE: June 24, 2022

TO: Robert G. Nelson
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

2022-23 State Budget Update

As of this writing, legislative leadership and the Newsom Administration have yet to come to an agreement on the 2022-23 State Budget package. As a reminder, the legislative State Budget, Senate Bill 154, was presented to Governor Gavin Newsom on June 15, 2022, which gives the Governor until Monday, June 27, 2022, to act on the measure. With June 27 approaching quickly, we expect to hear an announcement on an agreement between the two parties very shortly, especially since the Legislature is scheduled to go on its monthlong summer recess beginning July 1, providing that the State Budget bill is signed.

Senate Education Committee

With the July 1 second house policy committee deadline quickly approaching, the Senate Education Committee, chaired by Senator Connie Leyva (D-Chino), met on Wednesday, June 22, and approved two dozen bills, including the following implications for local educational agencies (LEAs):

- Assembly Bill (AB) 558 (Nazarian, D-Van Nuys) would establish the California School Plant-Based and Restricted Diet Program, which would authorize LEAs to apply for additional reimbursement for serving plant-based food or milk options or restricted diet food options
- AB 1912 (Bonta, M., D-Oakland) is an urgency measure that would require a school district with an emergency apportionment to do the following when deciding to close or consolidate schools:
 - Conduct an equity impact analysis
 - Develop a set of metrics for the equity impact analysis and make those metrics public at a regularly scheduled meeting of the governing board
 - Provide its recommendations regarding school closures and consolidations to the public at a regularly scheduled meeting and share how the list was prepared

- AB 2232 (McCarty, D-Sacramento) would require public schools to ensure that facilities have heating, ventilation, and air conditioning systems that meet minimum ventilation rate requirements and to install filtration that achieves minimum efficiency reporting values levels of 13 or higher
- AB 2573 (McCarty) would change the process for obtaining permanent status for certain certificated employees, including certificated employees in school districts with less than 250 average daily attendance, instructors at regional occupational centers or programs, and states that provisions pertaining to certificated employees who provide services as part of a categorical funding project do not apply to adult education teachers
- AB 2731 (Ting, D-San Francisco) would require, commencing January 1, 2035, all newly purchased or contracted school buses of an LEA be zero-emission vehicles

These bills will be taken up by the Senate Appropriations Committee when the Legislature returns from its monthlong summer recess in August. The majority of these bills, if not all of them, will be put into the suspense file, meaning we will not know whether they will proceed to the Senate floor until the suspense file hearing, which will take place either Thursday, August 11, or Friday, August 12, 2022.

Leilani Aguinaldo

CDE Certifies 2021-22 P-2 Apportionment

By Dave Heckler
School Services of California Inc.'s *Fiscal Report*
June 23, 2022

The California Department of Education (CDE) certified the Second Principal (P-2) Apportionment on Friday, June 17, 2022.

With the significant increase in state tax revenues, the balance in the Education Protection Account (EPA) dramatically increased to \$15.8 billion for the soon-to-be concluded fiscal year. This represents a 53% increase over the EPA estimates from February 2022.

In order to fully apportion the significant increase in EPA revenues, the 2012-13 base revenue limit has been inflated by the cost-of-living adjustments (COLAs) for 2013-14 through 2021-22 for the 2021-22 fourth quarter EPA calculations. Beginning with 2022-23 and going forward, the 2012-13 base revenue limit rate will continue to be adjusted by the statutory COLA.

With this amount, the CDE calculates the EPA offset to be 73.31789035% of a local educational agency's (LEA) 2021-22 adjusted revenue limit or charter school's general purpose grant, provided that no LEA receives less than \$200 per unit of average daily attendance.

This significant increase in the EPA funds will result in many state-funded LEAs receiving a boost in fourth quarter EPA funding. Since the EPA funds act as an offset to state-aid apportionment funding, many LEAs will receive a reduced, or even a negative, state-aid P-2 Apportionment payment. This does not impact the overall Local Control Funding Formula revenues but is certainly a welcome relief for cash flow purposes. Any overpayment in state aid for 2021-22 resulting from the increased EPA funding will offset state aid included in the 2022-23 Advance Apportionment payments.

While there are no deficits for special education base funding, data for the new Out-of-Home Care (OHC) formula still is not yet available. As a result, Special Education Local Plan Areas (SELPA) will receive funding at P-2 equal to their 2020-21 OHC apportionment. Once the 2021-22 Annual Apportionment is certified in February 2023, the OHC apportionment will be calculated according to the new formula and each SELPA's funding will be adjusted accordingly.

The entire 2021-22 P-2 Apportionment letter can be accessed [here](#).

Note: If Congress were to approve this bill, which would provide higher reimbursement rates for school meals through the 2022-23 school year, it would save the state money on its universal meals program as they would be able to subsize the program with more federal funding.

School Meal Waivers Expire in 9 Days. After Axing Them, Congress May Try To Save Them

By Ximena Bustillo
NPR
June 21, 2022

A bipartisan group of four lawmakers on Tuesday announced a bill that would extend the school meal waivers that have been a lifeline for schools and families during the pandemic.

The waivers were originally created as a part of pandemic relief at the start of 2020. They allow the Agriculture Department to waive various requirements that govern how schools can serve meals and who can get them. The waivers also increased the reimbursement rates for school food programs.

Lawmakers failed to extend those waivers one more academic school year when they were excluded from the budget signed by President Joe Biden in March, resulting in a scramble for administrators and parents nationwide. School leaders and parents had weeks to prepare for summer meal programs without the waivers that allowed more summer meal sites. They also had to get up to speed on how fall meals would function with the return of free and reduced-price meal applications and continued supply chain challenges that meant some foods were not always available.

Now, Sens. Debbie Stabenow, D-Mich., and John Boozman, R-Ark., and Reps. Bobby Scott, D-Va., and Virginia Foxx, R-N.C., have released the Keep Kids Fed Act with the goal of passing the bill out of both chambers and to Biden's desk before the waivers expire on June 30.

The bill, which totals about \$3 billion but is budget-neutral to ease GOP concerns the effort would be too costly, would fully extend all waivers through the summer to allow meal deliveries and grab-and-go options for students. It would also extend supply chain flexibilities and higher reimbursement rates through the 2022-2023 school year. But the biggest omission is the exclusion of flexibilities that removed free and reduced-price meal applications, giving every student free meals. That means that families would need to return to filling out applications to qualify.

“Time is running out. My agreement with Senator Boozman, Representative Scott and Representative Foxx will help keep kids fed and is fully paid for,” said Stabenow in a statement. “With 90% of our schools still facing challenges as they return to normal operations, this will give our schools and summer meal programs much-needed support to deal with ongoing food service issues. Congress needs to act swiftly to pass this critical help.”

There is still no clear path to passage, according to aides familiar with negotiations, but the goal is to move the measure before the end-of-month deadline and any vote could come as soon as Wednesday.

For months, school food and nutrition advocates and USDA officials have raised the alarm over the expiring waivers, urging for Congress to extend them.

During a Senate Agriculture Committee hearing in May, Agriculture Secretary Tom Vilsack warned lawmakers that school budgets could decrease by 40 percent as a result of the ended waivers due to rising food, supply and labor costs.

“We know these waivers are needed and that they work. The reach of the summer meals program increased dramatically with them, doubling in 2021 and even tripling in 2020,” said Lisa Davis, senior vice president of Share Our Strength’s No Kid Hungry campaign in a statement. “While these waivers don’t solve supply chain issues, lower the rising cost of food and gas, or solve our nation’s inflation problem, they do help soften their impact on schools and community organizations and, ultimately, keep kids fed and nourished.”

Note: A report released by the by the Opportunity Institute and Pivot Learning has found that Proposition 13 (1978) has contributed to a widening wealth gap, a severe housing shortage, and inadequate funding for public schools.

California Prop. 13’s ‘Unjust Legacy’ Detailed in Critical Study

Wider wealth gaps, unstable education funding, housing shortages 4 decades later.

By John Fensterwald
EdSource
June 22, 2022

A new analysis of the enduring impact of Proposition 13, the 1978 initiative that voters passed as a backlash against rising property taxes, concluded it has contributed to a widening wealth gap, a severe housing shortage and, for decades, inadequate funding for public schools.

“Proposition 13 is just one example of what happens when a purported progressive state allows a privileged few to hoard opportunities and resources at the expense of the greater good,” concluded the report “Unjust Legacy” by the Opportunity Institute and Pivot Learning, released on Wednesday. The institute is a nonprofit advocating for equitable outcomes for Californians. Pivot Learning is a consulting organization that works with schools in California and other states on improving achievement.

The 45-page report did not recommend a particular fix for Prop. 13, although it presented several scenarios that could result in billions of dollars of additional K-12 funding. The remedy would depend on which goal you’re trying to address, it said: Generate more revenue or increase revenue stability? Increase tax fairness? Expand access to homeownership? Increase local control over taxation or give the state Legislature more control? The report’s aim was to provide a broader understanding of Prop. 13’s legacy for policymakers and researchers to explore angles in depth.

Inspired by Howard Jarvis, a Republican businessman and unsuccessful politician, Prop. 13 received 65% of the vote. Among its features, Prop. 13:

- Cut residential and commercial property assessments to 1975–76 values.
- Capped property tax rates at 1% of a property’s purchase price.
- Permitted assessed values to increase no more than 2% annually.

- Allowed a property to be reassessed only when sold or when the owner made significant improvements.
- Set a two-thirds rather than a 50% majority vote to pass any new “special” tax in a local election.

Prop. 13 coincided with fast-rising government spending, double-digit inflation and soaring housing prices that, in turn, caused higher property assessments and bigger property tax bills. Senior citizens on fixed incomes and workers whose raises couldn't keep up with inflation complained they were being taxed out of their homes and priced out of California.

But the report suggests a darker motive, too. The '70s was a decade of sizable immigration of Latinos and Asians with children in schools, and the state's mix of population, then two-thirds white, was changing. There was talk for the first time of an eventual majority-minority California.

“Proposition 13 was also just one in a contemporaneous wave of state referendums that had xenophobic and racist overtones,” the report states, referencing several studies.

Prop. 13 was preceded by a series of court rulings, known as the Serrano decisions, in which the California Supreme Court ruled that funding schools based on property values violated the rights of children in school districts with a low tax base. The court didn't rule out funding schools through property taxes; it said the revenue had to be distributed more fairly. And that's what the Legislature proceeded to do with legislation pushed by Gov. Jerry Brown in 1976, said Michael Kirst, an emeritus Stanford University professor who was Brown's president of the State Board of Education and adviser at the time. But then Prop. 13 passed, preempting its enactment, he said.

Funding plunged for schools

The result was a hollowing of school funding, with California falling from the fifth in per-student funding to 47th in the nation in the next two decades. In 1988, voters approved Proposition 98, guaranteeing a portion of the state's general fund — about 40% — would be allotted to K-12 schools and community colleges. Prop. 98 supporters envisioned legislators would treat the requirement as a minimum level of school funding, but in most years it has served as the ceiling, not the floor.

Those districts whose property values generate per-student school funding beyond what the state funds — primarily high-income communities — are exempt from Prop. 98. Today they make up about 15% of districts serving about 5% of students, according to the report. High-income communities have supplemented state funding with parcel taxes, which required a two-thirds majority approval because of Prop. 13 — a big barrier contributing to disparities.

But Prop. 98 funding levels for schools have soared since the end of the Great Recession (2007-09), amplified by an income tax surcharge on top income earners that voters made permanent in 2016. The top 1% of earners now fund half of the state's income taxes.

As the report noted, in 2019-20, California's per-student funding, unadjusted for regional costs, reached the national average. And the Legislature is poised to pass a state budget in which per-student funding will likely well exceed the national average — with funding for low-income districts that receive extra money under the state's Local Control Funding Formula even higher.

At least for 2022-23. But the flip side of tax progressivity is volatility; a state tax structure dependent on revenue from capital gains follows stock market gyrations. During the Great Recession, state funding for schools fell \$7 billion or about \$1,200 per student.

“It’s a reminder that the boom and bust cycle is real. Property taxes are a piece of the puzzle to smooth out volatility,” said Carrie Hahnel, senior director of policy and strategy with the Opportunity Institute.

If a recession were to happen this year, as some forecasters predict, school districts are better poised than a decade ago to weather it, but the impact of a sizable recession would still be jarring. Revenue from property taxes has been more stable and predictable — and still could be, depending on how a Prop. 13 reform were structured.

“I’ve always said school funding should be a three-legged stool, with local, federal and state participation for stable and growing funding,” said Kirst. “We need to get local districts back in a way that transcends parcel taxes and developers’ fees.”

One way, briefly mentioned by the report, could be to phase out the 1% limit on taxing property or 2% limit on reassessing property values annually, and to share a portion of the revenue to supplement income-poor districts’ tax increases, perhaps in the same region or county. Not equalizing the revenue could revive Serrano-type lawsuits and court intervention.

Apart from education funding, the report documents other inequalities from Prop. 13. The limit on property tax increases encouraged homeowners to hold on to their properties longer than in other states, resulting in fewer houses on the market. Owners were able to factor in market scarcity in setting the price of a home and, until recently, were able to pass on the house at the same assessed value to children and grandchildren, as an inheritance.

Because of redlining, exclusionary zoning and racism, Black, Asian and Latino Americans for decades were unable to obtain mortgages or buy into many neighborhoods where they could build the same kind of intergenerational wealth that high-income white families have been able to achieve, in part through Prop. 13, the report said.

As the report noted, many factors — large-lot zoning, high land costs, government fees — contribute to the high cost of housing. By limiting property taxes, Prop. 13’s contribution was to encourage cities and counties to zone land for retail and manufacturing rather than housing, in order to get sales tax and business revenues. Cities fought each other for big-box stores and ignored housing needs.

“Proposition 13 will continue to prevent us from having more equitable resources for housing and local government; it relates to how well we support families and children,” Hahnel said. “That’s why we are calling for another look at the effects of Prop. 13.”

Prop. 13 has remained popular in polls — and viewed as politically untouchable for decades. But in 2020, a statewide initiative to reassess commercial properties at market value to produce additional state funding came close to passing, with 47% in favor, and another initiative did pass. Proposition 19 requires that heirs of an inherited, low-assessed property live in the house, not make money by renting it.

In a statement Tuesday, the anti-tax Howard Jarvis Taxpayers Association, named after the father of Prop. 13, dismissed the Legacy report as “a thoughtless assault on California property owners.”

“Out-of-touch researchers are wasting their time and yours by issuing yet another report on how much more money the government could collect if only it was allowed to take it,” it said.

Kirst acknowledged it could be a hard sell to convince voters to raise property taxes for more state revenue, but praised the report as “a first of a kind analysis with a focus on equity that had not been well analyzed.”

“It is a major contribution to school finance in California,” he said.



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DATE: July 1, 2022

TO: Robert G. Nelson
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

Governor Newsom Signs the 2022-23 State Budget Package

This past Sunday, June 26, 2022, Governor Gavin Newsom, Senate President pro Tempore Toni Atkins, and Assembly Speaker Anthony Rendon announced that they had reached an agreement on the 2022-23 State Budget package.

Following the announcement, the Legislature released Assembly Bill (AB) 178, Budget Bill Jr., which reflects the budget agreement reached between the Administration and the Legislature. Additionally, the Legislature also released over two dozen budget trailer bills, the implementing language of the State Budget. The budget trailer bills are essentially the policy language of the budget and thus enact the corresponding changes to state law.

Yesterday evening, less than 24 hours after the Legislature approved and sent Budget Bill Jr. and the corresponding trailer bills to the Governor, Newsom signed the State Budget package into law mere hours before the start of the 2022-23 fiscal year. As budget bills, they all went into effect immediately upon signature. Below we detail the relevant budget trailer bills for transitional kindergarten (TK)-12 education that are now officially law.

AB 181—Education Omnibus Budget Trailer Bill

This bill includes the TK-12 provisions of the 2022-23 State Budget package, including the following significant investments for local educational agencies (LEAs):

- Statutory changes to the Local Control Funding Formula (LCFF) that will provide a 13% increase in funding above 2021-22 rates
- A one-time \$3.5 billion Arts, Music, and Instructional Materials Discretionary Block Grant that will be provided to all LEAs on a per-average daily attendance (ADA) basis
- An increase to the Expanded Learning Opportunities Program from \$1.7 billion in the current year to \$4 billion ongoing starting in 2022-23

- Ongoing funds of \$637 million for home-to-school transportation for school districts and county offices of education to be reimbursed at either their LCFF add-on amount for school transportation plus the annual cost-of-living adjustment (COLA), or up to 60% of their transportation costs plus the annual COLA
- \$4.2 billion (non-Proposition 98) dollars for the School Facilities Program for new construction and modernization needs into 2025
- Funds to expand eligibility for TK and \$383 million for TK 12:1 student-to-adult ratios that are required starting in 2022-23
- \$500 million to increase the special education formula base rate to \$820 per pupil

AB 182—Learning Recovery Emergency Block Grant

This trailer bill provides \$7.9 billion one-time to LEAs for the Learning Recovery Emergency Block Grant. The funds will be distributed based on an LEA's 2021-22 ADA for grades TK-12 multiplied by the 2021-22 unduplicated pupil percentage. The funds will be limited to the following:

- Increasing or stabilizing instructional learning time
- Decreasing or stabilizing staff-to-pupil ratios
- Learning supports such as tutoring
- Pupil supports to address other barriers to learning, such as counseling or mental health services, or access to school meals
- Instruction for credit-deficient students to complete graduation or promotion requirements and improve college eligibility
- Additional academic services such as progress monitoring and benchmark assessments

The block grant may be used for learning recovery initiatives through the 2027-28 school year.

AB 210—Early Childhood Education Omnibus Trailer Bill

This is the early childhood education omnibus trailer bill, which sets the rates and policies for all State Budget appropriations for early childhood education programs in the California Department of Education (CDE) and Department of Social Services. Specifically, the bill:

- Extends the 2021-22 Budget Act actions taken during the COVID-19 pandemic to waive family fees for childcare and create hold harmless policies for the 2022-23 fiscal year
- \$172.3 million ongoing General Fund and \$314 million ongoing Proposition 98 for increases in rates for the California State Preschool Program (CSPP)
- Appropriates an additional \$250 million one-time, to the Inclusive Early Education Expansion Program

- Includes a 5% CSPP set-aside for preschoolers with disabilities for 2022-23 and a 10% CSPP set-aside beginning in 2024
- Expands eligibility for CSPP to families at the state median income
- Provides authority to the CDE to develop a tool for early learning delay identification and referral, for preschool through grade two

SB 191—Employment Trailer Bill

The employment trailer bill includes language that requires, until June 30, 2025, an exclusive representative be entitled to schedule an in-person meeting at the worksite during employment hours if a public employer has not conducted an in-person new employee orientation within 30 days. The applicable employees would be relieved of other duties in order to attend the meeting, during which an exclusive representative is authorized to communicate to the employees in the applicable bargaining unit for up to 30 minutes on paid time. The bill requires employers to provide an appropriate onsite meeting space within seven calendar days of receiving a request for the meeting and would allow the representative to schedule multiple meetings if the state or a local public health agency issues an order limiting the size of gatherings.

Leilani Aguinaldo

Finance Bulletin Updates Inflation and Revenues for June

By Anjanette Pelletier
School Services of California Inc.'s *Fiscal Report*
June 27, 2022

The June 2022 [Finance Bulletin](#) was released by the Department of Finance (DOF) on June 24, 2022, providing an economic update for California and the nation, including a summary of rising inflation, labor conditions, and analysis of revenues. All eyes have been on inflation and the impact it has on purchasing power and affordability of goods and services for everyday citizens. The DOF provides an update on headline inflation, which represents the raw inflation figure reported through the Consumer Price Index (CPI) that is released every month by the Bureau of Labor Statistics. The CPI is a fixed “basket of goods” to determine how rising costs are trending, which influences U.S. monetary policy.

In May 2022, U.S. headline inflation reached its highest point in 40 years at 8.6%. For California, the headline inflation surged to 7.7% in April, largely impacted by rocketing costs for food (up 10.1%) and gasoline (up 48.7%). Headline inflation, as measured by the CPI, is different from the core inflation figure, which removes food and energy costs due to the volatility in those sectors. This may be counterintuitive in our daily lives, as the rising costs of food and fuel impact individual pocketbooks in the short term and rising inflation lowers investment returns. Core inflation figures also showed new highs, with the cost of housing driving an increase up to 6.0%. When the Federal Reserve announces monetary policy, the impact of core inflation is usually considered. The Federal Reserve has reversed its decades long approach of adjusting interest rates minimally, if at all, to keep the economy healthy by increasing interest rates by 1.5 percentage points since March, with more increases expected in the coming months.

Rising inflation can impact the labor market and housing; however, unemployment numbers remain largely unchanged, only 0.1% higher for the U.S., and 0.2% higher for California over February 2020. These numbers do not yet include California unemployment claims that could occur due to the recent trend of Silicon Valley layoffs of highly paid tech workers. Rising interest rates also influence housing growth and costs, and California continues to set records for the high cost of housing, and sales are dropping as fewer families can afford to buy.

As noted in previous *Fiscal Report* articles, revenues for the first 11 months of the 2021-22 fiscal year continue to outpace forecasts, including the most recent May cash receipts, which were \$1.106 billion above the May Revision forecast of \$12.079 billion. Unlike April, cash receipts for May modestly missed forecasts for personal income taxes and withholding receipts by \$86 million for May and by \$1.124 billion for the fiscal year. (See [“State Tax Collections Continue Upward Trend”](#) in the May 2022 *Fiscal Report* and [“Finance Bulletin Released for April”](#) in the April 2022 *Fiscal Report*).

Fortunately, General Fund resources are made up of multiple sources of revenue, and sales and use taxes, corporation taxes, and insurance taxes were all well above forecasted amounts for the month of May and the fiscal year. At the same time, refunds paid in May were lower than forecasted for both personal income taxes and corporation taxes, keeping more cash in the General Fund. As General Fund resources outpace projections, it sets an interesting backdrop to the State Budget negotiations currently underway between the Administration and the Legislature. In an economy where inflation outpaces the cost-of-living adjustment, interest rates continue to rise, and low unemployment remains a factor, fears of a recession hang over the nation. Known and unknown forces, including COVID-19, supply chain challenges, and the war in Ukraine,

are shifting business and consumer confidence, which may portend an economic downturn. It is too soon to tell the impact of the Federal Reserve's interest rate increases and the rising cost of goods and services, but the goal is to tame inflation without causing layoffs and a recession.

Note: While the recent Supreme Court decision requiring states to fund private religious schools if they fund private charter schools does not affect California, there are worries that future rulings could have implications for the state.

Charter Schools, Abundant in California, Could be a Supreme Court Target *Experts disagree on whether the Court will take aim at charter schools*

By John Fensterwald
EdSource
June 29, 2022

For all the controversy surrounding it, the latest ruling by the U.S. Supreme Court broadening the obligation of states to fund private religious schools will have no direct impact on California.

California does not finance private schools, at issue in the 6-3 decision on June 21 involving the state of Maine. And there's no indication that it will anytime soon. The latest effort to introduce a voucher-like subsidy for private schools died this year for lack of enough signatures to put the initiative on the state ballot. Earlier similar statewide initiatives lost by 2-1 margins.

But California does have an abundance of charter schools, serving about 1 in 10 students in the state. And critics of the Maine decision, *Carson v. Makin*, who include the three dissenting justices, are warning that charters could be drawn into the next skirmish involving competing interests: the First Amendment's prohibition of government from fostering religion versus people's right to express their religion without government interference.

"There will be efforts by those who want to create religious charter schools to claim that the denial of funding for them violates free exercise of religion," predicted Erwin Chemerinsky, dean of the UC Berkeley School of Law.

Supreme Court Justice Stephen Breyer raised that prospect in his dissent in *Carson v. Makin*. But in oral arguments in the case, the lead attorney for the plaintiffs, two families from Maine, had called that prospect an "unwarranted concern." Charter schools are public schools, and the Maine case dealt strictly with private schools. The circumstances are unrelated, he said.

But the rules have already changed in ways that seemed improbable not long ago, Justice Sonia Sotomayor wrote in a separate dissent. "In just a few years, the Court has upended constitutional doctrine, shifting from a rule that permits States to decline to fund religious organizations to one that requires States in many circumstances to subsidize religious indoctrination with taxpayer dollars," she said.

Charter schools could offer another test, although it's unclear where the Supreme Court will head next, Mark Joseph Stern, Slate's senior writer covering courts, said on a Slate podcast. Chief Justice John Roberts no longer controls the other five conservatives on this and other issues, he said, foreshadowing the 6-3 decision

on abortion a few days later. In it, Roberts voted with the others to uphold Mississippi's abortion ban but, in a concurring opinion, disagreed with the five on overturning the larger right to abortion altogether.

Carson v. Makin was the third case in five years in which the court, with Roberts writing the majority decision, shifted the boundaries defining the separation between church and state.

In rural Maine, where towns were too small to afford their own high schools, the state paid the tuition to the private school of families' choice. As Roberts noted in his opinion, the state didn't impose restrictions on private high schools that were required of public schools. Private schools didn't have to accept all who applied; they didn't have to follow curricula that public schools adopted or give the state's assessments.

As long as private schools were accredited, parents could send their children to them, and the state would pick up the tab. There was only one exception: the private high school could not be a religious school that "promotes a particular faith and presents academic material through the lens of that faith."

A state doesn't have to subsidize private education, Roberts said. But once it decides to do so, it cannot disqualify private schools solely because they are religious. "That is discrimination against religion," in violation of the First Amendment's right to express religious beliefs without government interference.

In his dissent, Breyer noted that in a 2017 decision that Roberts wrote, the court decided that it was appropriate in some instances for a government to extend a content-neutral public benefit to churches that are available to organizations and governments. But it's one thing to pay for playground materials to make them safe for children, the issue in that earlier prior case, Trinity Lutheran Church v. Comer; "paying the salary of a religious teacher as part of a public school tuition program is a different matter," he wrote.

Nothing in the First Amendment compelled Maine to underwrite religious schools; it was fully within its right to underwrite only nonsectarian public schools. At Temple Academy, one of two schools that one plaintiff family wanted to attend, "the Bible is used in every subject that is taught." Its teachers must identify as born-again Christians; that school and Bangor Christian Schools, the other school involved in the lawsuit, can deny admission based on sexual preference.

But in a twist, now that they've won the case, both Bangor Christian and Temple Academy announced they would likely not admit students under the state's tuition law. As a UC Davis law school professor Aaron Tang explained in The New York Times, Maine's Legislature, in anticipation of the Supreme Court's verdict, revised state law to forbid discrimination based on gender identity and sexual orientation and extended the law to every private school, without regard to religious affiliation, that chooses to accept public funding.

Roberts acknowledged in the Maine decision that states may choose not to fund private schools and to require that their public schools be strictly secular. California doesn't fund private schools, and, since voters passed a constitutional amendment 144 years ago, has been prohibited from funding religious schools.

Charter schools the next domino to fall?

California treats charter schools as public schools. They, too, must admit any student who applies. They must hire credentialed teachers and comply with discrimination laws, state standards and graduation requirements. And, under state law, "a charter school shall be nonsectarian in its programs, admission policies, employment practices and all other operations."

But there is a key distinction between charters and district schools in California that provide a foot in the door for religious organizations. Charter schools are not overseen by elected officials; nonprofit boards of trustees create and run them. Some rent neighborhood churches; sometimes church officials helped start them.

So then, suppose a church, synagogue or mosque wanted to test California's law and sought approval for a charter from their local school board. Suppose they agreed to comply fully with the state's charter school law — open admissions, no religious instruction, no discrimination. Perhaps it planned to prohibit Gay-Straight Alliance clubs, ban "critical race theory" from social studies and "The Color Purple" from the school library — just as some rural and Orange County school districts are doing now under local control.

Would they be entitled to a charter?

"That would be a really interesting case," Tang said. "Where the experience of a student in a church-run charter school is materially indistinguishable from any other charter school, a court might say there would be a free exercise of religion if a state denied funding because of the religious character of the organization operating the school."

But, he added, if the charter school began engaging in religious instruction or wasn't open to different faiths, "I'm quite confident that this court (the Roberts court) would allow a state to deny the charter application."

Tang and Eric Premack, executive director of the Sacramento-based Charter Schools Development Center, agreed that nothing in the Maine decision would indicate the Supreme Court would require religious schools to be funded in California. At least for now.

Premack, who helped draft California's charter school law, said the Supreme Court would have to wipe out the First Amendment's establishment clause, which creates a wall between church and state, for that to happen.

Others, though, are wondering if that's already happened.

"Today, the Court leads us to a place where separation of church and state becomes a constitutional violation," Sotomayor wrote in her dissent in *Carson v. Makin*.

"The Supreme Court took another major step toward obliterating the wall separating church and state," Chemerinsky wrote in the *Los Angeles Times*. "It is basically cutting the establishment clause out of the Constitution."

Note: The recent federal gun legislation signed into law by President Biden includes over \$2 billion to expand mental health services, improve learning conditions and enhance school safety.

4 Ways Ed Leaders Can Prepare for Funds in Newly Enacted Gun Safety Bill

The Bipartisan Safer Communities Act provides over \$2 billion to expand mental health services, improve learning conditions and enhance school safety.

By Anna Merod
K-12 Dive
June 27, 2022

With the enactment of the \$13 billion Bipartisan Safer Communities Act, schools will have an influx of available federal funds to put toward expanding mental health supports and improving learning conditions and school safety.

President Joe Biden, who has urged financial support for student mental health, signed the bill into law Saturday. The first overhaul in gun legislation in nearly 30 years, the law also targets school safety with these provisions:

- \$1 billion in new funding through Title IV-A of the Elementary and Secondary Education Act to lift up activities for student learning conditions, such as evidence based-practices that foster positive school climates.
- \$500 million for the School Based Mental Health Service Grant Program to increase the number of mental health service providers.
- \$500 million for the School Based Mental Health Service Professionals Demonstration Grant program to train and diversify the pipeline of counselors, social workers and psychologists in schools.
- \$300 million through the STOP School Violence Act to improve school violence prevention efforts.
- \$240 million for programs raising awareness about mental health among school-aged children and teens, and to connect students who have potential behavioral health issues with needed services.
- \$50 million for the 21st Century Community Learning Centers program, which invests in extracurricular, after-school and summer programs.
- \$28 million to support trauma care in school settings.

The bill's passage occurred a month after the tragic mass shooting at Robb Elementary School in Uvalde, Texas, that killed 19 students and two teachers.

The bipartisan gun safety legislation marks an acknowledgment that the work to address student mental health is important, said Amanda Fitzgerald, assistant deputy executive director of the American School Counselor Association.

“In some state legislatures, we’ve seen some conversations about not necessarily prioritizing social and emotional wellbeing, but this is a message loud and clear,” Fitzgerald said. “It was bipartisan that this work

is so important, and lawmakers understand that school professionals are on the front lines to really be able to work with students to maybe identify needs or provide prevention services.”

Fitzgerald said it isn’t completely clear when the funding could be available or how exactly districts will be able to access it — whether through federal grants or state education agencies.

Meanwhile, here are four practices experts recommend education leaders consider now and as the funds become available.

1. Begin hiring more mental health professionals

While concerns are real that federal funding to hire new mental health professionals in schools is limited and could create a fiscal cliff, using the new federal allocations to do so will provide an immediate return on investment, Fitzgerald said.

It’s worth taking advantage of the funding now and finding other routes to fund those same positions later, she said. This is especially important considering the current average counselor-student ratio nationwide is 1:427, while ASCA’s recommended ratio is 1:25, Fitzgerald said.

2. Balance evidence-based safety practices with a critical eye

Education leaders should be wary when choosing how to use new federal investments in school safety policies — even if they are evidence-based, said Meg Caven, a senior research associate on school safety at the Education Development Center.

For example, evidence-based policies on adopting more police presence in schools have documented detrimental effects on students of color, she said.

“There’s risks to picking up an intervention that looks really good on paper without thinking really carefully about — what is the context we’re going to implement this, and who are the people most affected, and where are their voices in the evidence-based [practices] that tells such a rosy story about this particular approach,” Caven said.

3. Build community coalitions

Administrators can use this moment to lay the groundwork for building a community-based coalition to help establish new school safety policies with these latest federal dollars, Caven said. These coalitions could include students, parents and historically marginalized groups.

The coalitions could then track what policies are working and those that are not, Caven said.

“In helping with the planning and implementation of this money, I think it is really critical that we put in place very early the infrastructure to collect good culturally responsive and racially equitable data about the implementation of these programs as they get off the ground,” she said.

4. Reach out to state education agencies soon

The \$240 million stream of funding over four years set for educating youth about mental health will be coordinated through state education agencies, said Hannah Wesolowski, chief advocacy officer at the

National Alliance on Mental Illness. For administrators looking to build or improve on their mental health awareness programs, she suggests reaching out to state education agencies soon to gear up for the funding.

“This is a great opportunity to provide more training for school personnel, to build those education programs, to really build everyone’s awareness of mental health conditions and where to go for help,” Wesolowski said.



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DATE: July 8, 2022

TO: Robert G. Nelson
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

Legislature Approves Dozens of Bills Prior to Leaving for Summer Recess

Upon adjournment from session last Thursday, June 30, 2022, the Legislature began its monthlong summer recess. Prior to heading back to their districts, legislators approved and sent the 2022-23 State Budget to Governor Gavin Newsom, who promptly signed the package into law hours before the start of the 2022-23 fiscal year.

In addition to approving the State Budget prior to leaving for recess, the Legislature also held their final policy committee hearings of the year, sending dozens of measures to the Appropriations Committee before the July 1 second house policy committee deadline. Some of the significant education bills that were approved last week include:

- Assembly Bill (AB) 1655 (Jones-Sawyer, D-South Los Angeles) would establish June 19, known as “Juneteenth,” as a state holiday and require public K-12 schools and community colleges to close on June 19
- AB 1973 (McCarty, D-Sacramento) would require a school district or charter school that has an unduplicated pupil percentage of at least 50% to offer at least one full-day kindergarten class at each school site beginning with the 2027-28 school year and would extend this requirement to all school districts and charter schools beginning with the 2030-31 school year (this requirement would not apply to transitional kindergarten)
 - Originally the bill would have made receiving the K-3 grade span adjustment contingent upon following this requirement, but Senate Education Committee staff got the author to remove that punitive measure from the bill
- AB 2774 (Weber) would, beginning with the 2023-24 school year, expand the definition of unduplicated pupil for Local Control Funding Formula (LCFF) purposes to include pupils who are classified as a member of the lowest performing subgroups based on the most recently available Smarter Balanced Summative Assessments for English language arts and mathematics

- Assemblymember Weber’s mother ran this same bill several times during her tenure in the Assembly, but this is the first time the measure has made it past second house policy committee
- Senate Bill (SB) 878 (Skinner, D-Berkeley) would authorize local educational agencies (LEAs) to offer to transport all pupils to and from their neighborhood school and would establish the Transportation Access to Public Schools Fund to reimburse LEAs for transportation
 - Originally this bill would have mandated LEAs to offer home-to-school transportation by 2027-28, but the author agreed to remove that mandate provision from the measure when suggested by Assembly Committee staff
- SB 1016 (Portantino, D-La Cañada Flintridge) would require the State Board of Education to include “fetal alcohol spectrum disorder” (FASD) under the definition of “other health impairment” for the purpose of special education eligibility
 - The California Teachers Association opposes this bill because it attempts to separate and identify FASD as a separate disability, rather than recognizing that the continuum of behaviors and struggles experienced by students with FASD are served based upon those behaviors and difficulties
- SB 1479 (Pan, D-Sacramento) would require each LEA to create a COVID-19 testing plan that is consistent with guidance from the California Department of Public Health (CDPH)
 - Senator Pan agreed to remove an earlier provision of the bill that would have required LEAs to designate staff members to report information about its COVID-testing program to the CDPH and to the school district

These bills will join scores of others in the Appropriations Committees that were approved in earlier policy committee hearings. When the Legislature returns from its summer recess, they will have two weeks to move bills through the Appropriations Committees and four and a half weeks to complete floor votes. The last day for the Legislature to pass bills to Governor Newsom is by midnight on Wednesday, August 31.

Leilani Aguinaldo

Key Education Bills Stall

By Kyle Hyland
School Services of California Inc.'s *Fiscal Report*
July 7, 2022

Before the Legislature left for its month-long summer recess last week, policy committees held their final hearings of the year to consider legislation prior to the July 1 deadline for bills to clear second-house policy committees. While many of the remaining significant education bills were approved by the policy committees and will be moving forward in the legislative process (see "[Education Committees Hold Final Policy Hearings of the Year](#)" in the July 2022 *Fiscal Report*), there were a number of measures that stalled and did not meet this deadline. Some of the noteworthy education bills that did not meet the July 1 deadline and are now considered dead, absent rule waivers, include:

- **Assembly Bill (AB) 2034** (O'Donnell, D-Long Beach) would have required the Department of Health Care Services to revise its audit process for the Medi-Cal Billing Option Program and provide technical assistance to local educational agencies (LEAs)
- **AB 2044** (O'Donnell) would have extended the statute, which expired July 1, 2022, allowing students to use career technical education courses to fulfill the visual, performing arts, or foreign language graduation requirements by another five years
- **AB 2058** (O'Donnell) would have eliminated the K-12 Strong Workforce Program and reappropriated the \$150 million into the Career Technical Education Incentive Grant (CTEIG) while also making a number of changes to the CTEIG allocation process
- **AB 2933** (O'Donnell) would have required the State Superintendent of Public Instruction to apportion to each LEA providing pupil transportation services, the greater of either 100% of its school transportation apportionment for the 2020-21 fiscal year or 100% of its reported home-to-school transportation costs
- **Senate Bill (SB) 3** (Caballero, D-Merced) would have required the California Department of Education (CDE) to develop a Local Control and Accountability Plan (LCAP) portal containing a database of LCAPs for each LEA and would have required each LEA to annually report quantitative and nonquantitative data from their LCAPs and annual updates
- **SB 387** (Portantino, D-La Cañada Flintridge) would have required LEAs to certify to the CDE that 75% of its classified staff and 75% of its certificated employees received youth behavioral health training during regular work hours
- **SB 830** (Portantino) would have provided additional funding to LEAs based on the calculation of how much additional funding the LEA would receive if the student count methodology of the Local Control Funding Formula (LCFF) were based on enrollment instead of attendance, and would have included restrictions for the use of these additional funds
- **SB 976** (Leyva, D-Chino) would have established the "Universal Preschool Act" to provide a universal high-quality, free, inclusive, mixed-delivery, and cost-effective preschool to all three- and four-year old children, regardless of family income

- **SB 1273** (Bradford, D-Gardena) would have eliminated criminal penalties for “willful disturbance” of a school by students and would have provided a school principal with discretion to report an incident to law enforcement if it did not include a firearm or weapon
- **SB 1431** (Rubio, D-Baldwin Park) would have provided an LCFF base grant increase for school districts and charter schools that have an average class size at each school site for grades K-3 of not more than 20 pupils

It is important to note that since we are in the second year of the 2021-22 legislative session, these bills cannot be revived when the Legislature convenes its 2023-24 legislative session. Instead, a legislator would have to introduce a new bill with this language and begin the legislative process anew.

Note: The CDPH guidance that was updated last week will not mandate masks when students return to the classroom in the fall and will instead leave it up to counties and LEAs whether a mask mandate is warranted in their jurisdiction.

California Will Not Bring Back Mask Mandate for the New School Year

By Aidin Vaziri
San Francisco Chronicle
July 5, 2022

California kids will be allowed to go to school without face masks when classes resume in the fall. But public health officials still will recommend face coverings for students and staff in an effort to prevent COVID-19 outbreaks at K-12 schools.

The state’s guidance, updated last week, allows a continuation of the mask-free classrooms that returned this spring.

“COVID-19 is here to stay, but we have learned methods and gained tools to decrease its impact on our health and well-being,” the California Department of Public Health said in a statement. “California’s schools can manage this disease in sustainable and adaptive manners.”

As part of its mitigation strategies, the state strongly recommends that individuals stay up-to-date on vaccinations, that schools optimize indoor air quality and rely on rapid antigen tests over PCR tests to detect infections.

“Due to the increased travel and social interactions that often occurs during school breaks, it is recommended that students and staff get tested for COVID-19 prior to returning to school following major break,” the guidance states.

If a student or administrator tests positive for the virus, they should stay home for at least five days and wear a well-fitting mask around others for 10 days.

California stopped requiring masks in K-12 schools March 12, leaving it up to counties and school districts to keep or ditch the pandemic mandate. All Bay Area school districts eventually adopted the state guidance while strongly recommending students and staff continue to wear masks.

After rising steadily after the mandate was lifted and community restrictions eased, children’s coronavirus cases in the U.S. started falling in mid-May when schools closed for the summer, according to data published by the American Academy of Pediatrics and the Children’s Hospital Association.

“Public health has essentially said, ‘You’re on your own, you do what you want,’” said John Swartzberg, an infectious disease expert with UC Berkeley. “I do think that ship has sailed in terms of mandates. Unless we have another new variant that’s driving up hospitalizations, it’s not going to come back.”

Infectious disease experts have cautioned that newer coronavirus variants could drive another surge in the fall. The highly infectious and immune-evasive BA.4 and BA.5 sub-lineages of omicron made up about 70% of the coronavirus variants sequenced in the Northern California region last week, according to data published Tuesday by the Centers for Disease Control and Prevention.

California’s coronavirus test positivity rate, which tracks the percentage of tests coming back positive, grew to 14.8% on Friday. Thirty-eight of California’s 58 counties — including those in the Bay Area — are classified as having “high” infection levels under the CDC’s classifications, triggering a CDC recommendation for indoor masking and other safety precautions.

“I’m just worried about the fall, mainly for disruptions,” said Peter Chin-Hong, an infectious disease expert with UCSF. “Not enough parents are going to have their kids vaccinated.”

Vaccination also will not be required for California students for the 2022-2023 school year, but since August 2021, teachers and school employees have been required to get their shots or test weekly for the virus.

In April, state officials announced that they will delay the implementation of Gov. Gavin Newsom’s coronavirus vaccination requirement for school kids until at least July 1, 2023, pointing to the lack thus far of Food and Drug Administration full approval of the vaccine for children of younger ages.

Note: The Enacted State Budget includes a one-time \$500 million investment to establish the Golden State Pathways Program to establish career educational pathways, and \$200 million one-time to expand dual enrollment opportunities.

College or Career? California Invests \$500 Million in Program That Tackles Both

Effort seeks to guide students to careers from high school

By Emma Gallegos
EdSource
July 7, 2022

A question that has long vexed American secondary education is whether to prepare students for college or a career. With the creation of the Golden State Pathways Program, California has decided to invest in both.

The state budget sets aside \$500 million in competitive grants to establish a new program to ensure students “advance seamlessly from high school to college and career.” Its goal is to help students transition from high school to well-paying, skilled careers. The pathways include A-G course requirements for admission to state

universities and the opportunity to earn 12 college credits through dual enrollment, AP or IB classes. Work-based learning must be part of the pathway, and schools must offer support to students along the way.

All of these are familiar ideas. Career technical education in California has been bolstered by federal workforce grants and previous state efforts, such as the California Career Pathways Trust and Career Technical Education Incentive Grant. Dual enrollment has received state funding — the latest budget sets aside \$200 million.

What makes the Golden State Pathways Program unique is that it is knitting all of these goals together in a single, integrated program of study for each student.

It sounds like a straightforward goal, but actually achieving that is a tall order, said Linda Collins, founder and executive director of Career Ladders Project, which supports redesigning community colleges to support students.

Helping students make the transitions from high school to college and career demands that K-12 schools, colleges and universities and employers work together, but funding streams tend to silo all those groups. Just the mere fact that higher education and K-12 are funded separately creates barriers.

“Nobody’s job is paying attention to that space,” said Collins.

A major strength of the Golden State Pathways Program is that it attempts to bridge those gaps. School districts and charter schools will be eligible to apply for the program grants, but so will regional occupational centers or a community college working in concert with local K-12 schools.

Proponents say the investment is welcome and sorely needed for a generation of students hit hard by the pandemic, especially low-income students and communities.

Separating the path to college and career has often meant that Black, Latino and low-income students end up tracked for lower-income occupations while others are deemed “college material,” said Collins. That’s why she said it’s so important that every student be prepared for both college and career.

“What’s at the heart of that is an equity question,” said Collins.

How the pathways are implemented is key. Dual enrollment, which is a piece of the pathway puzzle, has the power to transform educational outcomes, but the pathways are still not being offered equitably in high schools, Collins said.

Priority will be given to applicants with lower than average A-G course completion or higher than average rates of poverty, homelessness and foster youth, school suspensions and expulsions and dropouts. A report from the Legislative Analyst’s Office questioned whether these criteria, which include over two-thirds of school districts, will enable the funds to get to the neediest districts or even the neediest schools within districts.

Golden State Pathways Program does require grant applicants to describe how they will support the needs of underrepresented students.

“If you’re going to say you’re doing pathways, then make sure they’re equitable and make sure they’re delivering on both college and career,” said Anne Stanton, president of the Linked Learning Alliance, a nonprofit that advocates giving youth opportunities to learn about careers.

The new program also requires recipients to submit data on how students are performing on measures such as completing A-G requirements, college credits earned, internships completed and success in transitioning to the industry that the pathway has prepared them for.

Emily Passias, the vice president of policy for Linked Learning Alliance, applauded the state for this requirement and for setting aside 5% of grant funding for recipients to track this data.

“It’s absolutely crucial for the state to learn from the investment,” she said.

What makes proponents of the program optimistic is that research in schools where this is already happening demonstrates that it’s the right approach.

“The most important thing is that it’s trying to build on success,” said Loren Kaye, president of the California Foundation for Commerce and Education, a think tank associated with the California Chamber of Commerce. “It’s not some new idea that is coming out of the university. It is built on years of effort and collaboration.”

Most students’ awareness of what kind of jobs are available to them comes from what their parents or their friends’ parents do, he said. Linked learning has demonstrated a way to introduce students and their parents to options, while also offering them structured support to get there.

Golden State Pathways Program prioritizes a few general pathways: education, computer science, health care and climate resilience involving science, technology, engineering and mathematics.

One of the schools that has developed pathways using a linked learning approach is Eastside High School in the Antelope Valley. One of its pathways, the Biomedical Science Academy, exposes students to careers in health care at a school where 82% of students are considered socioeconomically disadvantaged. Students in the academy have the opportunity to participate in work-based learning, like learning how to offer health care to patients in a simulation lab.

Expectations are high for students in the program. Students take honors English, AP courses and advanced math courses. But no one is weeded out, said Kerin Coffey, the academy coordinator and a teacher in the program. Everyone who applies is accepted.

Coffey said there are students in the program who might not traditionally be considered “AP students” who succeed. That includes students who are English learners and students with individualized education plans. She attributes that to the extra supports that academy students receive, such as tutoring and Saturday school. Additionally, the classroom has become a more collaborative atmosphere because students take most of their classes together.

Proponents of pathways talk about the importance of cohesion for engaging students. At Eastside Union High, teachers strive to make sure that their classes all feel connected to health. In Spanish class, they learn how to put together a public service announcement about diabetes in Spanish. In English class, they will get help writing a lab report.

That cohesion turns out to be good for teachers, too. Eight years ago, Coffey said, she felt like she was hitting a wall. She struggled with feeling like she was on her own professionally. Now she's celebrating 24 years in the classroom.

"It has totally reinvigorated my love of teaching," she said. "I love being in the classroom."

Coffey isn't alone. Though her school struggles with teacher turnover, she's noticed that her colleagues in the Biomedical Sciences Academy have tended to stick around. She believes that the same thing that works for students — working together across disciplines in a coherent way — is also rewarding for teachers.

"The teachers are happier, the kids are happier," Coffey said. "Things are going really well."



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DATE: July 15, 2022
TO: Robert G. Nelson
Superintendent
AT: Fresno Unified School District
FROM: Your SSC Governmental Relations Team
RE: *SSC's Sacramento Weekly Update*

Statewide Ballot Measures Set for November Election

The California statewide ballot measures for the November 8 General Election have officially been set. When voters receive their General Election ballot this year, they will have seven propositions to consider, which is the fewest statewide measures on a General Election ballot in more than 100 years.

Of the seven measures, only one is related to K-12 education. Proposition 28 (2022), sponsored by former Los Angeles Unified School District (USD) Superintendent Austin Beutner, would require the state to provide annual funding to local educational agencies to increase arts instruction and programming in schools beginning with the 2023-24 fiscal year. The amount would be equal to 1% of the Proposition 98 funding that K-12 schools received in the prior fiscal year. The funding would be considered a payment above the constitutionally required Proposition 98 minimum guarantee and thus would not be funded within the minimum guarantee. The Legislative Analyst's Office estimates that 2023-24 funding would likely be in the range of \$800 million to \$1 billion based on the estimated K-12 share of the Proposition 98 minimum guarantee for 2022-23.

It is unknown how much the public supports this measure, considering there is no polling data available, but that information will likely come out over the next several weeks as we inch closer to election day. The Californians for Arts and Music Education in Public Schools Political Action Committee, which was registered to support the proposition, has reported receiving over \$7 million in contributions. There has been zero dollars in contributions to oppose the proposition.

While there is currently no registered opposition to the measure, the Los Angeles Times Editorial Board published a [piece](#) opposing the measure back in November 2021 as it was still in the signature gathering phase of the process. The crux of their opposition is that the proposal is a form of "ballot-box budgeting," which means that it asks voters to provide funding for an initiative without raising additional revenues via taxes or bonds. This means that if approved, Proposition 28 would be funded within the state's General Fund. The Editorial Board is worried that the measure would limit lawmakers' flexibility

in making difficult budget decision when revenues become tight, as the proposition would force their hand in having to set aside funding for arts and music programs.

While it is unlikely you will see any prominent lawmakers come out against the measure, it will be interesting to see if an opposition campaign will materialize as we get closer to election day.

No Update Next Week

With the Legislature on its summer recess and the 2022-23 State Budget package signed into law, we will be taking a break from next week's *Update* unless there is any breaking news. We will resume our weekly update the week of July 25, 2022, where we will preview the significant education issues that the Legislature will tackle during the final month of the legislative session.

Leilani Aguinaldo

Feds Extend Meal Flexibilities

By Patti F. Herrera, EdD, and Kyle Hyland
School Services of California Inc.'s *Fiscal Report*
July 11, 2022

President Joe Biden signed the Keep Kids Fed Act of 2022 (Act) on June 25, 2022, extending COVID-19 flexibilities and providing additional support for federal meal programs, enabling school agencies to continue feeding children in their communities as the pandemic persists and families face new struggles with affordability in the wake of historic inflation.

Specifically, the Act extends the summer meal program in 2022. This extension enables school agencies and meal providers to conveniently feed children through programs such as meal delivery and/or grab-and-go methods that have been traditionally disallowed. The new law also extends administrative flexibilities for federal meal programs through the 2022-23 school year, which will assist schools in streamlining their meal operations and allow them to continue operating despite supply chain disruptions.

Finally, to the relief of school meal providers, the Act increases federal reimbursement rates by 40 cents and 15 cents for school lunch and breakfast, respectively. The increases are intended to help defray growing food and operational costs due to inflation.

It is important to note that the higher federal reimbursement rates will interact with California's universal meals program, reducing the state's contribution for school meals. The 2022 Budget Act appropriated over \$611 million to sustain the combined federal and state rate of \$4.625 per meal served for the 2022-23 school year. Any state savings in meal reimbursement costs resulting from the higher federal rates will be reallocated for food procurement grants to be awarded by the California Department of Education to local educational agencies (LEAs) under the Kitchen Infrastructure and Training Grant Program for LEAs with aims to improve food best practices, including by buying California grown food, buying plant-based or restricted diet foods, or preparing fresh meals on site.

Note: Lodi USD spent \$800,000 of its federal COVID-19 relief funds to send 240 high school students to Pacific's Summer High School Institute, a program that introduces high school students to the rigors and rewards of college life.

How One District Used Covid Funds to Send Kids to Camp — on a College Campus

By Carolyn Jones
EdSource Special Report
July 11, 2022

Summer can be pretty slow in Lodi if you're a teenager. There's the pool, there's pizza night at the teen center, and there's TV.

But 240 high school students from Lodi Unified escaped boredom this summer when they spent two weeks at University of the Pacific, living in the dorms, socializing and taking classes on topics like music

production, filmmaking, business investing and 3-D animation — all paid for with Covid relief funds from Lodi Unified.

The Central Valley district spent almost \$800,000 of its federal Covid funds to send students to Pacific’s Summer High School Institute, a program that introduces high school students to the rigors and rewards of college life. The cost was \$3,300 per student, which included housing, food, activities and classes taught by Pacific professors.

“This year kids were feeling discontented, but they couldn’t say exactly why. So we wanted to do something special for them,” said Mariya Wharry, Lodi Unified’s program manager. “We wanted to invest in something that would make kids say ‘wow.’”

Like districts across the country, Lodi Unified received millions in federal and state Covid relief funding to address the impacts of the pandemic. Under the law, districts can hire more teachers, tutors and counselors; purchase technology such as tablets and Wi-Fi hotspots; invest in Covid protective measures like masks, hand-washing stations and heating, ventilation and air condition upgrades; and pay for programs that address learning loss, such as after-school and summer activities.

Lodi Unified has so far spent about half of its \$131 million in Covid relief funds and expects to have spent it all by the August 2024 deadline, according to Robert Sahli, assistant superintendent of curriculum. That means that the district will have money for at least another two years to send students to Pacific’s summer institute, as well as other summer programs like camping trips and science camps.

For the Pacific summer institute, the district chose participants through a lottery, with all but 30 students being accepted. The only requirement was that they were enrolled in high school in Lodi Unified, which encompasses the city of Lodi as well as northern Stockton and surrounding rural areas.

In addition to the 240 who came from Lodi Unified, another 80 students in the institute came from elsewhere, including New York and Canada. A handful were scholarship students from other Northern California school districts, including Stockton Unified, Manteca Unified and Calaveras Unified.

For many, the two-week excursion was the longest they’d been away from home and their first time on a college campus. They got to meet peers from other parts of the country, learn new skills and get a taste of college life.

“I love it so much,” she said. “I’ve learned so much. I’m really appreciative I got this opportunity. If the district didn’t pay for this, I never would have been able to do this because my parents can’t afford it.”

Her friend Adrianna Laviolette, also an incoming freshman at Lodi High, gave up cheerleading camp to attend the institute.

“This has been a really great experience. It’s even helped me with cheer,” she said, noting that she enrolled in the women’s leadership program, which has helped her gain confidence and understand what it means to be a role model. “I’ve learned there’s lots of ways to be an effective leader.”

Aleena Aguirre, an incoming senior at McNair High School in Stockton, enrolled in a course called Innovating with Purpose, where students learned to shoot video using drones, build 3-D models, create virtual reality experiences, design graphics and do other activities.

One afternoon last week she was sewing a bright yellow, duck-shaped plush keychain she had designed on a computer. Although she ultimately wants to be a pediatrician, she was enjoying the creativity and hands-on activities of the innovation class.

“It’s really opened my perspective. I feel like I’m out of my comfort zone,” she said. “I’ve also met a ton of people from different backgrounds, which has been really fun.”

If she was at home, she said, she’d be spending the summer staring at her phone.

One of the more popular programs at the institute was eSports, also known as gaming. Twenty students spent their days in a darkened room in front of computer monitors, shooting at targets and racking up points.

But the instructor, Pacific business professor Lewis Gale, wove in academic topics, as well. Students learned about the business of esports, marketing, strategy, communication, the importance of collaboration and teamwork, and job opportunities related to gaming skills, such as information technology.

Uriel Lopez Cortes, who’ll be a junior at Tokay High in Lodi, said he was excited to learn that gaming can actually lead to jobs in the technology sector. He also learned how the business of esports works, and how professional gamers earn money — sometimes, lots of money.

But it’s the other aspects of the institute he enjoys the most, such as big breakfasts of pancakes, eggs and bacon, and meeting new people.

“Last summer I was home all the time, bored,” he said. “But this is fun.”

Note: Governor Gavin Newsom’s trip to Washington, D.C., this week to accept an award from the Education Commission of the States created chatter about his aspirations to run for president.

California’s Newsom Goes to Washington; 2024 Chatter Follows

By Michael R. Blood
AP
July 12, 2022

As California Democratic Gov. Gavin Newsom heads to Washington this week, speculation about his national political ambitions won’t be far behind.

The four-day swing, anchored to an award Newsom will receive on behalf of his home state Wednesday from an education group, will provide the Democratic governor with a national stage to continue his outspoken defense of abortion rights and gun restrictions.

It comes at a time when he has been picking fights with Republican governors in Texas and Florida and holding up California as a sanctuary for what he calls fundamental rights, including same-sex marriage, freedom of speech and abortion.

Newsom's recent activities have stoked talk about his White House ambitions as President Joe Biden's popularity tumbles and some Democrats question the president's viability for 2024. Newsom, a former San Francisco mayor, has dismissed any interest in the presidency, and Biden has said he's planning to run for reelection.

"This is Gavin Newsom building his national brand for whatever opportunities might come up in the future," said Thad Kousser, a political science professor at the University of California, San Diego.

"He's savvy enough to know a lot of dominoes would have to fall for his future to come in 2024, but that makes it even more vital to take every opportunity to stay in the national consciousness for 2028" and beyond, Kousser added.

The president will be on a Middle East trip during Newsom's stop in Washington. The governor's office said the president's absence was coincidental.

On his trip, Newsom is scheduled to meet with Biden administration officials, congressional leaders and members of the California delegation to discuss abortion access, gun control and climate change.

He will also be accepting an award from the Education Commission of the States that recognizes, among other things, that California is on track to establish universal pre-K classes for all 4-year-olds by 2025. Newsom spokesperson Erin Mellon said that "what is happening on the education front reflects what we're seeing across the country – restricting rights and freedoms."

"While red states are limiting the choices of parents and students – banning books, limiting speech in the classrooms, and persecuting families with transgender youth — California is prioritizing freedom and choice," she said in a statement.

The 54-year-old governor has acknowledged he's hoping that issues like abortion rights will mobilize Democratic voters in a challenging midterm election year, when the president's party typically loses seats in Congress.

After easily beating back a recall election last year and facing only token opposition in his bid for a second term in November, Newsom has sought out the national spotlight in recent months, blaming his own party for being too passive in the face of federal court decisions and new laws in Republican-led states that he said are eroding long-settled rights and rewriting what it means to be an American.

Along with the U.S. Supreme Court decisions overturning *Roe v. Wade* and holding that citizens have a right to carry firearms in public for self-defense, he's pointed to a Texas law that bans abortions after a fetal heartbeat can be detected, possibly as early as six weeks, and a Florida law that forbids classroom instruction on sexual orientation and gender identity in kindergarten through third grade.

On Independence Day, Newsom's campaign aired an ad in Florida critical of Republican Gov. Ron DeSantis, a potential 2024 presidential candidate, warning viewers that "freedom is under attack in your state."

Republican leaders are “making it harder to vote, restricting speech in classrooms, even criminalizing women and doctors,” Newsom said in the 30-second spot, while images of DeSantis and former President Donald Trump flashed on screen.

“The DeSantis vision of freedom is a fraud,” Newsom wrote in a recent fundraising pitch. “It’s a vision where people are free to carry guns everywhere and everyone has to live in fear of getting shot.”

California, meanwhile, has been going its own way.

Last month, legislators with Newsom’s support agreed to place a proposal before voters in November that would guarantee a right to an abortion in the state constitution. The heavily Democratic state has some of the nation’s tightest gun safety laws but has continued to expand them after the recent Supreme Court decision, including adding new restrictions on untraceable “ghost guns” and marketing firearms to minors.

As he maneuvers for a prominent place in the national party, Newsom could find himself attracting unwanted attention.

California residents are dealing with a long-running homeless crisis, soaring gas and grocery prices and rising crime in major cities. Housing costs are out of reach for many working-class families, and the state has some of the nation’s highest taxes.

A Public Policy Institute of California survey in May found that 50% of respondents believed the state was headed in the wrong direction. And perhaps most tellingly, California has been shedding population — and it’s losing a congressional seat — after years of stratospheric growth.

Longtime Democratic consultant Bill Carrick said he saw Newsom making a vocal stand on nationally critical issues rather than maneuvering to get his name into the 2024 presidential discussion.

“We had these two court decisions that had a deep impact on California,” Carrick said. “He’s an important voice in that debate and he needs to represent the state as vigorously as he can.”

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: July 29, 2022

Phone Number: 457-3907

Regarding: June and July Legislative Committee Meeting

The purpose of this board communication is to provide the Board information shared at the June 17, 2022, and July 08, 2022, Legislative Committee Meetings.

Economic and Budget Update – Ms. Leilani Aguinaldo provided an update on the 2022/23 State Budget. The legislature submitted the 2022/23 spending plan by the constitutional deadline of June 15, 2022. The Governor approved the 2022/23 State Budget on June 27, 2022, with the following significant changes:

- The Adopted State Budget includes a 6.56% cost-of-living adjustment (COLA) and an additional 6.28% LCFF increase for a total increase of 12.84%
- Learning Recovery Emergency Block Grant one-time funds of \$7.9 billion. Funds shall be used for increasing or stabilizing instructional learning time, decreasing or stabilizing staff-to-pupil ratios, learning supports such as tutoring, address learning barriers, credit recovery, and additional academic services. The deadline for spending is 2027/28
- Arts, Music, and Instructional Materials Discretionary Block Grant one-time funds of \$3.5 billion. Funds shall be used for standards-aligned professional development, instructional materials related to school climate, culturally relevant books, operational costs, and supplies related to the COVID-19 pandemic. The deadline for spending is 2025/26
- Expanded Learning Opportunities Program (ELOP) of \$4.0 billion. Funds may carryover from 2022/23 to 2023/24
- Transportation will include new funds for home-to-school transportation of \$637 million to reimburse districts up to 60% of their transportation costs
- Green School Bus Grant one-time funds of \$1.5 billion to support green school bus fleets
- Universal Meal reimbursements reimburses districts at the higher Seamless Summer Option rate. If the federal waivers are extended that provide for higher federal reimbursement rates, any unused state funding would instead be made available for food procurement grants
- Kitchen Infrastructure one-time funds of \$600 million for school kitchen infrastructure, food service employee training, and compensation
- Career Pathways one-time competitive grants of \$500 million
- Dual Enrollment one-time competitive grants of \$200 million
- California Prekindergarten one-time grant of \$300 million
- Inclusive Early Education Expansion Program one-time grant of \$250 million
- Workforce Development one-time grants include Literacy Coaches and Reading Specialist Grant Program of \$250 million and Teacher Residency Grant Program of \$184 million

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

- SB 866 (Wiener) – Support – Permits minors 15 and older to be vaccinated without parental consent for any vaccine approved by the U.S. Food and Drug Administration and that are

recommended by the Committee on Immunization Practices of the Centers for Disease Control and Prevention

- AB 75 (O'Donnell) – No Position – Places a statewide K-14 school bond on the 2022 ballot for \$12 billion; recommendation is to hold awaiting the Governor's decision on how to allocate the GANN limit overallocation
- AB 1973 (McCarty) – Watch – Funding for Class Size Reduction for grades K-3 would add a requirement for kindergarten to have the same minimum minutes as grades 1-3
- AB 2774 (Weber, Akilah) – Support – Adds a new category to the definition of unduplicated pupils to add the lowest performing subgroup(s) based on the state assessments

The following bills are no longer active for the fiscal year:

- AB 2034 (O'Donnell) – Support – Provides standardization of the Medi-Cal audits
- AB 2933 (O'Donnell) – Support – Provides funding to districts to cover the greater of 100% of school transportation apportionment plus cost-of-living or 100% of transportation costs
- AB 1948 (Ting) – Support – Changes the definition of unduplicated pupils for the LCFF, 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 579 (Allen) Local Control Funding Formula (LCFF) – LCFF calculates ADA on the greater of a districts' 2019/20, 2021/22, or 2022/23 fiscal year
- SB 830 (Portantino) – Watch – Provides supplemental funding based on enrollment with 30% of funding to be used for chronic absenteeism and habitual truancy
- SB 1431 (Rubio) – Watch – Proposal includes an increase to K-3 grade span adjustments from 10.4% to 32.5% for a district that maintains an average class size of 20 (current average class size is 24)

The School Services Legislative Committee June 2022 and July 2022 reports are attached. Additional presentation is provided for the 2022/23 Enacted State Budget. The next Legislative Committee meeting is scheduled for August 11, 2022.

If you have any questions pertaining to the information in this communication, or require additional information, please contact either Kim Kelstrom at 457-3907 or Santino Danisi at 457-6226.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: July 29, 2022

Fresno Unified School District

**LEGISLATIVE COMMITTEE MEETING
JUNE 17, 2022**

2021-2022 Legislative Session

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Public Education's Point of Reference for Making Educated Decisions



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Legislative and Economic Update

School Services of California, Inc.
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The **FISCAL REPORT** *an informational update*

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Legislature Passes Budget; Work to Continue on State Spending Plan

By Dave Heckler
June 14, 2022

Yesterday, June 13, the Legislature approved the 2022-23 State Budget in the form of Senate Bill (SB) 154 with limited debate. The plan represents the Legislature's approach to the upcoming fiscal year and fulfills the Legislature's constitutional obligation to approve a spending plan before June 15. However, the plan approved by both houses does not represent any agreement between the two houses and Governor Gavin Newsom.

Once Governor Newsom receives the Budget Bill (as of this writing, he has not received SB 154 for approval), he'll have 12 days to sign or veto the bill. It is between now and this 12-day deadline that negotiations will intensify as there still appears to be significant differences between the Governor's and the Legislature's spending plans. Since a spending plan has been already approved in the form of SB 154, a subsequent Budget Bill will likely be needed to be approved by the Legislature before the 2022-23 State Budget is finalized.

This is the approach taken in recent years with the passage of Proposition 25, which stipulates that pay will be withheld from legislators if the State Budget isn't passed by midnight, June 15. Historically, legislative leaders from both houses would often meet with the Governor to resolve key budget and policy differences prior to approval of a spending plan. However, this practice has shifted to passing a legislative spending plan in advance of an agreement with the Governor that represents primarily the priorities of the Legislature while legislative leaders negotiate the differences with the Governor's administration.

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Major Differences in the Legislative Version of the State Budget

By Leilani Aguinaldo and Michelle McKay Underwood
June 3, 2022

On June 1, 2022, it was announced that the leaders and budget committee chairs of the Senate and Assembly had reached agreement on the [Legislative Version of the 2022-23 State Budget](#) (Legislative Version). While corresponding trailer bill-level of detailed language for the legislative budget proposals is not currently available, the summary includes notable differences between the Legislative Version and Governor Gavin Newsom’s proposed State Budget.

Local Control Funding Formula

For the Local Control Funding Formula (LCFF), the legislative deal includes \$4.5 billion ongoing above the Governor’s May Revision proposal. This investment translates to an increase in the LCFF base rate of 16.2% relative to the 2021-22 rate, inclusive of the 6.56% cost-of-living adjustment. In addition, consistent with changes included in [Assembly Bill \(AB\) 1948](#) (Ting, D-South San Francisco), the Legislative Version proposes to tweak the LCFF by including homeless students explicitly in unduplicated pupil counts and by expanding the definition of low-income to include families with income at or below the 250% federal poverty level. The Governor’s proposal to add the average of three prior years’ average daily attendance (ADA) to calculate LCFF apportionments is included, but it rejects the May Revision proposal to mitigate the considerable absences in the current school year by adjusting 2021-22 ADA using 2019-20 absence rates. Finally, the Legislative Version protects classroom-based charter school ADA for 2021-22 only while adopting the May Revision LCFF proposals specific to county offices of education (COEs).

Discretionary Block Grant

The legislative budget proposal increases the one-time block grant for local educational agencies (LEAs) to \$8.5 billion, compared to the Governor’s proposed \$8 billion. However, while it is referred to as the “Learning Recovery Discretionary Block Grant,” the funds must be used for “salaries, benefits, and employer contributions to benefit and pension costs.” The block grant would be allocated on a per-pupil basis. The additional funds for this legislative proposal come from re-appropriating the investments the Governor intended for the Multilingual School and Classroom Library Grant and the Reading and Literacy Educator Grant.

Expanded Learning Opportunities Program

Many of the Governor’s proposals to ease implementation of the Expanded Learning Opportunities Program (ELOP) are included in the Legislative Version. Specifically, it agrees to extend the grace

period for implementation another year—delaying audit of the program and allowing carryover of ELOP funds to 2023-24—and adopts prorated penalties for audit findings. However, the Legislative Version only adopts the ongoing funding level of \$4.4 billion from the Governor’s January State Budget proposal, rather than the \$4.8 billion included in the May Revision. These funds would be used to provide \$3,000 per targeted student to LEAs with an unduplicated pupil percentage at or above 75%, and all other LEAs would receive \$1,500 per targeted student.

Governor Newsom supplemented his ongoing ELOP investment with \$1 billion one-time for the ELOP Infrastructure Grant. The Legislative Version instead uses these funds to establish the Arts, Music, Instructional Materials and Libraries Block Grant to provide “learning tools in arts, music, instructional materials, and multi-lingual library books.” The grant would be distributed to all LEAs using an equity-focused formula.

Transportation

Increased funding for Home-to-School Transportation continues to be a priority for legislative leadership as they propose to increase funding for the program by \$1.2 billion. Starting in 2027-28, school districts and COEs would be required to offer transportation services to students in grades TK-6 and low-income students, and would prohibit the charging of pupil fees for transportation. Transportation funds would be provided using a formula that is weighted and proportional to the number of students that are low-income and in grades TK-6. Governor Newsom does not include any new funding for the Home-to-School Transportation Program in his budget proposal.

Rejected Proposals

To fund its priorities, the Legislature rejected several big-ticket items proposed by the Governor, including:

- Deferred Maintenance (\$1.7 billion)
- Community schools (\$1.5 billion)
- Math and science professional development (\$385 million)

Other items were significantly reduced, including the Golden State Career Pathways Grant Program (\$500 million instead of \$1.5 billion), Inclusive Early Education Expansion Program (\$250 million compared to the Governor’s \$500 million), and dual enrollment access (\$200 million instead of \$500 million)

In the next few days, the budget proposals agreed to by legislative leadership will be in print in AB 154 and Senate Bill 154. Keep an eye out for future Fiscal Report articles in which we will detail other components of the Legislative Version of the State Budget. The Legislature must pass the State Budget by June 15 or they will be subject to penalties. We continue to expect that the Assembly, the Senate, and Governor Newsom will reach agreement on the 2022-23 State Budget before the new fiscal year starts on July 1.

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**Transportation Mandate Included in the
Legislative State Budget Proposal**

By Kyle Hyland
June 7, 2022

Last Wednesday, June 1, 2022, legislative leadership and the Assembly and Senate budget committee chairs announced that they had reached a deal on the Legislative Version of the 2022-23 State Budget (Legislative Version), inching closer to the June 15 constitutional deadline to approve the State Budget (see [“Major Differences in the Legislative Version of the State Budget”](#) in the June 2022 *Fiscal Report*).

One of the most significant differences between Governor Gavin Newsom’s May Revision and the Legislative Version is that the Legislature proposes to move toward mandating home-to-school transportation. To fund this mandate, the Legislature would increase funding for school transportation by \$1.2 billion ongoing and then, beginning with the 2027-28 school year, require school districts and county offices of education (COEs) (we are unsure if charter schools will be mandated to provide transportation as the legislative budget summary document makes no reference to charter schools) to offer transportation services to low-income students and all students in grades TK-6. The Legislature would also replace the existing transportation funding formula with a weighted student funding formula that is proportional to grades TK-6 and low-income student populations. The legislative budget summary notes that funding for transportation would increase when the mandate takes effect in 2027-28.

By choosing to mandate home-to-school transportation rather than just provide additional funding, the Legislature is utilizing the framework proposed by Senate Budget Committee Chair Nancy Skinner (D-Berkeley) in Senate Bill (SB) 878 rather than the structure proposed by Assembly Education Committee Chair Patrick O’Donnell (D-Long Beach) in Assembly Bill (AB) 2933. Contingent upon an appropriation, SB 878 would mandate local educational agencies (LEAs) to offer transportation services to all students in grades TK-12 (as opposed to the Legislative Version, which includes grades TK-6 and low-income students) beginning with the 2027-28 school year. AB 2933 would instead require, contingent upon an appropriation, the State Superintendent of Public Instruction to fund either 100% of an LEA’s transportation apportionment for the 2020-21 fiscal year, as adjusted pursuant to a statutory cost-of-living adjustment (COLA); or 100% of its reported home-to-school transportation costs, as adjusted pursuant to a statutory COLA. The key difference between the two approaches is that SB 878 mandates home-to-school transportation while AB 2933 does not.

If the Legislature's home-to-school transportation proposal is included in the final 2022-23 State Budget package, it would have significant implications for school districts and COEs especially if the proposed formula underfunds the actual cost of providing transportation services and thus obliges districts and COEs to use Local Control Funding Formula dollars to cover the remaining expenses. In terms of cost estimates, the Senate Appropriations Committee estimates that SB 878 would cost at least \$1.4 billion annually but indicates that it would likely be higher since existing law does not currently require LEAs to provide transportation to all students. The Assembly Appropriations Committee analysis on AB 2933 also estimates that it would cost \$1.4 billion annually to fully fund home-to-school transportation, but also concedes that LEAs would likely see additional costs in needing to expand their transportation services.

Unfortunately, the trailer bill language for this proposal is not yet available and thus we are only privy to the limited information provided to us in the budget summary released by legislative leadership and the budget committee chairs. Once the trailer bill language is revealed, we will be able to provide an analysis on the full proposal and better identify the implications that it will have for LEAs.

It is important to note that while this mandate is poised to be included as a part of the State Budget that the Legislature adopts before the June 15 constitutional deadline, this will not be the final 2022-23 State Budget as legislative leadership still needs to negotiate with the Newsom Administration on a final State Budget package before the start of the new fiscal year on July 1, 2022. This means that if this proposal were to survive the final State Budget package there could still be some adjustments to the proposal during the negotiations between the Governor and the Legislature. We will keep you apprised of this and the other significant 2022-23 State Budget proposals in subsequent *Fiscal Report* articles. Stay tuned.

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Major Differences in One-Time Education Proposals

By Patti F. Herrera, EdD and Kyle Hyland
June 8, 2022

When legislative leaders unveiled the scant details of the 2022-23 State Budget agreement between the Senate and the Assembly, charting a path for the final stretch of negotiations with Governor Gavin Newsom, it was clear that there are stark differences in their Local Control Funding Formula proposals, as well as in their priorities for how to spend the nearly \$14 billion in one-time Proposition 98 funding. These differences are certain to create a tense—though likely discrete—debate between Governor Newsom, Senate President pro Tempore Toni Atkins, and Assembly Speaker Anthony Rendon as the June 15 and June 30 deadlines to pass and enact a State Budget for next fiscal year looms near.

Ostensibly on the negotiating table are three of the Governor’s top priorities. First, the Legislature’s Budget proposal zeroes out the \$1.7 billion Governor Newsom earmarks for K-12 deferred maintenance projects. This is particularly interesting since the deferred maintenance investment helps the state address its Gann Limit problem on a dollar-for-dollar basis, as appropriations for capital outlay are deemed “excludable” government expenditures. To deal with this, the Legislature’s full Budget package will have to include either an in-kind excludable spending proposal or one that reduces state revenue by an equal dollar amount.

The second and third big priorities for the Governor total \$2 billion in proposals ensuring that all students have access to college and are on a career path suitable for tomorrow’s economy—his College and Career Pathways Program (\$1.5 billion) and funding to expand Dual Enrollment Programs (\$500 million). The Legislature’s Budget proposal reduces the former by \$1 billion and cuts the Governor’s proposed investment for Dual Enrollment program expansion by \$300 million.

In lieu of Governor Newsom’s priority investments, the Legislature proposes to fund a plethora of other investments, including using \$1.2 billion the Governor proposes for one-time purposes toward a plan to achieve universal school transportation and the following, smaller proposals:

- \$300 million for an additional tranche of funding for the Low Performing Student Block Grant
- \$300 million for an additional tranche of funding for the California Prekindergarten Planning and Implementation Grant Program (notably, 2021 Budget Act funding for this program has yet to be released to local educational agencies)
- \$100 million for teacher and counselor residency programs

- \$57 million across miscellaneous programs, including charter school facilities and the California State Preschool Program

In that Proposition 98 funding levels are determined by a constitutional formula, state leaders have little room to negotiate how much funding to use for public education. Consequently, the ensuing Budget negotiations rather will focus on where to invest the funds.

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**Details for Expanded Learning Opportunities Program
Still Being Negotiated**

By Leilani Aguinaldo and Wendi McCaskill
June 7, 2022

The [Legislative Version of the 2022-23 State Budget](#) (Legislative Version) was released on June 1, 2022, summarizing the Budget deal that was reached between the leaders of the Senate and the Assembly. As we detailed in our article “[Major Differences in the Legislative Version of the State Budget](#)” in the June 2022 *Fiscal Report*, Budget negotiations will need to resolve the remaining details that differ between the Governor’s and Legislature’s proposals for the Expanded Learning Opportunities Program (ELOP), as well as other portions of the Budget such as the Local Control Funding Formula and the Discretionary Block Grant.

In the May Revision, Governor Gavin Newsom proposes to increase total ongoing state spending for ELOP to \$4.8 billion. At this level of investment, the program will reach full implementation such that each per-pupil rate for eligible local educational agencies (LEAs) will be \$2,500. As a reminder, an LEA’s apportionment is determined by multiplying the per-pupil rate by prior-year classroom-based average daily attendance in grades TK-6 and prior-year unduplicated pupil percentage (UPP).

The Legislative Version advances the lower funding level of \$4.4 billion that the Governor proposed in January. While this funding level falls below the Governor’s latest proposal, the overall investment proposed for ELOP relative to the current year signals the commitment of Governor Newsom and legislative leadership to ensure that targeted students have access to before school, after school, and summer enrichment opportunities. However, there remains a significant difference in the per-pupil amount included in the Legislative Version compared to the May Revision. While the Governor proposes the same per-pupil amount for all school districts and eligible charter schools, the Legislative Version would fund LEAs with a high UPP at \$3,000 per pupil and all other eligible LEAs at \$1,500 per pupil. In addition, the Legislature incorporates an automatic cost-of-living adjustment at full implementation.

	Current Law	Governor’s Budget Proposal	May Revision Proposal	Legislative Version
Total State Funding Level	\$1 billion ongoing plus \$754 million one-time	\$4.4 billion	\$4.8 billion	\$4.4 billion
Per Pupil Amount	UPP ≥ 80%: \$1,170 UPP < 80%: \$672	UPP ≥ 75%: \$2,500 UPP < 75%: \$2,027	UPP ≥ 75%: \$2,500 UPP < 75%: \$2,500	UPP ≥ 75%: \$3,000 UPP < 75%: \$1,500

The full implementation per-pupil rate of \$2,500 is not reached for LEAs with a UPP below 75% in the Legislative Version, and accordingly, LEAs receiving the lower rate would only be required to offer and provide access to the program to half of the targeted students, consistent with current law. This is in contrast with the May Revision proposal, which expands the requirement for lower-UPP LEAs to offer and provide program access to all unduplicated students in grades TK-6.

While these are substantial gaps that remain between Governor Newsom and legislative leadership, it is important to note that the parties are aligned in recognizing the need to extend the grace period for implementation. The Governor’s proposal would suspend audit of the program until 2023-24 and allows ELOP funds received in 2022-23 to be carried over until June 30, 2024.

Additional ELOP details also must be negotiated. The May Revision included a requirement for some students to receive transportation as part of the program, and the Legislative Version clarifies that meals are an obligatory component, as opposed to simply requiring that any snacks provided meet nutrition standards. All these details remain part of State Budget negotiations between the Legislature and Governor Newsom. The Legislature must pass the Budget Bill by June 15 or face a penalty, but there is no similar deadline for passage of trailer bill legislation which will include the final ELOP details. Stay tuned for future *Fiscal Report* articles which will provide more information as it becomes available.

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Ask SSC . . .

How TK Funding Works

By Patti F. Herrera
June 2, 2022

- Q.** Is transitional kindergarten (TK) funding a part of the Local Control Funding Formula (LCFF) calculation?
- A.** Yes—As proposed in the May Revision, school districts and charter schools that offer TK to eligible four-year-olds, in the year in which they are apportioned LCFF funding, will receive K-3 base grant and grade span adjustment funding for their eligible TK average daily attendance (ADA). Additionally, each TK ADA will generate an add-on of \$2,813 for meeting the new TK class size maximums and lower classroom ratios. The LCFF TK add-on is similar to the Home-to-School Transportation and Targeted Instructional Improvement Grant add-ons but, unlike these funds, it will receive the statutory cost-of-living adjustment each year. Finally, TK-eligible students who meet the requirements to be included in a school district or charter school’s unduplicated pupil percentage will also generate supplemental and, when applicable, concentration grants.

Notably, there are fiscal penalties when school districts and charter schools are found to be noncompliant with TK maximum class sizes, ratios, and teacher qualification requirements. Therefore, school districts and charter schools should be mindful of those requirements when implementing their programs. For more information about the proposed TK program penalties (see [LEAs Could Face Penalties for TK Noncompliance](#) in the June 2022 *Fiscal Report*).

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LEAs Could Face Penalties for TK Noncompliance

By Patti F. Herrera, EdD and Wendi McCaskill
June 2, 2022

As school districts and charter schools prepare to ramp up their transitional kindergarten (TK) programs to accommodate more eligible four-year-olds in the 2022-23 school year, they should be mindful of program quality requirements that, if not met, could result in fiscal penalties beginning with the 2022-23 annual financial and compliance audit required by Education Code Section (EC §) 41020.

At issue are TK policies that were added to or amended in EC § 48000 by the 2021 Enacted State Budget that require school districts and charter schools, as a condition of apportionment for TK students, to:

- Maintain average class enrollments of 24 students or less at each school site
- Beginning with the 2022-23 school year, maintain an average TK classroom ratio of 12 students for every one adult (or 24 students for every two adults)¹
- Ensure that TK teachers first assigned to TK classroom after July 1, 2015, meet additional qualifications no later than August 1, 2023

Alternatively Bargained TK Class Size Ratios Prohibited

One notable proposed change with the release of the Governor's 2022-23 May Revision is that the average class size enrollment for TK classrooms at each school site must be maintained at not more than 24 students as a condition of receiving the Local Control Funding Formula (LCFF) TK-3 grade span adjustment (equal to 10.4% of the TK-3 base grant) and, unlike average class size maximums for grades K-3, this cannot be negotiated. Specifically, the proposed trailer bill language adds a condition to the LCFF TK-3 grade span adjustment, prohibiting school districts and charter schools from maintaining a collectively bargained ratio alternative in excess of 24:1 for TK classrooms only.

Fiscal Penalties for Noncompliance

Per the May Revision proposal, compliance with each of the three program quality requirements listed above will be assessed through the annual external audit process beginning with the audit for the 2022-23 fiscal year. When school districts and charter schools are found to be noncompliant

with any or all of the three program quality requirements above, the May Revision proposes to impose fiscal penalties intended to be proportionate to the level of noncompliance and commensurate with incremental TK average daily attendance funding affected by their failure to comply.

Given that school districts and charter schools will be unable to bargain alternative TK class sizes and classroom ratios, it is imperative that they determine and plan to meet their TK staffing needs for the 2022-23 school year now in order to avoid audit penalties in the future.

¹Beginning with the 2023-24 school year, school districts and charter schools will be required to maintain an average TK classroom ratio of 10:1, or 20:2, if funding state funds are appropriated to support the lower ratios.

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ADA Mitigation Proposals

Local educational agencies (LEAs) have been struggling with the fiscal implications of declining enrollment, which is only further accelerated by the drop off in student attendance rates. As you may recall, the Governor’s Budget in January included a declining enrollment mitigation proposal to help quell the impact of lower student attendance. The recent release of the May Revision has created a buzz in the education field as the Governor’s proposed State Budget for 2022-23 now includes an additional proposal that builds upon the one from January and would significantly improve the short-term fiscal trajectory for many LEAs by further altering the average daily attendance (ADA) factors used in the calculation of revenues for the Local Control Funding Formula (LCFF). It’s important to note that both of these options are still proposals and will not take effect unless they are included in the Enacted Budget.

COVID-19 ADA Relief

The first proposal, as currently written, would benefit school districts, county offices of education, and classroom-based charter schools. The intent is to mitigate the decline in student attendance rates in the 2021-22 fiscal year by adjusting the “attendance yield.” The mechanics behind the adjustment would allow the California Department of Education to compare the 2019-20 attendance yield with the 2021-22 attendance yield. If the attendance yield in 2019-20 is greater, the 2021-22 attendance yield would be increased commensurately, which would increase the 2021-22 ADA used for LCFF funding purposes. This calculation is based on the reported ADA and enrollment for each respective year, not the funded ADA.

Sample District—Reported ADA		
	2019-20	2021-22
ADA	95.00	83.00
Enrollment	100.00	90.00
Attendance Yield	95.00%*	92.22%

*Amount capped at 100%

If the proposed language is included in the Enacted Budget, the 2021-22 ADA used for calculating the LCFF would increase to 85.50 because the attendance yield from 2019-20 is greater than the attendance yield from 2021-22 and an effective attendance yield of 95% results in 85.50 ADA after the attendance yield adjustment is applied.

Sample District—Reported ADA for the LCFF		
	2019-20	2021-22
ADA	95.00	85.50
Enrollment	100.00	90.00
Attendance Yield	95.00%	95.00%

The proposed language does not explicitly step out how the percentage would be applied beyond requiring that ADA be adjusted by an overall attendance yield factor; however, the LCFF includes grade spans with varying funding for each. It is reasonable to conclude that the attendance yield, while calculated on total reported ADA and enrollment, would then be applied to each grade span to determine ADA for funding purposes. This proposal would only be applied to the 2021-22 ADA, but could impact funding under the LCFF for several years, especially if the proposed declining enrollment protection is also included in the Enacted Budget.

Declining Enrollment Protection

Since initial implementation the LCFF has provided districts two options for determining ADA used in the funding calculation, current- or prior-year ADA, whichever is greater. This provision is intended to provide districts with time to adjust to declining ADA. The second ADA loss mitigation proposal, which was included in the proposed Governor’s Budget in January, as currently written, continues to apply to school districts only, and would modify Education Code Section 42238.05. If enacted, this proposal would add a third option for determining funded ADA by including language that allows the use of the “average of the three most recent prior fiscal years.” This language is intended to combat the more precipitous decline in enrollment over the past two years.

Sample District		
	Without COVID-19 ADA Relief	With COVID-19 ADA Relief
2019-20	95.00	95.00
2020-21	95.00	95.00
2021-22	83.00	85.50
Three-Year Average	91.00	91.83
2022-23	85.00	85.00

Using the example above, and absent any change in law, a school district in the 2022-23 year would be funded on the greater of the current or prior year—85.00 or 83.00. The effect of the proposed language would provide a third option, which is 91.00—the three-year average. Layering

on the COVID-19 ADA relief further increases the three-year average to 91.83. This change in law is proposed to be permanent, which means each fiscal year a school district's LCFF entitlement would be calculated on the greater of current-year, prior-year, or the average of the three most recent prior years' ADA.

Next Steps

We are encouraged that Governor Gavin Newsom included both of these proposals in the May Revision, but now must wait for the Legislature and Governor Newsom to negotiate whether or not these items will ultimately part of the final State Budget package. The good news is that the declining enrollment protection is included in Assembly Bill 1948 (Ting, D-San Francisco), which signals that the Legislature is strongly considering including this provision in its version of the State Budget that needs to be approved by June 15. However, the Legislature has yet to fully vet Governor Newsom's ADA relief proposal, which is something that we will be watching closely during deliberations between the Legislature and Administration.

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Ask SSC . . .

Normal Cost of Doing Business versus Extraordinary Costs

By John Gray
June 13, 2022

- Q.* We have been sharing data with our stakeholders regarding the increased district contributions to pensions. We were pleased to see that Governor Gavin Newsom’s May Revision included extra money to increase the Local Control Funding Formula (LCFF) base grant funding above what the statutory cost-of-living adjustment (COLA) would provide. We noted that the extra base funding bump was in recognition of the increased pension contributions that districts are paying along with the other rising costs of doing business. Some of our stakeholders are saying that since the statutory COLA is 6.56%, it should be more than enough of a percentage increase to pay rising employer contributions and that any additional base grant funding is for other priorities. Specifically, they are saying that the California State Teachers’ Retirement System (CalSTRS) rate is going from 16.92% to 19.10% which is only a 2.18% increase and is far below the 6.56% COLA. Thoughts?
- A.* You are correct, Governor Newsom’s May Revision proposal provides an additional \$2.1 billion in ongoing Proposition 98 General Fund monies to increase LCFF base funding. The State Budget summary notes that this additional funding is meant “to mitigate the impacts of rising pension obligations, increased costs for goods and services, and other ongoing local budget concerns.”

To your specific question, when you make a small change to a percentage applied to a big number, up or down, the result is often a big number. In the example you provided above, the change in the CalSTRS rate from 16.92% in 2021-22 to 19.10% in 2022-23 is a change of 2.18% with those two rates. However, when applying those two rates to a large number

like certificated salaries, it results in a much larger percentage increase in actual dollars that a local educational agency (LEA) would be paying into CalSTRS. As an example:

Fiscal Year	Certificated Salaries	CalSTRS Rate	LEA Amount Paid into CalSTRS
2021-22	\$10,000,000	16.92%	\$1,692,000
2022-23	\$10,000,000	19.10%	<u>\$1,910,000</u>
		Increased Dollar Cost	\$218,000
		Increased Dollar Cost Percentage Increase	12.88%

As you can see from the above example, the impact of a 2.18% change in the CalSTRS rate actually results in more than a 12% increase to the total dollar cost absorbed by the LEA. The same logic also applies to the California Public Employees’ Retirement System (CalPERS). The rate increase of 2.46% from the 22.91% current rate to 25.37% in 2022-23 would result in a cost percentage increase of over 10% for an LEA.

Remember that the statutory COLA is applied to the LCFF to cover the natural cost increases an LEA has associated with maintaining programs and priorities from the previous year. When there are outliers with extraordinary increases, like we are experiencing with CalSTRS and CalPERS, extra dollars are needed to offset those costs, or other areas of the expenditure budget would need to be sacrificed in order to feed the pension systems. The Governor’s May Revision proposal recognizes that we are in extraordinary times and the cost pressures experienced by LEAs are above and beyond the regular cost of doing business.

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LAO Raises Specter of State Fiscal Cliff

By Patti F. Herrera, EdD and Anjanette Pelletier
 May 26, 2022

Only three days after Governor Gavin Newsom released the revision to his proposed 2022-23 State Budget reflecting updated state revenues, the Legislative Analyst’s Office (LAO) issued initial comments on the Governor’s May Revision, including an analysis of Proposition 98 and its own state revenue forecast. In multiple analyses, the LAO sounds a somber call to prepare for future downturns by shoring up reserves, mitigating the impact of inflation or recession, and addressing constraints on constitutional requirements in the coming years.

Revenue Assumptions and Proposition 98 Minimum Guarantee

The LAO estimates Governor Newsom had a \$52 billion surplus to spend in the May Revision due to increased state revenues of nearly \$57 billion. The LAO’s state revenue estimates across the three-year budget window—fiscal years 2020-21, 2021-22, and 2022-23—are slightly higher (\$450 million) than Governor Newsom’s revised estimates. However, its forecasted revenue differs sharply from the May Revision, shown below, with Governor Newsom’s 2025-26 “big three” tax revenues exceeding the LAO’s by nearly \$13 billion. The LAO’s more cautious outyear revenue estimates account for increased recessionary risks that will put downward pressure on state General Fund resources.

“Big Three Taxes” Forecast
May Revision vs. LAO
(in billions)

Tax	2022-23		2023-24		2024-25		2025-26	
	May Revision	LAO						
Personal Income	\$137.5	\$140.9	\$143.8	\$143.4	\$148.9	\$145.8	\$156.2	\$148.2
Sales and Use	\$34.0	\$33.3	\$35.1	\$34.1	\$36.2	\$35.3	\$37.3	\$36.5
Corporation	\$38.5	\$34.8	\$42.0	\$37.2	\$45.4	\$40.4	\$38.6	\$34.6
Total Difference (LAO-May Revision)		-\$1.0		-\$6.2		-\$9.0		-\$12.8

The differences in revenue assumptions directly impact Proposition 98 when the K-14 minimum guarantee is determined by Test 1, which makes state education funding sensitive and susceptible to fluctuations in tax revenues. To this point, the LAO released its estimates of the Proposition 98 minimum guarantee compared to the May Revision estimates (see below).

**Proposition 98 Minimum Guarantee Forecast
May Revision vs. LAO
(in billions)**

	2022-23		2023-24		2024-25		2025-26	
	May Revision	LAO						
General Fund	\$82.3	\$81.9	\$87.4	\$84.9	\$91.9	\$88.2	\$93.6	\$88.5
Property Tax	\$28.0	\$29.2	\$29.3	\$31.2	\$30.6	\$32.9	\$32.0	\$33.8
Subtotal	\$110.3	\$111.1	\$116.8	\$116.0	\$122.5	\$121.1	\$125.6	\$122.2
Total Difference (LAO-May Revision)	\$0.8*		-\$0.8		-\$1.4		-\$3.4	

*Includes additional funding for expanding transitional kindergarten

While the minimum guarantee estimates are similar for the budget year and fiscal year 2023-24, the variance grows remarkably in 2024-25 and 2025-26, which is attributable to underlying differences in state revenue assumptions.

Although the LAO’s near-term revenue projections align to the May Revision, the office warns that the state could face a fiscal cliff in 2023-24 because the Governor does not address the \$3.4 billion in state spending limit obligations, or constraints when state revenues exceed its annual state appropriations limit (SAL). While legal, the LAO admonishes the Legislature to tackle this issue in the 2022 Enacted State Budget to avoid further aggravating it next year with two years of SAL obligations, given an anticipated \$20 billion in state revenues that will exceed the SAL in 2023-24. Leaving this issue unattended may require the state to make untenable reductions to noneducation state-funded programs.

Spending the Surplus

The LAO makes no significant critiques about the May Revision’s plan to spend the \$52 billion Budget surplus and identifies that 95% of it is for one-time or temporary program expansion purposes. The LAO makes note, however, that the May Revision proposes a modest \$3 billion deposit into the state’s Special Fund for Economic Uncertainties (SFEU), bringing the total reserve amount to \$3.4 billion. The LAO recommends that state lawmakers increase the deposit into the SFEU to cover unforeseen costs, and to make those deposits in 2022-23 rather than deferring to future fiscal years.

Not quite as stark as the differences in one-time versus ongoing spending in the noneducation budget, the May Revision commits approximately 65% (or \$21.9 billion) of new Proposition 98 funding for one-time purposes and 35% (or \$11.6 billion) for ongoing education programs. The lion’s share of the May Revision’s proposed one-time investments is for an \$8.75 billion discretionary block grant for K-12 and community college agencies.

The LAO recommends the Legislature shift or direct the use of discretionary block grant funds, including increasing resources for facilities maintenance, construction, and renovation to address infrastructure needs, which qualify as excludable capital outlay under the SAL. The LAO suggests the Legislature align the intent of funds with ongoing priorities such as accelerated pandemic recovery and inclusive early education, and to disburse funds on a schedule aligned to those complementary programs. Finally, the LAO cites proposals that could be rejected, citing equity issues, unspent funds, or no justification of need.

ADA Estimates

The final notable difference between the May Revision and the LAO is their average daily attendance (ADA) assumptions for the current and budget year. The May Revision estimates higher ADA, while the LAO, although optimistic about ADA recovery from the COVID-19 pandemic beginning in 2022-23, is more cautious – even with the added students from expanding transitional kindergarten. The Administration estimates a decline in 2021-22 ADA of 6.0% while the LAO estimates this drop to be 8.1% from the prior year. The LAO’s ADA recovery estimate for 2022-23 is higher than the Administration’s on a percentage basis (3.2% versus 1.8%); the total ADA estimated by the LAO is 40,000 students below the Administration’s estimate.

These differences do not affect the Proposition 98 funding level under Test 1; however, they are important to local educational agencies whose state funding, (i.e., Local Control Funding Formula and Special Education funding) rely heavily on it.

Bill Update

SCHOOL SERVICES OF CALIFORNIA, INC.

**Legislative Report Prepared for:
Fresno Unified School District
Status as of June 15, 2022**

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Employees				
*AB 1655 Jones-Sawyer	State Holidays: Juneteenth	Support	Senate Rules Committee	23
Facilities				
AB 75 O'Donnell	Education Finance: School Facilities: Kindergarten-Community Colleges Public Education Facilities Bond Act of 2022		Senate Education Committee	23
AB 2638 Bloom	School Facilities: Drinking Water: Water Bottle Filling Stations	Support	Senate Education Committee	24
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AB 102 Holden	Pupil Attendance at Community Colleges: College and Career Access Pathways Partnerships: County Offices of Education	Support	Senate Appropriations Committee—Suspense File	24
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State Budget, Education Finance, and LCFF				
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AB 2774 Weber, Akilah	Education Finance: Local Control Funding Formula: Supplemental Grants: Lowest Performing Pupil Subgroup or Subgroups	Support	Senate Education Committee	28
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Accountability and Assessments

[AB 1868 \(Rivas, Luz\)](#)

Amended: 4/18/2022

Title: School Accountability: English Language Acquisition Status: Data

Status: Senate Education Committee

Position: Support

Summary:

As amended, this bill requires the California Department of Education to annually report on its website specified data on English learners, including enrollment data by English language acquisition status and disability and specified student performance and outcome data by English language acquisition status.

Employees

***[AB 1655 \(Jones-Sawyer\)](#)**

Amended: 5/25/2022

Title: State Holidays: Juneteenth

Status: Senate Rules Committee

Position: Support

Summary:

As amended, this bill would add June 19, known as “Juneteenth” to the list of state holidays.

Facilities

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

Amended: 5/24/2021

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

Status: Senate Education Committee

Position:

Summary:

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

AB 2638 (Bloom)**Amended:** 4/21/2022**Title:** School Facilities: Drinking Water: Water Bottle Filling Stations**Status:** Senate Education Committee**Position:** Support**Summary:**

As amended, this bill would require new construction or modernization projects to include water bottle filling stations, as specified. The bill would require, for modernization projects, a minimum of one water bottle filling station for each school undergoing modernization, and for new construction projects, a minimum of one water bottle filling station per 350 people at each school being constructed. The bill would require water bottle filling stations to be placed in or near high traffic and common areas and to meet specified requirements, including dispensing drinking water that meets certain standards.

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.

Instruction

AB 102 (Holden)**Amended:** 5/18/2022**Title:** Pupil Attendance at Community Colleges: College and Career Access Pathways Partnerships: County Offices of Education**Status:** Senate Appropriations Committee—Suspense File**Position:** Support**Summary:**

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

AB 1973 (McCarty)**Amended:** 5/2/2022**Title:** Education Finance: Base Grants: Adjustments: Kindergarten: Minimum Schoolday**Status:** Senate Education Committee**Position:****Summary:**

Under current law, a K-3 grade span adjustment (GSA) is provided as part of the Local Control Funding Formula (LCFF) to fund the requirement to maintain an average class enrollment of no more than 24 pupils in K-3 classes. Under Assembly Bill 2573, an additional condition for receiving the K-3 GSA would be a requirement to provide a minimum day for the kindergarten program equivalent to the length of the minimum school day for grades 1-3, beginning with the 2027-28 school year for schools with an enrollment of 50% or more of unduplicated pupils, and with the 2030-31 school year for all schools.

SB 532 (Caballero)**Amended:** 5/12/2022**Title:** Pupil Instruction: High School Coursework and Graduation Requirements: Exemptions and Alternatives**Status:** Assembly Education Committee**Position:** Support**Summary:**

Among other things, this bill would require a local educational agency (LEA) to inform a pupil in foster care, a pupil who is homeless, a former juvenile court school pupil, a pupil who is a child of a military family, or a pupil who is a migratory child, of the pupil's right to remain in the pupil's school of origin if the LEA determines the pupil is reasonably able to complete the LEA's local graduation requirements within the pupil's fifth year of high school. The bill would require the LEA to provide an option for these pupils to remain in school for a fifth 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.

Miscellaneous

AB 408 (Quirk-Silva)**Amended:** 1/3/2022**Title:** Homeless Children and Youths: Reporting**Status:** Senate Appropriations Committee**Position:** Support**Summary:**

This bill does the following:

- Requires local educational agencies (LEAs) 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 (CDE) to develop a risk-based monitoring plan for homeless education requirements.

[AB 2034](#) (O'Donnell)*Amended:** 6/13/2022**Title:** Local Educational Agency: Medi-Cal Billing Option**Status:** Senate Health Committee**Position:** Support**Summary:**

This bill is in response to disputes over Department of Health Care Services (DHCS) audits of LEA Medi-Cal Billing Option Program providers, which results in DHCS recovering overpayments for services rendered, including for services billed several years after the services were claimed. Assembly Bill 2034 improves the appeals process, ensures consistency in audit findings, and provides technical assistance to local educational agencies going through the appeals process.

[AB 2933](#) (O'Donnell)**Amended:** 5/2/2022**Title:** School Transportation: Apportionments**Status:** Senate Education Committee**Position:** Support**Summary:**

Starting with the 2022-23 fiscal year, this bill provides funding to school districts, county offices of education, and Regional Occupational Centers and Programs to cover the greater of:

- 100% of its school transportation apportionment for the 2020-21 fiscal year, adjusted for the cost-of-living adjustment starting in 2023-24
- 100% of reported home-to-school transportation costs

[SB 878](#) (Skinner)**Amended:** 4/18/2022**Title:** School Transportation**Status:** Assembly Education Committee**Position:****Summary:**

This bill requires school districts, county offices of education, and regional occupational programs to offer free transportation to all students to and from their neighborhood schools. Transportation would be required to be offered to 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 local educational agencies (LEAs) for this purpose.

Recent amendments delay the date by which LEAs are required to offer to transport students from the 2023-24 academic year to the 2027-28 academic year.

SB 906 (Portantino)**Amended:** 4/7/2022**Title:** School Safety: Mass Casualty Threats**Status:** Assembly Appropriations Committee**Position:** Support**Summary:**

As significantly amended, this bill no longer requires parents to disclose whether any firearms are located at the home of a student. The bill still would require schools to include information related to the safe storage of firearms in the annual notification provided to parents or guardians for pupils in grades 6-12.

Special Education

SB 1113 (Ochoa Bogh)*Amended:** 6/6/2022**Title:** Special Education: Inclusive Education: Universal Design for Learning**Status:** Assembly Education Committee**Position:****Summary:**

This bill would require the Commission on Teacher Credentialing (CTC) to revise its administrative services credential standards and performance expectations to strengthen preparation for inclusion for students with disabilities. This bill requires the California Department of Education to:

- Develop guidance on staffing inclusive classrooms and make recommendations for changes necessary to eliminate barriers to staffing inclusive placements in consultation with the CTC
- Produce a comprehensive guidebook and video modules related to inclusive practices and promotion of equity between schools
- Establish and provide grants to the system improvement leads and the Supporting Inclusive Practices project
- Train the members of the Instructional Quality Commission on the principles and strategies of universal design for learning

State Budget, Education Finance, and LCFF

[AB 1948 \(Ting\)](#)

Amended: 5/3/2022

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

Status: Senate Education Committee

Position: Support

Summary:

This bill would make the following significant changes to the Local Control Funding Formula (LCFF) statute:

- Require, for the 2022-23 fiscal year, the grade span adjusted base grant for a school district or charter school's LCFF entitlement to be increased by 15%
- Amend the "low-income pupil" definition to mean students whose household income level is at or below 250% of the federal poverty level as adjusted annually, instead of "eligible for free or reduced-price meals"
- Add homelessness as a category of the unduplicated pupils under the LCFF
- Add language that the fiscal year average daily attendance (ADA) for a school district be computed based on the greatest of current-year ADA, prior-year ADA, or the average of the three most recent prior fiscal years

[AB 2774 \(Weber, Akilah\)](#)

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

Status: Senate Education Committee

Position: Support

Summary:

Beginning with the 2023-24 fiscal year, adjusts the definition of "unduplicated pupils" to also include students that are identified as the lowest performing subgroup(s) based on the most recently available California Assessment of Student Performance and Progress math and English language arts scores.

[SB 579 \(Allen\)](#)

Amended: 1/20/2022

Title: Education Finance: Local Control Funding Formula

Status: Assembly Education Committee

Position: Watch

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)**Amended:** 5/19/2022**Title:** Education Finance: Additional Education Funding**Status:** Assembly Education Committee**Position:** Watch**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 30% of the supplemental education funds on efforts focused on chronic absenteeism and habitual truancy.

SB 1431 (Rubio)**Amended:** 5/19/2022**Title:** Local Control Funding Formula: Base Grants: Adjustment: Class Size Reduction**Status:** Assembly Education Committee**Position:** Watch**Summary:**

Commencing with the 2022-23 school year, would increase the K-3 grade span adjustment from 10.4% to 32.5% for a school district or charter school that maintains an average class enrollment of not more than 20 pupils for each school site. Transitional kindergarten classes shall be excluded from this calculation, and these additional funds shall not be included for purposes of calculating Local Control Funding Formula supplemental or concentration grants. Districts that qualify for this funding are ineligible for the 10.4% adjustment for maintaining average class enrollment of not more than 24 pupils.

Student Health and Nutrition

AB 1797 (Weber, Akilah)**Amended:** 5/2/2022**Title:** Immunization Registry**Status:** Senate Health Committee**Position:** Support**Summary:**

As amended on May 2, this bill would require vaccine providers to disclose specified immunization information for the California Immunization Registry (CAIR), and would, until January 1, 2026, authorize schools and childcare providers to access CAIR to determine the COVID-19 immunization status of students for local educational agencies that have adopted a local policy mandating COVID-19 immunization for school attendance.

SB 866 (Wiener)**Amended:** 3/9/2022**Title:** Minors: Vaccine Consent**Status:** Assembly Floor—Third Reading**Position:** Support**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 1479 (Pan)**Amended:** 4/4/2022**Title:** COVID-19 Testing In Schools: COVID-19 Testing Plans**Status:** Assembly Health Committee**Position:** Support**Summary:**

Senate Bill 1479 requires the California Department of Public Health (CDPH) to continue its COVID testing programs for local educational agencies (LEAs), and also requires LEAs to create a COVID testing plan that is consistent with the CDPH's guidance. As part of the testing plan, LEAs are required to designate one staff member to report information about the testing program to the CDPH, and each school within a district shall have a designated staff member to report information on the testing program to the district.

Fresno Unified School District

**LEGISLATIVE COMMITTEE MEETING
JULY 6, 2022**

2021-2022 Legislative Session

Prepared By:

**Leilani Aguinaldo
Director, Governmental Relations**



Public Education's Point of Reference for Making Educated Decisions



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2022-23 State Budget Agreement Reached

By: Leilani Aguinaldo

June 27, 2022

On June 26, 2022, Governor Gavin Newsom, Senate President pro Tempore Toni Atkins, and Assembly Speaker Anthony Rendon announced they had reached agreement on the 2022-23 State Budget. The Assembly and the Senate are expected to take action on the various legislation to enact the 2022-23 State Budget this week. For policy changes impacting TK-12 education, [Assembly Bill \(AB\)/Senate Bill \(SB\) 181](#) is the bill to note as it is the education omnibus budget trailer bill.

Local Control Funding Formula

The budget agreement includes \$4.32 billion above the statutory cost-of-living adjustment (COLA) of 6.56% for the Local Control Funding Formula (LCFF). The state estimates this investment will increase the LCFF by 13% over 2021-22 rates. As anticipated, school districts also will benefit from an ongoing provision to allow for the average of three prior years' average daily attendance (ADA) in calculating LCFF apportionments. Classroom-based charter schools will receive a one-year protection from declining enrollment for their 2021-22 LCFF apportionments. In addition, local educational agencies (LEAs) that offered, or were exempted from offering, independent study in 2021-22 may benefit from a one-year ADA mitigation to shield them from attendance declines in the 2021-22 school year.

Learning Recovery Emergency Block Grant

Part of the budget agreement is [AB/SB 182](#), which provides \$7.9 billion of one-time funds to LEAs for the Learning Recovery Emergency Block Grant. Funds will be distributed based on an LEA's 2021-22 ADA for grades TK-12 multiplied by the 2021-22 unduplicated pupil percentage (UPP). Estimates of the per-ADA amount are not available yet. Funds shall only be used for the following purposes:

- Increasing or stabilizing instructional learning time
- Decreasing or stabilizing staff-to-pupil ratios
- Learning supports such as tutoring
- Pupil supports to address other barriers to learning, such as counseling or mental health services, or access to school meals
- Instruction for credit-deficient students to complete graduation or promotion requirements and improve college eligibility
- Additional academic services such as progress monitoring and benchmark assessments

The block grant may be used for learning recovery initiatives through the 2027-28 school year.

Arts, Music, and Instructional Materials Discretionary Block Grant

A second block grant will be provided to LEAs for the Arts, Music, and Instructional Materials Discretionary Block Grant. Approximately \$3.5 billion will be provided on a per-ADA basis, using reported ADA for 2021-22, and must be used for:

- Standards-aligned professional development and instructional materials
- Instructional materials and professional development related to school climate
- Culturally relevant books
- Operational costs
- Supplies related to the COVID-19 pandemic

Funds from the Arts, Music, and Instructional Materials Discretionary Block Grant must be encumbered through the 2025-26 school year, and local governing boards must adopt a plan for expenditures.

Expanded Learning Opportunities Program

Funding for the state's comprehensive before, after, and summer school program will increase from \$1.7 billion in the current year to \$4.0 billion ongoing starting in 2022-23. Eligible LEAs with a prior-year UPP greater than or equal to 75% will receive \$2,750 per unduplicated pupil, and those with a UPP below 75% will receive \$1,250 per unduplicated pupil. As expected, AB/SB 181 includes language to continue the implementation grace period for the Expanded Learning Opportunities Program (ELO-P) through 2022-23. The program will be audited for the first time in the 2023-24 school year, and LEAs may carryover ELO-P funds received in 2022-23 to the 2023-24 fiscal year.

Transportation

For the first time in many years, the Enacted Budget will include new funds for home-to-school transportation. New ongoing funds of \$637 million will be provided, so that school districts and county offices of education will be reimbursed at either their LCFF add-on amount for school transportation plus the annual COLA, or up to 60% of their transportation costs plus the annual COLA.

School Facilities

The remaining bond authority of \$1.4 billion will be included in the Enacted Budget. In addition, \$4.2 billion non-Proposition 98 dollars are added to the School Facilities Program for new construction and modernization needs into 2025. No funds are provided for deferred maintenance.

Other Investments in the State Budget

Other investments included in the budget agreement were first proposed by Governor Newsom in January 2022 and unchallenged by the Legislature. These major expected investments include:

- Funds to expand eligibility for transitional kindergarten (TK)
- \$383 million for transitional kindergarten 12:1 student-to-adult ratios that are required starting in 2022-23
- \$500 million to increase the special education formula base rate to \$820 per pupil

Summarized here are only some of the highlights of what will be included in the 2022-23 State Budget. For comprehensive details and analysis of the Enacted State Budget, tune into our [School Finance Conference](#) which will be offered via webinar on July 14, 2022. Our presentation will dive into many specifics of the State Budget, including those not mentioned in this article, such as independent study and universal school meals.

Finance Bulletin Updates Inflation and Revenues for June

By: Anjanette Pelletier

June 27, 2022

The June 2022 [Finance Bulletin](#) was released by the Department of Finance (DOF) on June 24, 2022, providing an economic update for California and the nation, including a summary of rising inflation, labor conditions, and analysis of revenues. All eyes have been on inflation and the impact it has on purchasing power and affordability of goods and services for everyday citizens. The DOF provides an update on headline inflation, which represents the raw inflation figure reported through the Consumer Price Index (CPI) that is released every month by the Bureau of Labor Statistics. The CPI is a fixed “basket of goods” to determine how rising costs are trending, which influences U.S. monetary policy.

In May 2022, U.S. headline inflation reached its highest point in 40 years at 8.6%. For California, the headline inflation surged to 7.7% in April, largely impacted by rocketing costs for food (up 10.1%) and gasoline (up 48.7%). Headline inflation, as measured by the CPI, is different from the core inflation figure, which removes food and energy costs due to the volatility in those sectors. This may be counterintuitive in our daily lives, as the rising costs of food and fuel impact individual pocketbooks in the short term and rising inflation lowers investment returns. Core inflation figures also showed new highs, with the cost of housing driving an increase up to 6.0%. When the Federal Reserve announces monetary policy, the impact of core inflation is usually considered. The Federal Reserve has reversed its decades long approach of adjusting interest rates minimally, if at all, to keep the economy healthy by increasing interest rates by 1.5 percentage points since March, with more increases expected in the coming months.

Rising inflation can impact the labor market and housing; however, unemployment numbers remain largely unchanged, only 0.1% higher for the U.S., and 0.2% higher for California over February 2020. These numbers do not yet include California unemployment claims that could occur due to the recent trend of Silicon Valley layoffs of highly paid tech workers. Rising interest rates also influence housing growth and costs, and California continues to set records for the high cost of housing, and sales are dropping as fewer families can afford to buy.

As noted in previous *Fiscal Report* articles, revenues for the first 11 months of the 2021-22 fiscal year continue to outpace forecasts, including the most recent May cash receipts, which were \$1.106 billion above the May Revision forecast of \$12.079 billion. Unlike April, cash receipts for May modestly missed forecasts for personal income taxes and withholding receipts by \$86 million for May and by \$1.124 billion for the fiscal year. (See [“State Tax Collections Continue Upward Trend”](#) in the May 2022 *Fiscal Report* and [“Finance Bulletin Released for April”](#) in the April 2022 *Fiscal Report*).

Fortunately, General Fund resources are made up of multiple sources of revenue, and sales and use taxes, corporation taxes, and insurance taxes were all well above forecasted amounts for the month of May and the fiscal year. At the same time, refunds paid in May were lower than forecasted for both personal income taxes and corporation taxes, keeping more cash in the General Fund. As General Fund resources outpace projections, it sets an interesting backdrop to the State Budget negotiations currently underway between the Administration and the Legislature. In an

economy where inflation outpaces the cost-of-living adjustment, interest rates continue to rise, and low unemployment remains a factor, fears of a recession hang over the nation. Known and unknown forces, including COVID-19, supply chain challenges, and the war in Ukraine, are shifting business and consumer confidence, which may portend an economic downturn. It is too soon to tell the impact of the Federal Reserve's interest rate increases and the rising cost of goods and services, but the goal is to tame inflation without causing layoffs and a recession.

K-12 Art and Music Education Funding Initiative Qualifies for November Election

By: Kyle Hyland

June 24, 2022

On June 9, 2022, Secretary of State Shirley Weber announced that an initiative that would provide funding for K-12 arts and music education has received the requisite signatures necessary to qualify for the November 8 General Election ballot.

If approved by voters, the measure would require the state to provide annual funding to local educational agencies (LEAs) to increase arts instruction and programming in schools beginning with the 2023-24 fiscal year. The amount would be equal to 1% of the Proposition 98 funding that K-12 schools received in the prior fiscal year. The funding would be considered a payment above the constitutionally required Proposition 98 minimum guarantee and thus would not be funded within the minimum guarantee. The Legislative Analyst's Office (LAO) estimates that 2023-24 funding would likely be in the range of \$800 million to \$1 billion based on the estimated K-12 share of the Proposition 98 minimum guarantee for 2022-23.

For the allocation methodology, LEAs would have to allocate 70% to school sites based on their share of statewide enrollment while the remaining 30% would go to school sites based on their share of low-income students, defined as students who qualify for the National School Lunch Program. LEAs would be required to use at least 80% of the funding to hire staff; however, LEAs with less than 500 students would be exempt from this requirement and the California Department of Education would be permitted to provide a waiver from the 80% staffing requirement to school sites upon written request from the principal. LEAs would also be allowed to set aside 1% of their funding for administrative purposes.

The initiative would empower principals (or the program director of a preschool) to determine how to expand a site's arts programs, including combining funds with other schools to develop joint programs and shared staff. The principal or program director must develop a plan for spending the funding they receive. Additionally, LEAs would be required to annually submit a report that details the types of art programs funded, program staff (the number of full-time equivalent teachers, classified personnel, and teaching aids), the number of students served, and the number of school sites providing art education programs using the initiative's funds.

In order for the funding to come to fruition for schools, the ballot initiative must be approved by a majority of California voters on November 8, 2022. You can view the language of the initiative [here](#) and the LAO's handout on the measure [here](#).

Bill Update

SCHOOL SERVICES OF CALIFORNIA, INC.

**Legislative Report Prepared for:
Fresno Unified School District
Status as of July 1, 2022**

Current Bills

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*SB 878 Skinner	School Transportation		Assembly Appropriations Committee	11
*SB 906 Portantino	School Safety: Homicide Threats	Support	To Enrollment	11

Special Education				
SB 1113 Ochoa Bogh	Special Education: Inclusive Education: Universal Design for Learning	Support	Assembly Appropriations Committee	12
State Budget, Education Finance, and LCFF				
AB 2774 Weber, Akilah	Education Finance: Local Control Funding Formula: Supplemental Grants: Lowest Performing Pupil Subgroup or Subgroups	Support	Senate Appropriations Committee	12
Student Health and Nutrition				
AB 1797 Weber, Akilah	Immunization Registry	Support	Senate Appropriations Committee	13
*SB 866 Wiener	Minors: Vaccine Consent	Support	Assembly Floor—Third Reading	13
SB 1479 Pan	COVID-19 Testing In Schools: COVID-19 Testing Plans	Support	Assembly Appropriations Committee	13

Accountability and Assessments

*[AB 1868](#) (Rivas, Luz)

Amended: 6/21/2022

Title: School Accountability: English Language Acquisition Status: Data

Status: Senate Appropriations Committee

Position: Support

Summary:

This bill would require the California Department of Education to annually report on its website specified enrollment data by English language acquisition status and disability.

Employees

*[AB 1655](#) (Jones-Sawyer)

Amended: 6/15/2022

Title: State Holidays: Juneteenth

Status: Senate Appropriations Committee

Position: Support

Summary:

This bill would add June 19, known as “Juneteenth,” to the list of state holidays. The bill would specify that federal holidays (except for Columbus Day) established via congressional legislation and signed into law by the president are considered holidays whereby California public schools and community colleges are required to close, which would include “Juneteenth.”

Facilities

[AB 2638](#) (Bloom)

Amended: 4/21/2022

Title: School Facilities: Drinking Water: Water Bottle Filling Stations

Status: Senate Appropriations Committee

Position: Support

Summary:

As amended, this bill would require new construction or modernization projects to include water bottle filling stations, as specified. The bill would require, for modernization projects, a minimum of one water bottle filling station for each school undergoing modernization, and for new construction projects, a minimum of one water bottle filling station per 350 people at each school being constructed. The bill would require water bottle filling stations to be placed in or near high traffic and common areas and to meet specified requirements, including dispensing drinking water that meets certain standards.

Instruction

[AB 102 \(Holden\)](#)

Amended: 5/18/2022

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

Status: Senate Appropriations Committee—Suspense File

Position: Support

Summary:

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

[*AB 1973 \(McCarty\)](#)

Amended: 6/30/2022

Title: Kindergarten: Minimum Schoolday

Status: Senate Appropriations Committee

Position:

Summary:

As amended, this bill requires districts and charter schools with an unduplicated pupil percentage (UPP) of 50% or more to offer at least one full-day kindergarten class at each school site that offers kindergarten, starting in 2027-28. Full-day kindergarten means a minimum school day equivalent to the minimum school day for grades 1-3. This requirement applies to all districts and charter schools, regardless of UPP, starting in 2030-31.

[*SB 532 \(Caballero\)](#)

Amended: 6/22/2022

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

Status: Assembly Appropriations Committee

Position: Support

Summary:

Among other things, this bill would require a local educational agency (LEA) to inform a pupil in foster care, a pupil who is homeless, a former juvenile court school pupil, a pupil who is a child of a military family, or a pupil who is a migratory child, of the pupil's right to remain in the pupil's school of origin if the LEA determines the pupil is reasonably able to complete the LEA's local graduation requirements within the pupil's fifth year of high school. The bill would require the LEA to provide an option for these pupils to remain in school for a fifth 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.

Miscellaneous

[AB 408 \(Quirk-Silva\)](#)

Amended: 1/3/2022

Title: Homeless Children and Youths: Reporting

Status: Senate Appropriations Committee

Position: Support

Summary:

This bill does the following:

- Requires local educational agencies (LEAs) 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 (CDE) to develop a risk-based monitoring plan for homeless education requirements

[*SB 878 \(Skinner\)](#)

Amended: 6/30/2022

Title: School Transportation

Status: Assembly Appropriations Committee

Position:

Summary:

As amended, this bill authorizes local educational agencies (LEAs) to offer home-to-school transportation to all pupils, and also establishes the Transportation Access to Public Schools Fund to reimburse LEAs for their transportation costs. This bill also establishes minimum qualifications for drivers providing transportation services for students, and prohibits LEAs from charging pupils fees for school transportation.

[*SB 906 \(Portantino\)](#)

Amended: 6/23/2022

Title: School Safety: Homicide Threats

Status: To Enrollment

Position: Support

Summary:

As recently amended, this bill:

1. requires local educational agencies (LEAs) to annually provide information to parents or guardians about California's child access prevention laws and laws relating to the safe storage of firearms;
2. requires school officials to report to law enforcement any threat or perceived threat; and
3. requires law enforcement or the school police to conduct an investigation and
4. threat assessment, including a review of Department of Justice's firearm registry and a search of the school and/or students' property by law enforcement or school police

Special Education

[SB 1113 \(Ochoa Bogh\)](#)

Amended: 6/6/2022

Title: Special Education: Inclusive Education: Universal Design for Learning

Status: Assembly Appropriations Committee

Position: Support

Summary:

This bill would require the Commission on Teacher Credentialing (CTC) to revise its administrative services credential standards and performance expectations to strengthen preparation for inclusion for students with disabilities. This bill requires the California Department of Education to:

- Develop guidance on staffing inclusive classrooms and make recommendations for changes necessary to eliminate barriers to staffing inclusive placements in consultation with the CTC
- Produce a comprehensive guidebook and video modules related to inclusive practices and promotion of equity between schools
- Establish and provide grants to the system improvement leads and the Supporting Inclusive Practices project
- Train the members of the Instructional Quality Commission on the principles and strategies of universal design for learning

State Budget, Education Finance, and LCFF

[AB 2774 \(Weber, Akilah\)](#)

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

Status: Senate Appropriations Committee

Position: Support

Summary:

Beginning with the 2023-24 fiscal year, adjusts the definition of "unduplicated pupils" to also include students that are identified as the lowest performing subgroup(s) based on the most recently available California Assessment of Student Performance and Progress math and English language arts scores.

Student Health and Nutrition

[AB 1797 \(Weber, Akilah\)](#)

Amended: 5/2/2022

Title: Immunization Registry

Status: Senate Appropriations Committee

Position: Support

Summary:

As amended on May 2, this bill would require vaccine providers to disclose specified immunization information for the California Immunization Registry (CAIR), and would, until January 1, 2026, authorize schools and childcare providers to access CAIR to determine the COVID-19 immunization status of students for local educational agencies that have adopted a local policy mandating COVID-19 immunization for school attendance.

[*SB 866 \(Wiener\)](#)

Amended: 6/16/2022

Title: Minors: Vaccine Consent

Status: Assembly Floor—Third Reading

Position: Support

Summary:

As amended, this bill would permit minors age 15 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 1479 \(Pan\)](#)

Amended: 4/4/2022

Title: COVID-19 Testing In Schools: COVID-19 Testing Plans

Status: Assembly Appropriations Committee

Position: Support

Summary:

Senate Bill 1479 requires the California Department of Public Health (CDPH) to continue its COVID testing programs for local educational agencies (LEAs), and also requires LEAs to create a COVID testing plan that is consistent with the CDPH's guidance. As part of the testing plan, LEAs are required to designate one staff member to report information about the testing program to the CDPH, and each school within a district shall have a designated staff member to report information on the testing program to the district.

SCHOOL SERVICES OF CALIFORNIA, INC.

**Legislative Report Prepared for:
Fresno Unified School District
Status as of July 1, 2022**

Dead Bills

Bill No./ Author	Title	Position	Current Status	Page
Facilities				
AB 75 O'Donnell	Education Finance: School Facilities: Kindergarten-Community Colleges Public Education Facilities Bond Act of 2022		Senate Education Committee	15
SB 22 Glazer	Education Finance: School Facilities: Public Preschool, K-12, and College Health and Safety Bond Act of 2022		Assembly Education Committee	15
Miscellaneous				
AB 2034 O'Donnell	Local Educational Agency: Medi-Cal Billing Option	Support	Senate Education Committee	15
AB 2933 O'Donnell	School Transportation: Apportionments	Support	Senate Education Committee	16
State Budget, Education Finance, and LCFF				
AB 1948 Ting	Education Finance: Local Control Funding Formula: Low-Income Pupils: Pupils Experiencing Homelessness	Support	Senate Education Committee	16
SB 579 Allen	Education Finance: Local Control Funding Formula	Watch	Assembly Education Committee	16
SB 830 Portantino	Education Finance: Additional Education Funding	Watch	Assembly Education Committee	17
SB 1431 Rubio	Local Control Funding Formula: Base Grants: Adjustment: Class Size Reduction	Watch	Assembly Education Committee	17

Facilities

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

Amended: 5/24/2021

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

Status: Senate Education Committee

Position:

Summary:

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

[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.

Miscellaneous

[AB 2034 \(O'Donnell\)](#)

Amended: 6/13/2022

Title: Local Educational Agency: Medi-Cal Billing Option

Status: Senate Education Committee

Position: Support

Summary:

This bill is in response to disputes over Department of Health Care Services (DHCS) audits of LEA Medi-Cal Billing Option Program providers, which results in DHCS recovering overpayments for services rendered, including for services billed several years after the services were claimed. Assembly Bill 2034 improves the appeals process, ensures consistency in audit findings, and provides technical assistance to local educational agencies going through the appeals process.

AB 2933 (O'Donnell)**Amended:** 5/2/2022**Title:** School Transportation: Apportionments**Status:** Senate Education Committee**Position:** Support**Summary:**

Starting with the 2022-23 fiscal year, this bill provides funding to school districts, county offices of education, and Regional Occupational Centers and Programs to cover the greater of:

- 100% of its school transportation apportionment for the 2020-21 fiscal year, adjusted for the cost-of-living adjustment starting in 2023-24
- 100% of reported home-to-school transportation costs

State Budget, Education Finance, and LCFF

AB 1948 (Ting)**Amended:** 5/3/2022**Title:** Education Finance: Local Control Funding Formula: Low-Income Pupils: Pupils Experiencing Homelessness**Status:** Senate Education Committee**Position:** Support**Summary:**

This bill would make the following significant changes to the Local Control Funding Formula (LCFF) statute:

- Require, for the 2022-23 fiscal year, the grade span adjusted base grant for a school district or charter school's LCFF entitlement to be increased by 15%
- Amend the "low-income pupil" definition to mean students whose household income level is at or below 250% of the federal poverty level as adjusted annually, instead of "eligible for free or reduced-price meals"
- Add homelessness as a category of the unduplicated pupils under the LCFF
- Add language that the fiscal year average daily attendance (ADA) for a school district be computed based on the greatest of current-year ADA, prior-year ADA, or the average of the three most recent prior fiscal years

SB 579 (Allen)**Amended:** 1/20/2022**Title:** Education Finance: Local Control Funding Formula**Status:** Assembly Education Committee**Position:** Watch**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)**Amended:** 5/19/2022**Title:** Education Finance: Additional Education Funding**Status:** Assembly Education Committee**Position:** Watch**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 30% of the supplemental education funds on efforts focused on chronic absenteeism and habitual truancy.

SB 1431 (Rubio)**Amended:** 5/19/2022**Title:** Local Control Funding Formula: Base Grants: Adjustment: Class Size Reduction**Status:** Assembly Education Committee**Position:** Watch**Summary:**

Commencing with the 2022-23 school year, would increase the K-3 grade span adjustment from 10.4% to 32.5% for a school district or charter school that maintains an average class enrollment of not more than 20 pupils for each school site. Transitional kindergarten classes shall be excluded from this calculation, and these additional funds shall not be included for purposes of calculating Local Control Funding Formula supplemental or concentration grants. Districts that qualify for this funding are ineligible for the 10.4% adjustment for maintaining average class enrollment of not more than 24 pupils.

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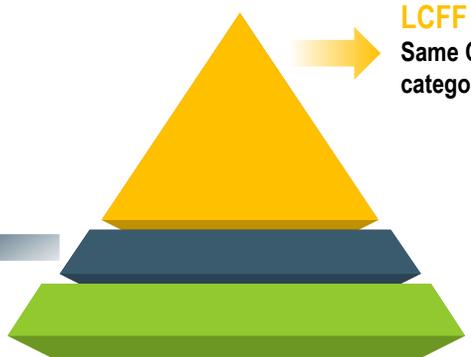
School Services of California INC.
An Employee-Owned Company

2022-23 Enacted State Budget July 6, 2022

Presented By:
Leilani Aguinaldo
Director, Governmental Relations

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1 Local Control Funding Formula



LCFF statutory COLA²: 6.56%
Same COLA applied to other applicable categoricals

Additional LCFF¹ Funds: \$4.32 billion

- Additional funds above the COLA
- Together with statutory COLA, 12.84% increase over 21-22 rates

ADA³ mitigation

- 2021-22 modified ADA
- 3-year rolling average

¹Local Control Funding Formula (LCFF) ²Cost-of-living adjustment (COLA) ³Average daily attendance (ADA)

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2 LCFF 2021-22 ADA Modification

- Recognizes anomalous 2021-22 school year because of impacts of the Delta and Omicron surges on attendance
- 2021-22 ADA modified to allow use of pre-COVID attendance yield
- Must comply with 2021-22 independent study requirements
- Three-year rolling average ADA would incorporate this adjustment for 2021-22 ADA
- 2021-22 ADA modification only applies to LCFF apportionment

COVID-19 2021-22 ADA Relief

2021-22 ADA would be based on greater of:

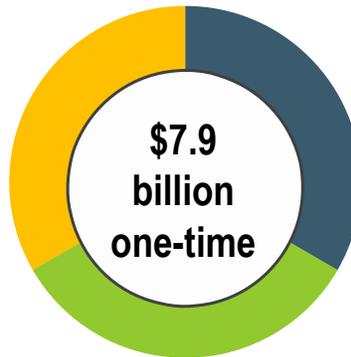
attendance yield from 2019-20
or
attendance yield from 2021-22

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3 Learning Recovery Emergency Block Grant

Assist school districts, county offices of education, and charter schools in long-term recovery from the COVID-19 pandemic

Distribution
Funds allocated based on 2021-22 ADA multiplied by 2021-22 UPP



Reporting

- Must report interim expenditures to CDE by December 1, 2024, and December 1, 2027
- Must submit final report on expenditures by December 1, 2029

Deadline
Funds may be used through 2027-28 school year

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4 Learning Recovery Emergency Block Grant—Allowable Uses

Increase or stabilize instructional learning time

Pupil supports to address other barriers to learning

Decrease or stabilize staff-to-pupil ratios

Instruction for credit-deficient students

Additional academic services

Close learning gaps

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5 Arts, Music, and Instructional Materials Discretionary Block Grant

\$3.6 billion one-time Proposition 98 funds

Distribution
Distributed on a per-pupil basis using 21-22 ADA

Plan
Governing board must discuss and approve plan for expenditure of funds at regularly scheduled public meeting

Deadline
Encumber through the 25-26 school year

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Arts, Music, and Instructional Materials Discretionary Block Grant

Allowable Uses

Instructional materials and professional development aligned to best practices for improving school climate, digital literacy, physical education, learning through play

Operational costs

Standards-aligned professional development and instructional materials

Diverse book collections and culturally relevant texts in English and pupils' home languages

COVID-19 pandemic related supplies

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Expanded Learning Opportunities Program Funding

➔ Final State Budget increases ongoing state funding for Expanded Learning Opportunities Program (ELOP) to \$4.0 billion

- Demonstrates state commitment to comprehensive before, after, and summer school opportunities for students at school districts and charter schools

➔ Same formula for distribution of funds

	Current Law	January Budget Proposal	May Revision Proposal	Legislative Budget Proposal	Enacted State Budget
Total State Funding Level	\$1 billion ongoing plus \$754 million one-time	\$4.4 billion ongoing	\$4.8 billion ongoing	\$4.4 billion ongoing	\$4.0 billion ongoing
Per Pupil Amount	UPP ≥ 80%: \$1,170 UPP < 80%: \$672	UPP ≥ 75%: \$2,500 UPP < 75%: \$2,027	UPP ≥ 75%: \$2,500 UPP < 75%: \$2,500	UPP ≥ 75%: \$3,000 UPP < 75%: \$1,500	UPP ≥ 75%: \$2,750 UPP < 75%: \$1,250

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Expanded Learning Opportunities Program Changes

Changes for implementation of ELOP

1 Allow carryover of 2022-23 funds to 2023-24

2 Delay start of audit of ELOP to 2023-24

3 Prorated penalties for not meeting offer/provide and minimum time requirements

4 Starting in 2023-24, LEAs with UPP \geq 75% must offer to all students in grades TK-6 and provide access to those who request

5 Starting in 2023-24, LEAs with UPP $<$ 75% must offer to all unduplicated students in grades TK-6 and provide access to those who request

6 Must provide transportation if not providing ELOP at all school sites for grades TK-6

7 For “frontier” schools, the requirement is for an eight-hour day

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9

Universal Transitional Kindergarten

Offer TK to four-year-olds whose fifth birthday occurs between September 2 and February 2; inclusive

Offer TK to four-year-olds whose fifth birthday occurs between September 2 and April 2; inclusive

Offer TK to four-year-olds whose fifth birthday occurs between September 2 and June 2; inclusive

Offer TK to four-year-olds whose fourth birthday occurs by September 1; inclusive

- Enacted State Budget includes \$614 million ongoing Proposition 98 dollars to fund the expanded eligibility for transitional kindergarten (TK) that starts in 2022-23
- Proposition 98 minimum guarantee is “rebenched” to account for the expanded universe of TK students
- LEAs that enroll TK students that turn five after the eligibility window, but before the P-2 reporting period, will receive partial ADA

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Universal Transitional Kindergarten Ratios

- Additional \$383 million ongoing for the new TK classroom ratio
- The TK ratio “Add-On” is \$2,813 per TK ADA, which is adjusted annually by COLA

2022-23

Beginning with the 2022-23 school year, LEAs are required to maintain average

- TK class sizes of 24 students and
- Classroom ratios of 12 student to 1 adult

Cannot bargain an alternative ratio or classroom size (EC § 48000)

\$9,132

LCFF TK Base Grant*

\$10,082

K-3 Grade Span Adjustment—\$950

LCFF TK Base Grant*

\$12,895

TK Ratio Add-On—\$2,813

K-3 Grade Span Adjustment

LCFF TK Base Grant*

*Base Grant calculated including COLA and proposed additional \$4.3 billion LCFF investment

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11

Home to School Transportation

- Funding for Home-to-School Transportation increased by \$637 million ongoing
- Starting in 2022-23, school districts and charter schools will receive either:

Transportation add-on, plus annual COLA
OR
60% of reported transportation costs
- Subject to audit
- May charge fees for transportation but must waive fees for unduplicated students

Transportation Plan

Adopted by governing board by April 1, 2023, and updated annually

Include priority for planned services for students in grades TK-6 and low-income students

Describe how transportation will be accessible to students with disabilities and homeless youth

Describe how unduplicated students may access free transportation

Develop in consultation with staff, regional transit authorities, local air pollution control districts and air quality management districts, parents, students

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Green Buses

- \$1.5 billion one-time funds to support greening school bus fleets through programs operated by the California Air Resources Board and the California Energy Commission
- Funds will be provided to LEAs to support up to the full purchase cost of zero-emission schoolbuses and related schoolbus charging or fueling infrastructure
 - May fund schoolbuses powered by renewable fuel if an LEA is able to demonstrate significant barriers to the adoption of zero-emission technology
- Priority for the following:
 - Serving high percentage of unduplicated pupils
 - Operating the oldest internal combustion buses
 - Small and rural school districts
 - Purchasing zero-emission buses with bidirectional charging where available

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Universal Meals

Starting in 2022-23, LEAs required to provide free breakfast and free lunch each school day to all students that request it, regardless of eligibility for FRPM*

If federal waivers are extended that provide for higher federal reimbursement rates, any unused state funding would instead be made available for food procurement grants



To receive state reimbursement for universal meals, LEAs must participate in the National School Lunch Program and federal School Breakfast Program

Enacted State Budget reimburses all LEAs at the higher Seamless Summer Option rate

- Lunch: approx. \$4.625 per meal
- Breakfast: approx. \$3.245 per meal

* Free and reduced price meal (FRPM)

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Kitchen Infrastructure Grant

- \$600 million one-time funds for school kitchen infrastructure, food service employee training and compensation
- Distribution of funds:
 - Base allocation of \$100,000 per eligible LEA
 - Remaining funds allocated proportionally based on number of reimbursable meals served in October 2021
- Allowable uses:
 - Kitchen infrastructure
 - Transportation of ingredients, meals, and equipment between sites
 - Training and professional development for food service staff
 - Additional compensation for additional work related to serving universal school meals
 - Planning and implementation of facility improvement and equipment upgrades to increase capacity for freshly prepared onsite meal preparation
- Report to CDE by June 30, 2025 on use of funds

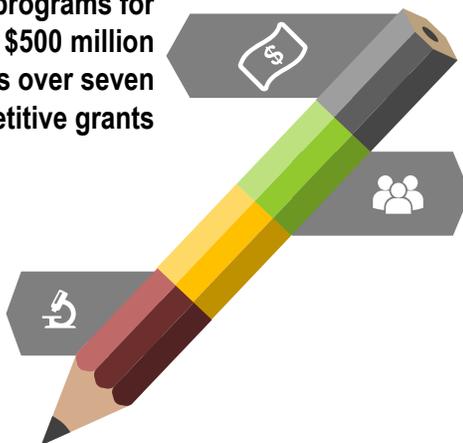
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Career Pathway Programs

To support the development of career pathway programs for critical job needs, \$500 million one-time funds over seven years for competitive grants

Pathway programs focused on technology, health care, education, and climate-related fields



Programs are predicated on developing local partnerships that bring together school systems, higher education institutions, employers, and other relevant community stakeholders

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Dual Enrollment

- \$200 million one-time funds for a competitive grant program to strengthen and expand dual enrollment opportunities
 - Available over five years
- One-time grants of up to \$250,000 to support the costs to plan for, and start up, a middle college or early college high school
- One-time grants of up to \$100,000 to establish College and Career Access Pathways dual enrollment partnership agreement
- Priority for LEAs that display any of the following:
 - At least 50% of students are unduplicated pupils
 - Higher than state average dropout rate
 - Higher than state average rate of suspensions and expulsions
 - Higher than state average of child homelessness, foster youth, or justice-involved youth
 - Lower than state average rate of students completing A-G requirements

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California Prekindergarten Planning Implementation Grant

- An additional \$300 million in one-time funds for the program
 - Same allowable uses as with 2021-22 grant

Minimum Base Grant for LEAs that offer Kindergarten

- \$25,000 to LEAs with 2020-21 kindergarten enrollment of 1 to 500 pupils
- \$50,000 to LEAs with 2020-21 kindergarten enrollment of 501 or more pupils
- \$15,000 to COEs for each LEA in their county that operates kindergarten programs to support countywide planning and capacity building

Enrollment Grants

- 60% of available funds allocated based on LEA's share of 2021-22 kindergarten enrollment

Supplemental Grants

- 40% of available funds allocated based on LEAs 2021-22 kindergarten enrollment multiplied by its LCFF unduplicated pupil percentage

Remaining funds after base grant calculations available as enrollment grants and supplemental grants

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2022-23 Enacted State Budget

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18 State Preschool Program

- Increases State Preschool Program adjustment factors for students with disabilities, dual language learners, and childhood mental health
- Adds adjustment factor for three-year-olds
- Continuous eligibility for State Preschool for 24 months (increased from 12 months)
- Students with a disability are categorically eligible for State Preschool
- Expands access to eligible families from 85% of state median income to 100% of state median income
- Waives family fees for State Preschool Program in 2022-23
- \$250 million one-time for Inclusive Early Education Expansion Program

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19 Workforce Investments—Educator Grant Programs

- The 2022-23 State Budget provides funding specific to high need credential areas in support of early literacy, building the credential pipeline in high need areas, and educator training

Literacy Coaches and Reading Specialists Grant Program	Teacher Residency Grant Program
\$250 million from the General Fund available through June 30, 2027	\$184 million from the General Fund for the California Commission on Teacher Credentialing to support teacher and school counselor residency programs through June 30, 2027
<ul style="list-style-type: none"> • Supports early literacy in high needs schools • LEAs may opt out of program by notifying CDE¹ by September 30, 2022 • CDE will determine allocation based on 2021-22 enrollment data 	<ul style="list-style-type: none"> • Elementary school site with UPP of 97% or greater grades K-3 qualifies • CDE required to create reporting template for LEAs to describe how funds were used
<ul style="list-style-type: none"> • Recognizes school counselors as a high-need credential area • Establishes school counselor preparation programs 	<ul style="list-style-type: none"> • Qualified LEAs include districts, county offices, charters schools and regional occupational programs

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Additional Significant Investments

Community Schools

- \$1.1 billion additional one-time funds for Community Schools grants

Facilities

- Allocates remaining \$1.4 billion of Proposition 51 bond funds
- Additional \$4.2 billion General Fund for the School Facility Program
- \$650 million General Fund for the Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facility Program

Special Education

- \$500 million ongoing funds to increase the special education base rate to \$820 per student
- IDEA addendum to the LCAP to support inclusive planning and promote cohesion between special education and general education planning
 - Only required for LEAs identified by CDE that an improvement plan is necessary per federal requirements
 - Adopted by governing board in conjunction with the LCAP by July 1, 2025

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Thank you!

Leilani Aguinaldo
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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: July 29, 2022

Phone Number: 457-3907

Regarding: 2022/23 State Adopted Budget Update

The purpose of this board communication is to provide the Board an update regarding the final 2022/23 State Adopted Budget.

The district's 2022/23 Adopted Budget was approved by the Board on June 15, 2022. The approval included assumptions based on the Governor's May Revise. The State Budget was enacted on June 27, 2022, and below are the impacts to the Fresno Unified 2022/23 Adopted Budget:

- Local Control Funding Formula (LCFF)
 - In addition to the funded statutory COLA of 6.56% an additional 6.28%, for a total LCFF increase of 12.84%, resulting in an ongoing increase of \$52.3 million, of which \$14.7 million must be programmed for supplemental and concentration actions
 - In accordance with the current employee bargaining agreements, the 2022/23 district's health contribution level increases to \$22,953 per employee participant. An increase over the adopted budget of \$1,269, equating to \$9.5 million for the Health Fund
 - Based on the salary contingency language, per the collective bargaining agreement, the revised budget includes an ongoing salary increase of 6%, resulting in an ongoing increase of \$18.0 million. This is an increase from the Adopted Budget where a 3% increase was planned
- Home-to-School Transportation funding – Establishes reimbursement equal to 60% of an LEA's prior year reported Home-to-School Transportation costs – \$7.0 million
- Expanded Learning Opportunities Program (ELOP) – Increased rate for districts with UPP greater than 7% from \$2,500 to \$2,750, however decreased overall allocation due to an adjustment from enrollment to Average-Daily-Attendance (ADA) reported in 2021/22 – (\$9.6) million
- Learning Recovery Emergency Block Grant – Provides \$2,100 for each unduplicated student to be utilized through 2027/28. Expenditures can be utilized for increasing instructional time, staff-to-pupil ratios, closing learning gaps through tutoring, pupil supports to address learning barriers, instruction for credit deficient students, and additional academic services – \$128.6 million (*one-time*)
- Art, Music, and Instructional Materials Discretionary Block Grant – Provides \$600 per ADA to be utilized through 2025/26. Expenditures can be utilized for standards-aligned professional development and instructional materials, diverse book collections, and culturally relevant texts in pupils' home languages, pandemic related supplies, and other operational costs – \$35.2 million (*one-time*)
- Unrestricted Lottery – Per ADA funding increased – \$163 to \$170 per ADA – \$400,000 (*ongoing*)
- Restricted Lottery – Per ADA funding increased – \$65 to \$67 per ADA – \$100,000 (*ongoing*)

Lastly, universal meals, kitchen infrastructure, green busses, career pathways, dual enrollment, inclusive early education expansion, workforce development, and community school partnership grants were included in the Governor's Adopted Budget, additional details will be provided when the State Board releases the allocation process or methodology.

These impacts will be recognized in Budget Revision No. 1 which is included for the Board's consideration and approval at the August 10, 2022, Board meeting.

If you have any questions pertaining to the information in this communication, or require additional information, please contact Santino Danisi at 457-6226.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: July 29, 2022

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



Date: July 29, 2022

Phone Number: 457-3661

Cabinet Approval: 

Regarding: Federal Program Monitoring

The purpose of this board communication is to update the Board on the most recent Federal Program Monitoring (FPM) review which concluded on May 19, 2022. As previously communicated to the Board on August 06, 2021, the California Department of Education (CDE) facilitates the review to ensure school districts are in compliance with federal funding regulations. Fresno Unified is reviewed every two years rotating between an online and onsite review.

The 11 areas selected for review included the following:

- Adjusted Cohort Graduation Rate
- Compensatory Education
- Education Equity
- English Learners
- Extended Learning
- Federal Stimulus Monitoring
- Fiscal Monitoring
- Homeless Education
- Student Support and Academic Enrichment
- Student Support and Improvement
- Supporting Effective Instruction

In addition, the following schools were selected for review:

- King Elementary School
- Norseman Elementary School
- Terronez Middle School
- Yosemite Middle School
- Edison High School
- Fresno High School
- Hoover High School

Over the course of the two-week online review, approximately 300 evidence requests from the reviewers required over 1200 artifacts be uploaded. While most areas had no findings, four areas received 13 initial findings. Of the 13 findings, most resulted from a lack of time on the part of the reviewers to properly review the evidence. As is typically the process, the district was given 45 days from the conclusion of the review, July 03, 2022, to either provide resolution for the findings or enter into a resolution agreement detailing how the finding will be corrected in the future. To date, ten findings have been resolved, meaning that the district was found to be in compliance after further review and evidence. Three findings remain in resolution agreements with staff anticipating they will be resolved prior to the agreed upon deadline.

The remaining three findings are in the areas of Education Equity (two findings) and English Learners (one finding).

If you have any questions pertaining to the information in this communication, or require additional information, please contact Tammy Townsend at 457-3661.

Approved by Superintendent
Robert G. Nelson Ed.D.

A handwritten signature in blue ink, appearing to read "Robert G. Nelson", is written over a horizontal line.

Date: July 29, 2022

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: July 29, 2022

Phone Number: 250-1322

Regarding: Parent University's Family Goal Kickoff Event

The purpose of this board communication is to provide the Board information regarding Parent University's Family Goal Kickoff Event. The event will be held at Maya Cinemas on Friday, August 05, 2022, from 4:00 p.m. – 8:00 p.m. We anticipate 500 families and students along with 20 vendors to provide resources.

The event aims to connect families and students to district and community resources to better equip students for the 2022/23 academic school year. The district and community resources are on a first-come, first-served basis. A few of the resources include backpacks, school supplies, haircuts, preschool registration, technology support services and social-emotional support services. In addition, families and students will have the opportunity to watch a movie for free to spend time together before the start of the new school year. All families and students including Foster/Homeless Youth, Students with Disabilities and English Learners were invited to the event via personalized invitations, phone calls and emails to join the event.

Parent University strives to provide inclusive opportunities for families to engage in their students' education with opportunities like this Family Goal Kick-Off event to support student achievement. We hope the Board will be able to join us as we welcome families back for the new academic school year!

Attached is the event flyer for your reference.

If you have any questions pertaining to the information in this communication, or require additional information, please contact Maiyer Vang at (559) 250-1322.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: July 29, 2022

Families and Students! You are cordially invited to



FAMILY GOAL KICKOFF EVENT



FREE NEW
BACKPACKS
with

- School Supplies
- Community Resources
- Free Movie

Available for Families & Students

First Come, First Served Basis



FRIDAY, AUGUST 5TH, 2022 4PM - 8PM



Fresno Unified School District



Family Goal

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

Maya Cinemas

3090 E Campus Pointe Dr
Fresno, CA 93710



tinyurl.com/3zmdwac or scan QR Code to Register for this event

FOR MORE INFORMATION, PLEASE CONTACT PARENT UNIVERSITY 559.457.3390

Fresno Unified School District
Board Communication

BC Number E&EP-1

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

Date: July 29, 2022

Phone Number: 457-3749

Regarding: Office of Engagement & External Partnerships Update

The purpose of this board communication is to provide the Board an update on the progress of the Office of Engagement and External Partnerships.

Partnerships

We are partnering with FUSE Corps to develop a comprehensive partnerships strategy for the district. Our FUSE Executive Fellow, Michael Kunkle, will be joining the team on August 01, 2022. Michael was a former consultant at Deloitte and Right Management. His education experience includes a master's degree in educational research and work as a middle school special education teacher in the LA Teaching Fellows program.

Michael will first conduct a landscape assessment of Fresno Unified School District's partnerships, mapping all Fresno Unified programs and business and industry partners. Utilizing this information, our Fellow will lay out specific recommendations to help achieve our overall goals, outlining how the district can strategically partner with various stakeholders to expand the breadth and depth of scholarship fundraising for the career and educational advancement of Fresno's students.

The work will include defining the various partnerships Fresno Unified engages in, streamlining how requests for partnerships are fielded, process improvements around due diligence and management of these partnerships, and building a network of collaboration between city programming and resources, workforce development groups, and District partnership leaders.

The Fellow will contribute to internal communication around the strategy, supporting change management, and ensuring Fresno Unified employees see the value-add of this new strategic positioning and branding of the fundraising work. The Fellow will work to support the sustainability of this strategy. This will include outlining metrics to track the effectiveness of each partnership and determining which partnerships to target for expansion or new types of partnerships to pilot to drive new funding streams.

Foundation

Board Members: We are pleased to announce the members of our Foundation Board.

- Robert G. Nelson, Ed.D., Chairman – Superintendent, Fresno Unified School District
- Misty Her, Vice Chairman – Deputy Superintendent, Fresno Unified School District
- Wendy McCulley, Executive Director & Board President – Chief, Office of Engagement and External Partnerships, Fresno Unified School District
- Antonio Avila, Member – Principal, Darden Architects

- Elizabeth Dooley, Member – President & CEO, Educational Employees Credit Union
- Matthew Grundy, Member – Deputy Mayor, City of Fresno
- Pao Yang, Member – President & CEO, The Fresno Center

Website: Phase I of our website will launch August 08, 2022, and can be viewed at www.foundation4fUSD.org. The website functionality includes the ability for anyone to donate directly to the Foundation using a credit card. There is also a link to the Foundation's website from our Fresno Unified site in the Community section.

State of Education: Our largest single fundraiser for scholarships every year is the State of Education event, which this year is also the official kick-off for the Foundation for Fresno Unified Schools – a fun gala that will be held in the evening at our beloved Fresno Chaffee Zoo on October 06, 2022. Attached is a Save the Date flyer.

If you have any questions pertaining to the information in this communication, or require additional information, please contact, Wendy McCulley at 457-3749.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: July 29, 2022



SAVE THE DATE

2022 State of Education Gala

October 6, 2022

An evening benefitting Fresno Unified students
and celebrating the launch of The Foundation
for Fresno Unified Schools.

*Elegant Evening @
The Fresno Chaffee Zoo*



Event hosted by



Fresno Unified School District
Board Communication

BC Number ID-1

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Dr. Sean Virnig & Dr. Tangee Pinheiro
Cabinet Approval: 

Date: July 29, 2022

Phone Number: 457-3226

Regarding: 2022/23 Community Advisory Committee on Special Education

The purpose of this board communication is to provide the Board with meeting dates and related information on the Community Advisory Committee (CAC) for the 2022/23 school year. For this year, the CAC will meet from 6:00 p.m. to 7:30 p.m. on a Wednesday of each month August through June with the exception of December. The first meeting will be held virtually in hopes that the remainder of the meetings will be held in-person.

The meeting dates and topics below are in alignment with the new Local Control Accountability Plan goal for students with disabilities to provide them and their families/guardians with transition planning resources and options for pathways towards post-secondary and employment opportunities:

- 08/31 - Updates and Tips on Navigating Special Education Systems in Fresno Unified
- 09/21 - The Individualized Education Plan: An Overview of Process, Services, and Acronyms
- 10/19 - Mental Health Resources and the In-Home Supportive Services
- 11/16 - Communication in Inclusion for Students with Low-Incidence Disabilities Among Others
- 01/18 - Empowering Children and Families: Exceptional Parents Unlimited Children's Center
- 02/15 - Department of Rehabilitation: Resources and Supports Available
- 03/15 - Career Technical Education: Opportunities and Possibilities
- 04/19 - Road to Inclusion: An Overview and Updates
- 05/03 - Legislative Day in Sacramento by California State Special Education Local Plan Areas
- 05/17 - Fun Night and Celebrations
- 06/13 - Fun Activities at Home for the Summer

The CAC webpage on the Department of Special Education website offers additional meeting information including but not limited to meeting agendas, minutes, current bylaws, online application forms in English, Spanish and Hmong: <https://sped.fresnounified.org/community-advisory-committee/>

If you have any questions pertaining to the information in this communication, or require additional information, please contact, please contact Dr. Sean Virnig or Dr. Tangee Pinheiro at 457-3227.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: July 29, 2022

Fresno Unified School District
Board Communication

BC Number ID-2

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Leslie Loewen & Bryan Wells
Cabinet Approval:

Date: July 29, 2022

Phone Number: 457-3674



Regarding: Class of 2022 Graduation Expenses and Support

The purpose of this board communication is to provide the Board a summary of graduation support for the class of 2022. Graduation 2022 marked the return to normalcy for many of our students and families in Fresno Unified. After three years of change, schools were able to provide the more traditional graduation experience that many generations of graduates were used to. Design Science kicked off grad season at Fresno City College Old Administration Building in late May. Specialty Schools held a full day of graduations at Saroyan Theater June 02, 2022. Rata and the Adult Transition Program held emotional, personalized ceremonies on site. Patiño expanded spectator seating at Saroyan Theater. McLane returned to their stadium and invited Duncan to make the shift this year and in future years. Finally, our six comprehensive high schools held graduation ceremonies at the Save Mart Center: Edison, Hoover, Sunnyside, Roosevelt, Bullard, and Fresno High School. Security screenings and additional safety measures were in place at all sites. There were two additional measures implemented this year to ensure safe family involvement: Ticketing at all venues (to ensure family/friend priority over general admission) and a clear bag policy at Save Mart Center. Following a request by our labor partners, free staff parking was also provided at venues where paid parking was required.

Graduation feedback from the two previous modified graduations was part of the decision process for the Class of 2022 graduations. In our time away, we learned that the grad photo crossing the stage is a significant milestone memory to be captured. The Department of Student Engagement provided Lifetouch photography services to all graduates and a complimentary 5x7 photo students can claim online and ship directly to their home. In addition, two grad souvenirs, a school logo clear tote (Save Mart Center compliant) and a "Graduate" acrylic frame, were distributed at all senior check-out events. Floral décor was also provided for each ceremony this year, as the burden for Associated Student Body fundraising to fund this service (previously covered by sites) was too great to overcome. We continue to provide Diploma Covers and Diplomas for every student and support our Foster and Homeless students with keepsake grad packages and senior event support. The additional cost of ticketing each ceremony was also financed by Student Engagement. Custodial support, security for overnight stadium resources, stadium chairs and event supplies, audio/visual technology, crowd control, ambulatory services, and hydration supplies are also a part of the annual graduation budget. Catering for staff and Board members is also provided at the major venues, as travel and meal breaks are not always feasible.

The Graduation Expenses Breakdown (see backup information) includes invoices received by 06/30/22. Items in RED refer to invoices/settlements still outstanding. The student count does not include summer graduates of approximately 400 students – who received the graduation gifts at check-out. The current Graduation Budget Allocation is \$170,351, with the balance of funding provided by Student Engagement.

If you have any questions pertaining to the information in this communication, or require additional information, please contact, please contact Leslie Loewen at 457-3674.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: July 29, 2022

Class of 2022 - Graduation Expenses			
	Estimate	Actual	Grads
Specialty Schools & Patiño			566
Saroyan	\$ 39,864.00	\$ 39,864.00	
Pardini's catering	\$ 5,000.00	\$ 3,189.28	
Comprehensive			2805
Save Mart Center	\$ 175,000.00	\$ 175,000.00	
McLane Stadium: McLane/Duncan			596
Calvert Catering	\$ 2,500.00	\$ 1,331.56	
Bargain Party	\$ 1,197.50	\$ 1,197.50	
Freestyle	\$ 13,000.00	\$ 12,543.00	
American Ambulance	\$ 1,120.00	\$ 1,120.00	
Fresno Police	\$ 10,000.00	\$ 8,700.00	
Geil, CIS guard	\$ 6,000.00	\$ 1,317.33	
RATA - ATP			38
Balloons, Décor etc	\$ 200.00	\$ 171.95	
Other Expenses			
LIFETOUCH	\$ 40,000.00	\$ 28,035.00	
JOSTENS	\$ 25,000.00	\$ 25,000.00	
SF Floral	\$ 15,000.00	\$ 8,540.84	
grad gift	\$ 45,000.00	\$ 41,053.47	
ValPrint (tickets)	\$ 8,000.00	\$ 7,712.84	
water cups (20x1000/cs)	\$ 2,000.00	\$ 1,965.20	
Yellow Dog	\$ -	\$ -	
Payroll Expenses			
CSA - McLane/Duncan	\$ -	\$ 3,000.00	
Custodian Hours (All sites)	\$ -	\$ 3,000.00	
	\$ 388,881.50	\$ 362,741.97	4005
		\$ 90.57 per student	

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: Ann Loorz, Executive Director, Purchasing
Cabinet Approval:

Date: July 29, 2022

Phone Number: 457-3462



Regarding: Resolution 22-01, Self-Certifying Increased Micro-Purchase Threshold

The purpose of this board communication is to provide the Board information regarding the August 10, 2022 board resolution 22-01, to approve the self-certifying increase of the micro-purchase threshold when utilizing federal funding. The current micro-purchase threshold which requires multiple quotes is \$10,000 or more. Pursuant to 2 C.F.R. section 200.320, non-federal entities, including local public-school districts, may annually self-certify a micro-purchase threshold of up to \$50,000 if, (1) the non-federal entity qualifies as a low-risk auditee, (2) the non-federal entity has an annual internal institutional risk assessment to identify, mitigate, and manage financial risks, or (3) a higher threshold would be consistent with state law. The district meets all three criteria, and the state bid threshold is currently at \$99,100 increasing annually pursuant to PCC 20111(a).

The district recommends approval of the micro-purchase threshold increase as it represents the best interest of the district by reducing administrative time, expenses and preventing delays in the issuance of purchase orders.

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

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: July 29, 2022