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BOARD COMMUNICATIONS – MAY 26, 2023

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

SUPERINTENDENT – Robert G. Nelson, Ed.D.

S-1 Robert G. Nelson Superintendent Calendar Highlights

BUSINESS AND FINANCIAL SERVICES – Patrick Jensen, Interim Chief Officer

BFS-1 Kim Kelstrom School Services Weekly Update Reports for May 18, 2023.

BFS-2 Kim Kelstrom Charter School 2021/22 Audit Reports

BFS-3 Kim Kelstrom May Legislative Committee Meeting

EQUITY AND ACCESS – Misty Her, Deputy Superintendent

EA-1 Carlos Castillo Diversity, Equity, and Inclusion Division Staffing and Funding

INSTRUCTIONAL DIVISION – Dr. Natasha Baker, Chief Officer

ID-1 Jeremy Ward SkillsUSA National Student Competition

ID-2 Marie Williams World Language Textbook Adoption Surveys

ID-3 Marie Williams American Indian Education Program Update

ID-4 Jeremy Ward 2023 Summer Camp Enrollment

ID-5 Marie Williams Literacy Task Force Update

ID-6 Tangee Pinheiro Individualized Education Program Compliance

ID-7 Tangee Pinheiro Staffing Allocations in Special Education

Fresno Unified School District
Board Communication

BC Number S-1

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

Date: May 26, 2023

Phone Number: 457-3884

Regarding: Superintendent Calendar Highlights

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

- Site visit to Kirk Elementary School and Nutrition Center
- Held annual meeting with CESA 143
- Attended Design Science graduation ceremony
- Attended CART Board Meeting
- Attended Dailey Board Meeting
- Spoke at the 4th grade Link Up Concert with Fresno Philharmonic
- Attended the Fresno County Superintendent's Advisory Meeting
- Attended the Edison CTE Groundbreaking Event
- Attended the Foundation for Fresno Unified Schools Retreat

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



Date: 05/26/2023

Fresno Unified School District
Board Communication

BC Number BFS-1

From the Office of the Superintendent
To the Members of the Board of Education

Date: May 26, 2023

Prepared by: Kim Kelstrom, Chief Executive 
Cabinet Approval: 

Phone Number: 457-3907

Regarding: School Services Weekly Update Reports for May 18, 2023

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 Update for May 18, 2023 is attached and includes the following articles:

- LAO Warns May Revision Rife With Risk – May 16, 2023
- Author of Bill to Tie School Employees' Raises to Funding Formula Increases Makes Big Concession – May 15, 2023
- How California Budget Process Became a Quagmire – May 16, 2023

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: 05/26/2023



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DATE: May 18, 2023

TO: Robert G. Nelson
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

Legislature Begins to Vet Governor Newsom's May Revision

Last Friday, May 12, 2023, Governor Gavin Newsom released his revised 2023-24 State Budget proposal, which attempts to reach a balance of protecting existing investments, while anticipating continued economic uncertainties. Revenues have continued to underperform since the release of the Governor's proposals in January, forcing the Administration to now recognize a \$31.5 billion Budget shortfall, an increase of \$9.3 billion since January 2023. On Friday evening, we at School Services of California Inc. published a *Fiscal Report* article that provides a comprehensive analysis and review of the Governor's major education proposals, which can be found [here](#).

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

While both subcommittees discussed Governor Newsom's proposals, no action was taken. The Legislature will hold additional hearings in the coming weeks where they will decide what proposals they would like to approve, reject, tweak, or add to the 2023-24 State Budget package. However, both subcommittees expressed some consistent concerns and observations around the Budget, which signals some of the education priorities that they may be looking to include in the State Budget, which needs to be approved by June 15. Some of the high-level issues include:

- **COLA**—Both subcommittees held discussions on how the 8.22% cost-of-living adjustment (COLA) is being funded, particularly the risky practice of using \$2.7 billion in one-time funds to fully fund the COLA for the Local Control Funding Formula (LCFF). To prevent midyear cuts to the Arts, Music, and Instructional Materials Discretionary Block Grant and the Learning Recovery Emergency Block Grant, the LAO recommends retaining the full funding for those one-time investments by lowering the COLA from 8.22% to 5.1%. There was not an indication from members whether they were supportive or opposed to the LAO's recommendation.

- **Arts, Music, and Instructional Materials Discretionary Block Grant Cut**—The May Revision proposes an additional decrease of \$607 million to this block grant, bringing the total reduction to \$1.8 billion, or 51% of the amount provided in the 2022-23 Enacted Budget for this program. Several members and the LAO commented how this midyear cut would be disruptive to districts that have either spent funds or have been engaged in local planning to allocate the dollars. The LAO said a reduction to a grant that has not been allocated makes more sense than a cut to a grant already allocated.
- **Learning Recovery Emergency Block Grant Cut**—The May Revision proposes to reduce funding for the Learning Recovery Emergency Block Grant by \$2.5 billion, which would bring total funding for this program to \$5.4 billion, a decrease of about 32%. Some members expressed concern about this midyear cut as well.
- **Dyslexia Screening**—The May Revision proposes to require local educational agencies to begin screening pupils in K-2 for reading difficulties, including dyslexia, by the 2025-26 school year. The DOF said that the screening instruments that would be used on the students are not intended to be used as a diagnostic tool to identify students for special education. The DOF and LAO were asked about the projected impact on special education costs, but that’s something that has not been projected out.
- **Proposition 28**—Senator John Laird (D-Santa Cruz), chair of the Senate Budget Subcommittee on Education, said that the Proposition 28 trailer bill language published by the DOF does not include clarification on how the “supplement not supplant” requirement is to be implemented. The DOF said that conversations continue, and Senator Laird hopes the conversations are complete by the time the budget negotiations are complete.

These issues, as well as many others, will be some of the key points that the Legislature will have to work out with the Administration before approving a 2023-24 State Budget package that Governor Newsom will sign into law.

Appropriations Committees to Take Up Suspense Files on Thursday

Later today, May 18, 2023, the Senate and Assembly Appropriations Committees will take up their suspense files and quickly dispose of over 1,000 measures. Many of the bills that move on to the house floors will do so because the authors agree to amendments to address fiscal concerns, add coauthors, or reduce costs.

We will provide an update in next week’s *Sacramento Update* on the noteworthy education bills that survived this deadline (and if they were significantly amended) and any noteworthy bills that do not make it out of the committee.

Leilani Aguinaldo

LAO Warns May Revision Rife With Risk

By Patti F. Herrera, EdD
School Services of California Inc.'s *Fiscal Report*
May 16, 2023

In its initial reaction to Governor Gavin Newsom's revised 2023-24 State Budget proposal, the Legislative Analyst's Office (LAO) estimates that there is a two-thirds chance that the May Revision's state revenue estimates are too optimistic. Based on the LAO's economic analysis and calculations of the state's spending obligations in 2023-24, they believe that the budget deficit is \$6.2 billion more than the May Revision is proposing to solve. This presents significant downside risk to the budget if the final budget agreement adopts the Administration's estimates. The LAO instead offers that the Legislature could reduce approximately \$11 billion in one-time planned investments now rather than wait for a deeper problem to materialize.

Since the release of the Governor's Budget on January 10, the budget deficit grew by \$10.4 billion. The LAO attributes the increased problem to state revenues coming in \$9.4 billion lower than January estimates, reduced spending obligations of \$2.7 billion as a result of lower revenues, increased spending requirements or adjustments of \$2.7 billion, new proposed discretionary spending of \$1 billion, bringing the total to \$3.1 billion at the May Revision.

To close what the LAO estimates to be \$28.3 billion budget deficit, Governor Newsom relies on a collection of approaches that include:

- \$15.1 billion in spending reductions, delays, and trigger restorations
 - \$6.5 billion in delays
 - \$4.9 billion in reductions
 - \$3.7 billion in triggered restorations
 - \$9.1 billion in cost shifts, including \$2 billion in borrowing from special funds and other program reversions and cost shifts
- \$3.4 billion in additional revenue increases and shifts from January resulting primarily from an increase in a tax on managed care organizations (MCO), which the LAO estimates would provide \$3.5 billion in budget relief for 2023-24
- \$450 million in a reserve withdrawal from the 2018-19 Safety Net Reserve, or half the existing balance in the fund

Even with these budget solutions in 2023-24, the LAO warns that under the Administration's estimates and assumptions the state faces sizable deficits through 2026-27. In each year through the fiscal outlook window, the state would confront operating deficits of approximately \$15 billion, and, by 2026-27, would have a *negative* balance in its Special Fund for Economic Uncertainties of \$41 billion.

In its closing comments, the LAO highlights that their tax revenue estimates for 2021-22 and 2023-24 are \$11 billion lower than the May Revision's estimates. The risk to state revenue assumptions is exacerbated by \$3.1 billion in new discretionary spending. The LAO advises the Legislature to adopt their more

conservative revenue estimates and to reduce one-time planned investments now so as to avoid a more difficult budget problem next year.

Note: Originally, Assembly Bill 938 (Muratsuchi, D-Torrance) had intent language for 50% of the new LCFF funds in the aspirational bill to go towards teacher salaries, which will be amended to say “to close the pay gap.”

Author of Bill to Tie School Employees’ Raises to Funding Formula Increases Makes Big Concession

Goal would be to increase LCFF funding by 50% to narrow school workers’ wage gap

By John Fensterwald
EdSource
May 15, 2023

The author of legislation that would raise funding under the Local Control Funding Formula to pay for a 50% wage increase for school staff over seven years has agreed to drop a key provision to mollify critics. It’s too early in the legislative process to determine whether they will be satisfied.

As amended, Assembly Bill 938 would set the goal of increasing the base level of funding for LCFF by 50% by 2030-31. But it would no longer explicitly call for raising school employees’ pay by the same percentage. Instead, it would say the Legislature’s intent is more general: to use the funding increase “to close the pay gap” between educators and the market for other comparably skilled employees.

“The ultimate goal is to address the crisis of a shortage of school employees by closing the wage gap — rather than focus on an arbitrary number of 50%, not only for teachers but for food service workers, who can make more at McDonald’s,” Assemblymember Al Muratsuchi, D-Torrance, the author of the bill as well as the chair of the Assembly Education Committee, said this week.

Associations representing school districts and administrators also support the idea of setting potentially ambitious multiyear targets for the funding formula, which provides about 70% of the money that districts receive annually from the state. But some have balked at restricting the new money to pay raises. They said this would complicate negotiations with teachers and other unions and undermine the principle of local control.

The California Federation of Teachers sponsored AB 938, and the California Teachers Association, the larger of the two teachers unions, has endorsed it. CFT President Jeff Freitas said he supports the bill as amended and didn’t think deleting the 50% nexus between raises and the funding increase would make a substantial difference because the intent of the bill is clear.

The bill would not serve as a mandate. Instead, the “aspirational funding levels” would support districts’ efforts to improve recruitment and retention” of school staff, the bill said.

Only future Legislatures can determine how much state funding should go to the LCFF each year, and only school boards can determine increases in compensation, including pay. But its passage would pressure the

Legislature to make the funding formula the top TK-12 spending priority every year and add leverage for employee unions in contract negotiations to push for significant wages.

“Coupling targets with intent is troubling to us, and that does not mean we would not like to close wage gap,” said Jeff Vaca, chief government relations officer for the Riverside County Superintendent of Schools. Although districts received a “healthy cost of living adjustment” in this year’s state budget, “what does that look like moving forward, if there is not sufficient revenue to meet the legislative intent? Then we’d be faced with cutting student programs to do that. That is not a conversation anyone wants to have.”

Vaca was among six advocates representing districts and district coalitions to sign an April 18 letter listing several reservations with the original bill. The letter said they could support AB 938 if the full section on closing the wage gap as the intent were removed.

Intent language remains

Muratsuchi complied to an extent. He agreed to strike the 50% pay increase but left the general intent language intact. He made other changes that the coalition requested. The bill would exempt “basic aid” districts — those with sufficient property taxes to fund schools without state aid; most already pay teachers and staff above the state average. And AB 938 would require the California Department of Education to collect yearly data on health benefits as well as wages from all districts. Until now, reporting wages has been voluntary, and the state has compiled no data on the pay of classified workers, who include many different jobs, including lunch employees, janitors and teacher aides.

“The 50% target for pay increases is what was giving our members heartburn,” said Elizabeth Esquivel, assistant executive director of governmental relations for the California Association of School Business Officials and primary author of the letter. She said it also is vital to view total increases in compensation, not just wages alone because teachers in some districts treat fully funded health benefits as their priority. With these changes, the business officials are ready to fully endorse the bill, she said.

But Vaca and another letter signer, Michelle McKay Underwood, a legislative advocate for the California School Funding Coalition, representing two dozen districts, including Elk Grove and Torrance, which is Muratsuchi’s home district, aren’t ready to endorse the bill.

Underwood said her coalition favors funding targets for LCFF, unencumbered by any intent language and new reporting requirements.

Vaca said it’s undeniable that the bulk of LCFF funding goes to employee compensation. The issue is whether to refer to that in statute.

“It is a problem that teachers and staff are paid as little as they are, but LCFF has always been about student performance,” he said. “The theory behind LCFF is that districts determine their own priorities and collective bargaining. The bill would change the dynamic.”

The California School Boards Association, the Association of California School Administrators and the California County Superintendents have not yet taken a position on the bill. Neither has the California Department of Finance, representing the governor on budget-related bills.

The law establishing the funding formula in 2013 also set seven-year funding targets, at the insistence of then-Gov. Jerry Brown; they were reached in 2018-19, ahead of schedule, after voters extended a temporary income tax increase on the biggest earners. But, the bill declared, the initial targets failed to provide enough funding to close the school employee pay gap. Since then the Legislature annually increased the funding formula at the rate of the statutory cost of living; with record state revenue, the 2022-23 state budget exceeded COLA by several billion dollars.

However, the revenue picture has darkened, with the prospects of a recession — or worse, if Congress fails to raise the federal debt limit within the next month, potentially plunging the nation into financial chaos. In his May budget revision, presented Friday, Gov. Gavin Newsom lowered the projected funding for schools and community colleges by \$4 billion below the record \$110 billion two years ago.

All districts receive the same base funding per student under LCFF. The funding varies by grade span, recognizing that it costs more to educate high school students than elementary and middle school students. AB 938 would set new funding targets for grade spans for 2030-31, from \$13,749 per student for kindergarten through third grade to \$16,653 per student grades nine to 12.

Muratsuchi said he was willing to be flexible on the target date if there were further financial constraints.

This was the third bill that Muratsuchi has proposed to create LCFF funding targets. Although the two earlier bills failed to pass the Legislature, they did draw attention to the need to raise base funding.

The Assembly Education Committee passed AB 938 by a 6-0 vote with the understanding that it would be amended. But due to what Muratsuchi's staff called a clerical error, only one of two sections that cited the goal of raising wages 50% was deleted. Muratsuchi said that would be fixed either in the Assembly Appropriations Committee or on the floor of the Assembly later this month.

Note: Even though the State Budget no longer requires a two-thirds vote to be approved (now it is a simple majority), it does not make the process any simpler or less complicated.

How California Budget Process Became a Quagmire

By Dan Walters
CalMatters
May 16, 2023

Drafting state budgets in California was once a fairly straightforward exercise in fiscal politics.

The governor's budget gnomes could fairly accurately predict how much tax revenue would be generated over the forthcoming fiscal year, particularly since most of it would come from taxes on retail sales, a stable base.

An initial budget was issued in January and it would be revised in May after the April 15 deadline for personal income taxes provided more specificity. Legislative leaders of both parties huddled, sometimes with the governor, and a final budget emerged.

Yes, there were some conflicts. Budgets took two-thirds votes of both legislative houses so the final product needed bipartisan support. Republicans, usually in the minority, would sometimes withhold votes until their demands were met.

Over time, however, the budget process became a political quagmire, in part because the ideological divisions in the Capitol became more pronounced. As Democrats drifted to the left and Republicans to the right, what once was collegial sparring became holy war. But that was not the only factor.

As California's array of services expanded, so did the number of budget stakeholders seeking larger pieces of the pie or protecting what they had. The field of play became immensely larger after voters passed Proposition 13, the iconic property tax limit, in 1978 and the state became the basic financier of schools and a big factor in local government budgets.

The pie itself changed. The importance of sales taxes in the revenue stream gave way to dominance by personal income taxes, which are inherently less predictable, particularly since most are paid by relatively few taxpayers in upper income tiers.

As Gov. Gavin Newsom's latest budget proposal, unveiled last week, notes, "California's progressive tax system, where nearly half of all personal income tax in the state is paid by the top 1% of earners, has contributed to extreme budget volatility over the years."

That volatility is the chief reason for the budget's projection of a \$31.5 billion deficit just 12 months after Newsom declared that the state had a \$97 billion surplus and bragged that "No other state in American history has ever experienced a surplus as large as this."

Not only have revenues become structurally less predictable, but they also have become subject to changes in national and global economies.

The revised budget's deficit is projected even without a recession, but were there an even modest downturn – which many economists expect, due to the Federal Reserve System's sharp hikes in interest rates to battle inflation – the state would take a big hit.

"Based on a moderate recession scenario in fiscal year 2023-24, revenues could decrease by \$40 billion in 2023-24 alone, largely driven by losses in personal income tax," the budget declares. "Revenue declines relative to the May Revision forecast could reach an additional \$100 billion through 2026-27."

Revenue declines of those magnitudes would quickly consume the state's seemingly hefty "rainy day" reserves.

Budgets no longer require two-thirds legislative votes and Democrats have overwhelming legislative majorities, but that, ironically, is another complicating factor.

Periodic revenue surges, such as last year's \$97 billion paper surplus, whet appetites of Democrats' allies, such as unions and social welfare and medical care advocates, for additional spending and generate resistance when times get tough.

Newsom's budget would put the brakes on spending, including clawing back some appropriations from last year. Advocacy groups are leaning on friendly legislators to do whatever is necessary to keep the money flowing, including tax increases and/or tapping into the reserves.

One-party control of the Capitol may change the specifics of fiscal politics, but doesn't make them any simpler.

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, Chief Executive
Cabinet Approval:

Date: May 26, 2023

Phone Number: 457-3907



Regarding: Charter School 2021/22 Audit Reports

The purpose of this communication is to provide the Board an update on the Charter School 2021/22 Audit Reports.

Each charter school provided the district a copy of their audited financial statements as of June 30, 2022. All charters received an unmodified opinion, which is the desired opinion of a financial audit. However, the charter schools listed below had a net adjustment to the 2021/22 unaudited actuals fund balance:

- Aspen Meadow's ending fund balance decreased by \$440, due to accounts payables and accrued liabilities adjustments.
- Aspen Valley Prep's ending fund balance increased by \$3,560, due to accounts payables and accrued liabilities adjustments.
- Endeavor Charter School's ending fund balance decreased by \$31,250, due to accounts payable, property & equipment and accrued post-retirement benefits.
- Golden Charter's ending fund balance increased by \$63,114, due to restatement of beginning fund balance and accrued expenses.
- School of Unlimited Learning's ending fund balance decreased by \$141,944, due to accounts payables and accrued liabilities adjustments.
- University High's ending fund balance decreased by \$155,441, due to accounts payables and accrued liabilities adjustments.
- Dailey's ending fund balance decreased by \$242,278, due to GASB 31 Fair Market Value adjustment.

The table below shows the difference between the unaudited actuals and audited ending fund balances for the charters with adjusted fund balances:

	Unaudited Ending Fund Balance	Audited Ending Fund Balance	Difference
Aspen Meadow	\$413,731	\$413,291	\$(440)
Aspen Valley Prep	\$1,977,593	\$1,981,153	\$3,560
Endeavor Charter School	\$704,156	\$672,906	\$(31,250)
Golden Charter	\$186,308	\$249,422	\$63,114
School of Unlimited Learning	\$1,814,465	\$1,672,521	\$(141,944)
University High	\$4,427,298	\$4,271,857	\$(155,441)
Dailey Charter	\$5,306,120	\$5,063,842	\$(242,278)

Aspen Meadow, Dailey, and University High received one audit finding each, as summarized below.

- Aspen Meadow: During a review of the ASES attendance records, it was noted that one student was reported present. However, the student was absent. The school will implement additional monitoring procedures over the students served counts to ensure they accurately reported to the CDE.
- Dailey: The charter did not adopt a plan for expenditure of Educator Effectiveness funds. They did not anticipate receiving the funding and thus had not included the adoption of a plan. An Educator Effectiveness plan was developed, and their Board approved on December 12, 2022.
- University: Annual Attendance Report was understated by 3.41 ADA. This was caused by an attendance software issue (box not checked). To remedy this issue the charter will ensure that the box is checked and double check reports on a monthly basis.

The district continues to work with the charter schools to address changes in financial reporting to ensure compliance. Staff will continue to update the Board as information becomes available.

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

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 05/26/2023

Fresno Unified School District
Board Communication

BC Number BFS-3

From the Office of the Superintendent
To the Members of the Board of Education

Date: May 26, 2023

Prepared by: Kim Kelstrom, Chief Executive

Phone Number: 457-3907

Cabinet Approval:

Regarding: May Legislative Committee Meeting

The purpose of this board communication is to provide the Board information shared at the May 18, 2023, Legislative Committee Meeting.

Budget and Economic Update – Ms. Leilani Aguinaldo provided an update on the May Revision presented by Governor Gavin Newsom on May 12, 2023. The May Revision recognizes decreased revenue since the January Proposal by \$9.4 billion. The Legislative Analyst Office (LAO) believes the Governor's estimates are too optimistic and assume revenues are actually \$10 billion below the May Revision which translates to \$4 billion less for Proposition 98.

There are two ways for the Governor to access the Rainy Day Funds:

- If Proposition 98 is lower than prior year projections, which currently the State does not meet that requirement
- If the Governor declares a state of emergency, which he is resistant to do at this time

The following are highlights of the May Revision:

- The statutory Cost-of-Living Adjustment (COLA) increases to 8.22% compared to the Governor's January proposal of 8.13% which includes state categorical programs. The Local Control Funding Formula (LCFF) decreased from the January Proposal of \$5 billion increase to the May Revision of \$4 billion increase. This is not due to lower funding for school districts, but instead is due to state-wide loss in attendance rates
- The Equity Multiplier of \$300 million state-wide remains unchanged
- Universal Transitional Kindergarten expansion remains unchanged
- Expanded Learning Opportunities Program remains unchanged
- Universal Meals is recommended to augment existing funds to support all districts with reimbursement
- The 2022/23 Arts and Music Block Grant was proposed in the January Proposal to reduce by 30%. The May Revision proposes a further reduction of approximately 50%
- The 2022/23 Learning Recovery Block Grant was proposed in the January Proposal to remain unchanged. The May Revision proposes a reduction of approximately 32%

The legislature will provide their counterproposals to the May Revision by June 15, 2023, and the Governor will finalize the 2023/24 State Budget by June 30, 2023.

Legislative Update – The following bill proposals were discussed:

- AB 796 (Weber) – Support – Requires an athletic trainer to register their certification with the newly created Athletic Trainer Registration Committee within the Medical Board of California in order to practice athletic training or use the title of athletic trainer

- Ab 1699 (McCarty) – No Position – Requires vacancies to be open only to current employees before the vacancy may be posted publicly and an interested part-time employee who does not meet the minimum requirements for a vacancy must be offered paid on-the-job training for that vacancy
- SB 765 (Portantino) – Watch – Exempts a retired teacher returning to work to fulfill a critical need in a teaching position from postretirement compensation limits
- AB 714 (McCarty) – Watch – Requires California Department of Education to issue guidance for resources available for newcomer students
- SB 88 (Skinner) – Watch – Intends to clarify who can provide pupil transportation and what type of vehicle may be used
- SB 333 (Cortese) – Support – Requires State Department of Social Services to establish the California Success, Opportunity, and Academic Resilience Guaranteed Income Program, which would award high school seniors who are homeless \$1,000 each month for five months from April 01, 2025 to August 01, 2025

The School Services Legislative Committee May 2023 report is attached. The next Legislative Committee meeting is scheduled for June 15, 2023.

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 Patrick Jensen at 457-6226.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 05/26/2023

Fresno Unified School District

**LEGISLATIVE COMMITTEE MEETING
MAY 18, 2023**

2023-2024 Legislative Session

Prepared By:

**Leilani Aguinaldo
Director, Governmental Relations**



Public Education's Point of Reference for Making Educated Decisions



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Legislative and Economic Update

School Services of California, Inc.
Legislative and Economic Update Prepared for:
Fresno Unified School District
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May 17, 2023

Legislative and Economic Update

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FISCAL REPORT

PUBLIC EDUCATION'S POINT OF REFERENCE FOR MAKING EDUCATED DECISIONS

An Overview of the 2023-24 Governor's May Revision

By: SSC Team

May 12, 2023

Overview of the Governor's May Revision Proposals

Governor Gavin Newsom's spending plan in May attempts to reach a balance of protecting existing investments while anticipating continued economic uncertainties. Revenues have continued to underperform since the release of the Governor's proposals in January, forcing the Administration to now recognize a \$31.5 billion budget shortfall, an increase of \$9.3 billion since January 2023.

Despite this uncertainty, education falls into the category of an investment to protect, and Governor Newsom fully funds the historically large cost-of-living adjustment (COLA) for K-14 education; however, doing so comes at the expense of one-time funds reduced in the current year, some of which have already hit local educational agency (LEA) coffers. Still in the budgeting toolbox should revenues continue to decline: deferrals, reserve account withdrawals, and COLA deficits.

Echoing his warnings in January, the Governor's summary states "should broader economic risks materialize, deeper reductions will be necessary."

The Economy and Revenues

Governor Gavin Newsom began his press conference unveiling his May Revision for the 2023-24 State Budget highlighting California's progressive socio-economic disposition. He took care to highlight the important fact that the state's progressive tax system conditions state General Fund revenues on a small fraction of its population. Fifty percent of all personal income taxes is paid by 1% of California residents, whose income relies heavily on Wall Street performance. Consequently, a near 20% decline in the S&P 500 is reflected in significantly less personal income tax withholdings late in 2022. What was a \$22.5 billion budget deficit in January now stands at \$31.5 billion at the May Revision, or a net reduction of \$8.5 billion in state revenues from January.

In Millions	2021-22		2022-23		2023-24	
	Governor's Budget	May Revision	Governor's Budget	May Revision	Governor's Budget	May Revision
Personal Income Tax	\$136,762	\$137,144	\$128,905	\$122,769	\$126,695	\$118,166
Corporation Tax	\$45,298	\$45,128	\$38,482	\$42,091	\$39,308	\$42,081
Sales Tax	\$32,915	\$33,026	\$32,851	\$33,072	\$33,599	\$33,366
Total	\$214,975	\$215,298	\$200,238	\$197,932	\$199,602	\$193,583

And even this estimate contains risk.

The May Revision, and what will become the 2023-24 Enacted Budget in late June, presents the riskiest California budget in over a decade. The Governor enumerated the risks to the budget to include Washington D.C.'s inability to reach a deal on the federal debt ceiling, the increased cost of borrowing due to interest rate hikes by the Federal Reserve (which in part led to a crisis in the banking sector that saw three major bank failures in the last two months), and, lastly, the delay of personal income and corporation tax revenues until mid-October. On this last risk, Governor Newsom shared that an estimated \$42 billion in anticipated revenue (or 19% of state General Fund revenues included in his May Revision) are due to come in the fall—\$28.4 billion from personal income tax receipts and \$13.3 billion in corporation taxes. Outstanding personal income taxes represent approximately 23% of all such revenue while outstanding corporation taxes represent 32% of all such revenues in 2022-23.

While a sizable share of the revenues upon which the May Revision is built remains on the horizon, the Governor does not assume a recession. In fact, he projects that the U.S. economy will continue to grow (albeit at a slower pace), averaging 0.5% growth in the last half of 2023. He notes, however, that a mild or moderate recession could change the budget picture significantly. A mild recession beginning in late 2023 could create an additional \$20 billion shortfall while a moderate recession lasting through 2024 could balloon a deficit by another \$40 billion.

In this context, the Governor underscores the need for budgetary resilience and prudence while maintaining investments designed to transform the lives of Californians—education, housing affordability, healthcare, public safety, and jobs, among others. To mitigate the risks in the May Revision, the Governor refrains from using tools usually reserved for economic downturns, laudable prudence in our mind. The May Revision retains \$37.2 billion in budget reserves, including \$22.3 billion in the Budget Stabilization Account and \$10.7 billion in reserves for K-12 agencies and community colleges. But as noted later in our summary, the May Revision instead relies on a combination of borrowing, deferring implementation of planned investments, and, in the case of K-12, reductions in one-time funding.

Proposition 98 Minimum Guarantee, Reserve, and Local Reserve Cap

As the Proposition 98 minimum guarantee continues to be determined by Test 1, it follows that as state revenues drop so does education funding. Test 1 requires the state to spend at least as much as it did on K-12 and community colleges in 1986-87 (roughly 40% of state General Fund revenues). The May Revision reflects a downward adjustment to the minimum guarantee in both

2022-23 and 2023-24 from the Governor’s Budget to accommodate less-than-projected overall state revenues. In the current year, the minimum guarantee is estimated to be \$106.8 billion, and in 2023-24, Proposition 98 is projected to remain at \$106.8 billion.

In Millions	2021-22			2022-23			2023-24			Change from 2021-22
	Governor's Budget	May Revision	Change	Governor's Budget	May Revision	Change	Governor's Budget	May Revision	Change	
General Fund	\$83,630	\$83,754	\$124	\$79,103	\$78,115	(\$988)	\$79,613	\$77,435	(\$2,178)	(\$6,319)
Property Tax	\$26,785	\$26,800	\$15	\$27,889	\$28,656	\$767	\$29,204	\$29,404	\$200	\$2,604
TOTAL	\$110,415	\$110,554	\$139	\$106,992	\$106,771	(\$221)	\$108,817	\$106,839	(\$1,978)	(\$3,715)

Notably, property tax estimates have increased significantly since January, and increase throughout the budget window. While the General Fund portion of the minimum guarantee decreases by \$3.2 billion across 2022-23 and 2023-24, the decline is offset by \$967 million in unanticipated property taxes. Revised estimates of the minimum guarantee over the three-year period show a net decrease in education funding of \$3.7 billion from 2021-22 levels. Again, the reduction is simply a reflection of an economy that has not performed as well as anticipated as of last summer.

While it seems counterintuitive that, as state revenues and education funding decline, the state would have a higher obligation to deposit funds into the Proposition 98 reserve, the May Revision increases deposits to achieve a fund balance of \$10.7 billion in 2023-24. The Governor notes that this is attributable to a larger share of General Fund revenues coming from capital gains compared to January estimates. Assuming that the K-12 portion of the minimum guarantee is approximately \$95 billion, this puts the balance of the reserve at 11.3% of 2023-24 K-12 funding, maintaining the requirement to cap local reserves at 10%. Finally, the California Constitution installs a cap on how much the state can maintain in the Proposition 98 reserve at no more than 10% of the minimum guarantee. The \$10.7 billion balance reaches that cap; thus, unless withdrawals are made from the fund or Proposition 98 increases, we can expect that no additional deposits will be made in the next few years.

Local Control Funding Formula and Cost-of-Living Adjustment

As part of the January Governor’s Budget, the Governor proposed increasing funding for the Local Control Funding Formula (LCFF) by the then-estimated statutory COLA of 8.13%. With the May Revision, the statutory COLA for the LCFF has increased to 8.22%, which the Administration proposes to fully fund. The May Revision also appears to apply the 8.22% statutory COLA to LCFF funding for county offices of education. The other education programs that are funded outside of the LCFF—Special Education, Child Nutrition, State Preschool, Foster Youth, Mandate Block Grant, Adults in Correctional Facilities Program, Charter School Facility Grant Program, American Indian Education Centers, and the American Indian Early Childhood Education program—will also receive the 8.22% statutory COLA. In order to fully fund the LCFF, the May

Revision reflects the use of \$2.7 billion in one-time Proposition 98 General Fund, an increase of \$1.3 billion over the Governor’s Budget.

LCFF Entitlements for School Districts and Charter Schools

Grade Span	2022-23 Base Grant per ADA*	8.22% COLA	2023-24 Base Grant per ADA
TK-3	\$9,166	\$753	\$9,919
4-6	\$9,304	\$765	\$10,069
7-8	\$9,580	\$787	\$10,367
9-12	\$11,102	\$913	\$12,015
*Average daily attendance (ADA)			

The TK-3 base grant increase for the class-size reduction (CSR) grade span adjustment is \$1,032 per ADA in 2023-24 and the grade 9-12 base grant per ADA is increased by \$312 in recognition of the need for Career Technical Education (CTE) courses provided to students in the secondary grades.

School districts and charter schools are entitled to supplemental grant increases equal to 20% of the adjusted base grant (including CSR and CTE funding) for the percentage of enrolled students who are English learners, eligible for the free or reduced-price meals program, or in foster care. An additional 65% per-pupil increase is provided as a concentration grant for each percentage of eligible students enrolled beyond 55% of total enrollment, with 15% of the concentration grant to be used to increase the number of adults providing direct services (nurses, teachers, counselors, paraprofessionals, and others) to students.

Equity Multiplier and Accountability Improvements

The May Revision maintains the Governor’s Budget proposal to invest \$300 million in new, ongoing Proposition 98 funding to establish an Equity Multiplier which is provided to high-poverty schools. This investment is coupled with significant changes to the state’s accountability system, with an intent of increasing the focus on student group and school-level performance gaps within an LEA. More information will be available through future trailer bill language, but the May Revision includes further refinement of the proposed statutory accountability changes. In addition, the Governor’s Budget included the creation of Equity Leads within the State System of Support to assist the work of LEAs in addressing disparities. The May Revision includes \$2 million in ongoing Proposition 98 funding for the proposed Equity Leads.

Universal Transitional Kindergarten

The Governor continues to prioritize implementation of universal transitional kindergarten (UTK), maintaining the target of 2025-26 for full implementation. The May Revision recognizes some savings in the first year of implementation, in which transitional kindergarten (TK) was expanded

to fund children who turn five years old by February 2 in 2022-23. Because of reduced TK enrollment, first-year costs are revised from \$604 million Proposition 98 funds to approximately \$357 million at the May Revision. In addition, first-year costs associated with a required TK ratio of 12 students per adult are reduced from \$337 million Proposition 98 funds to approximately \$283 million at the May Revision. Similarly, second-year estimates of UTK implementation are also adjusted because of updated enrollment projections. In 2023-24, TK is expanded to fund children who turn five years old by April 2. The cost of this expansion is revised from approximately \$690 million in the Governor's Budget to approximately \$597 million in the May Revision. The cost of the 12:1 TK ratio for 2023-24 is unchanged from the Governor's Budget.

Special Education and Reading Difficulties

As a result of the slightly higher 8.22% COLA, the per-ADA Assembly Bill 602 rate will increase from \$820 in 2022-23 to \$887.40 in 2023-24. In January, the Newsom Administration proposed to require Special Education Local Plan Areas (SELPA) to send at least as much funding to their member LEAs in 2023-24 as they did in 2022-23 plus COLA. At the May Revision, the Administration acknowledges that with SELPA funding calculated at the district level, declining districts have negatively impacted overall SELPA funding and compliance with the January proposal may be impossible for some. Technical language is being included to provide a growth/decline adjustment that is specific to the special education base funding to adjust the proposal at the May Revision.

To support early identification and intervention to improve literacy outcomes for pupils that have or are at risk of having reading difficulties, the May Revision proposal would require LEAs to begin screening pupils in kindergarten through second grade for reading difficulties, including dyslexia, by the 2025-26 school year.

In the meantime, the Governor proposes providing \$1 million in one-time funding to support the convening of a panel of experts to approve screening instruments for these assessments. The intent is to fund professional development for the utilization of these devices in future budgets.

Universal Meals

The current 2022-23 school year saw the implementation of universal school meals, a requirement that LEAs provide two free meals per school day to every student who requests it, regardless of the student's eligibility for subsidized school meals. The 2022-23 Enacted Budget included approximately \$1.4 billion in ongoing Proposition 98 funding for state reimbursement for universal school meals. The California Department of Education has projected a shortfall for the Universal School Meals Program in the current year because of greater demand for meals that are reimbursed in the paid meal category relative to meals reimbursed in the free and reduced-price meals categories. The May Revision includes an additional \$110 million one-time Proposition 98 funds for 2022-23 and approximately \$191 million ongoing Proposition 98 in 2023-24 to fully fund the program.

Early Education

In addition to adjustments made to accommodate changes in TK estimates, the May Revision includes a COLA of 8.22% for the California State Preschool Program (CSPP). While the COLA increased from 8.13% in January to 8.22% in May, the Administration estimates a cost reduction to CSPP of \$80 million (\$52 million Proposition 98 and \$28 million General Fund) due to lower estimates of CSPP contractors who are funded by the Standard Reimbursement Rate, which receives a COLA.

Additionally, the May Revision highlights recent action by the Legislature to extend pandemic relief to families and providers by extending the waiver of family fees from June 30, 2023, to September 30, 2023, as well as to leverage available federal funds to provide reimbursement rate per-child supplements to Early Education providers.

Expanded Learning Opportunities Program

The May Revision does not propose any funding or programmatic changes to the Expanded Learning Opportunities Program (ELO-P) but does propose a one-year abeyance so that funding apportioned in 2021-22 must now be spent by June 30, 2024, the same deadline that applies to 2022-23 ELO-P funds.

One-Time Reductions

Proposition 28

The voter-approved Proposition 28 requires the state to provide arts and music funding for schools outside of the Proposition 98 minimum guarantee beginning with the 2023-24 fiscal year. Annual Proposition 28 funding is required to be equal to 1% of the K-12 share of the minimum guarantee from the prior fiscal year. The Administration estimates that it will cost \$933 million to fully fund the Proposition 28 obligation for the 2023-24 fiscal year, a decrease of \$8 million from the estimate provided in January.

Arts, Music, and Instructional Materials Discretionary Block Grant

The Governor proposes an additional decrease of \$607 million in one-time funding to the Arts, Music, and Instructional Materials Discretionary Block Grant. This reduction is on top of the \$1.2 billion reduction proposed in January, bringing the total reduction to \$1.8 billion, or 51% of the amount provided in 2022-23 Enacted Budget for this program.

Learning Recovery Emergency Block Grant

The Governor proposes with his May Revision to reduce funding for the Learning Recovery Emergency Block Grant by \$2.5 billion in one-time Proposition 98 funding. This would bring total funding for this program to \$5.4 billion, a decrease of about 32%.

In Closing

At the May Revision, our lens is on what the Governor has changed since his January proposals. In that regard, no significant changes were presented in the May Revision in the areas of special education, facilities, literacy coaches, cultural enrichment, and opioid overdose reversal medication.

What *has changed* is a significant increase in cuts to current-year flexible funding to shore up the ongoing LCFF expense. The Newsom Administration's hope is that resources will sufficiently materialize for 2024-25 to keep the funding formula afloat once again with ongoing resources.

We'll unpack the May Revision's education investments and discuss their implications for local planning and implementation, including the risks they present, at our [May Revision Workshop](#) next week.

LAO Warns May Revision Rife With Risk

By: Patti F. Herrera, EdD

May 16, 2023

In its initial reaction to Governor Gavin Newsom's revised 2023-24 State Budget proposal, the Legislative Analyst's Office (LAO) estimates that there is a two-thirds chance that the May Revision's state revenue estimates are too optimistic. Based on the LAO's economic analysis and calculations of the state's spending obligations in 2023-24, they believe that the budget deficit is \$6.2 billion more than the May Revision is proposing to solve. This presents significant downside risk to the budget if the final budget agreement adopts the Administration's estimates. The LAO instead offers that the Legislature could reduce approximately \$11 billion in one-time planned investments now rather than wait for a deeper problem to materialize.

Since the release of the Governor's Budget on January 10, the budget deficit grew by \$10.4 billion. The LAO attributes the increased problem to state revenues coming in \$9.4 billion lower than January estimates, reduced spending obligations of \$2.7 billion as a result of lower revenues, increased spending requirements or adjustments of \$2.7 billion, new proposed discretionary spending of \$1 billion, bringing the total to \$3.1 billion at the May Revision.

To close what the LAO estimates to be \$28.3 billion budget deficit, Governor Newsom relies on a collection of approaches that include:

- \$15.1 billion in spending reductions, delays, and trigger restorations
 - \$6.5 billion in delays
 - \$4.9 billion in reductions
 - \$3.7 billion in triggered restorations
 - \$9.1 billion in cost shifts, including \$2 billion in borrowing from special funds and other program reversions and cost shifts
- \$3.4 billion in additional revenue increases and shifts from January resulting primarily from an increase in a tax on managed care organizations (MCO), which the LAO estimates would provide \$3.5 billion in budget relief for 2023-24
- \$450 million in a reserve withdrawal from the 2018-19 Safety Net Reserve, or half the existing balance in the fund

Even with these budget solutions in 2023-24, the LAO warns that under the Administration's estimates and assumptions the state faces sizable deficits through 2026-27. In each year through the fiscal outlook window, the state would confront operating deficits of approximately \$15 billion, and, by 2026-27, would have a *negative* balance in its Special Fund for Economic Uncertainties of \$41 billion.

In its closing comments, the LAO highlights that their tax revenue estimates for 2021-22 and 2023-24 are \$11 billion lower than the May Revision's estimates. The risk to state revenue assumptions is exacerbated by \$3.1 billion in new discretionary spending. The LAO advises the Legislature to adopt their more conservative revenue estimates and to reduce one-time planned investments now so as to avoid a more difficult budget problem next year.

Senate Democrats Release 2023-24 State Budget Plan

By: Kyle Hyland

April 28, 2023

To position themselves ahead of Governor Gavin Newsom's May Revision, Senate Democrats released their "[Protect Our Progress](#)" State Budget plan for the 2023-24 fiscal year on Wednesday, April 26, 2023.

The plan relies on Governor Newsom's revenue forecast from his January State Budget proposal, but also includes \$26 billion in solutions to close the \$16.6 billion Budget gap identified by Governor Newsom in January. Senate Democrats propose no ongoing cuts to core programs and reject most of Governor Newsom's proposed cuts and delays to key infrastructure investments.

Like Governor Newsom, Senate Democrats do not propose to tap into any of the state's four reserve accounts in order to balance the budget, including the Proposition 98 Rainy Day Fund. In fact, Senate Democrats propose to increase the Special Fund for Economic Uncertainties to \$5.1 billion, which would put the state's total reserves at \$38.1 billion. The Senate Democrat proposal projects an ending balance of \$8.2 billion in the Proposition 98 Rainy Day Fund for 2023-24.

Early Childhood Education and TK-12 Education

For TK-12 education, Senate Democrats build on the proposed increases to the Local Control Funding Formula (LCFF) that were included in the 2022-23 State Budget. They approve the 8.13% cost-of-living adjustment (COLA) for the LCFF and selected categorical programs that the Governor projected. (The final data point to calculate the statutory COLA was released yesterday, April 27, 2023, and per statute, we now know the statutory COLA for 2023-24 to be 8.22%. See "[2023-24 Statutory COLA Released](#)" in the April 2023 *Fiscal Report*). In addition, they use the new funds they've identified to invest an additional \$1.1 billion ongoing into the LCFF.

Senate Democrats propose to make significant changes to the following education proposals in the January Governor's Budget:

- Reject the proposed \$1.2 billion reduction to the Arts, Music, and Instructional Materials Discretionary Block Grant, and instead augment this block grant by \$232 million
- Reject the proposed \$100 million reduction to the School Facility Program
- Reject the proposed delay of \$550 million for the Preschool, Transitional Kindergarten, and Full Day Kindergarten Facility Grant Program
- Fund the current-year shortfall of \$99 million in the universal school meals reimbursement program

Senate Democrats are proposing to provide roughly \$3 billion in additional Proposition 98 funding (as compared to the January Governor's Budget) for the following new investments and augmentations:

- \$1.1 billion (one-time) for a non-competitive block grant to address local certificated and classified staff recruitment needs
- As mentioned earlier, adding \$1.1 billion ongoing into the LCFF, on top of the 2022-23 increases and the 8.1% COLA, for local discretionary purposes
- Increasing funding for the Teacher Residency Grant Program by \$150 million, for a program total of \$500 million, to increase stipends for residency participants
- Augmenting the Kitchen Infrastructure and Training Funds by \$100 million

Finally, for early childhood education, Senate Democrats propose the following significant changes:

- Moving toward child care rate reform by increasing rates to support and stabilize child care providers, including providers of state preschool programs
- Overhauling the current child care family fee structure, including for state preschool programs, to prevent low-income families from losing access to child care because they cannot afford fees

Tax Credit Suspension and Corporate Tax Increase

Senate Democrats offer two proposals to identify new state funds in this plan. The first is to pause the net operating loss (NOL) deduction whenever there is a “budget emergency.” The NOL deduction is a tool that allows businesses to carry forward their losses to future tax years. The plan estimates that the proposal would provide about \$5 billion annually in new state funds, including an increase in Proposition 98 funding of approximately \$2 billion annually and \$3 billion for the General Fund.

The second proposal is to increase California’s corporate tax rate of 8.84% to 10.99% for taxable income over \$1.5 million. Effectively, Senate Democrats are proposing to change the current flat tax rate for C corporations of 8.84% into the following two rates:

- 6.63% for the first \$1.5 million in taxable income
- 10.99% for taxable income over \$1.5 million

The plan estimates that this tax increase would generate about \$7.2 billion for 2023-24 and then \$6 billion annually for the state.

However, the Newsom Administration, who traditionally declines to comment on legislative proposals, has already come out against the tax increase. Administration spokesperson Anthony York said that, “It would be irresponsible to jeopardize the progress we’ve all made together over the last decade to protect the most vulnerable while putting our state on sound fiscal footing.”

This signals that the tax increase is not likely an approach that the Newsom Administration will agree with when it comes time for the Legislature to negotiate the 2023-24 State Budget with Governor Newsom.

Next Steps

The document provides a blueprint of the upper house’s budget priorities and signals the investments that the Senate will be advocating for when they negotiate the 2023-24 State Budget package with their Assembly colleagues and Governor Newsom.

The Governor is required by statute to update his State Budget proposal by May 14—hence the term “May Revision”—to reflect updated General Fund revenues and changes in expenditures. The Legislature is constitutionally required to approve a State Budget by June 15 or risk forfeiting their pay. However, the Legislature also needs to work with the Newsom Administration on finalizing the State Budget as the Governor has the power to veto the entire Budget or use his “blue pencil” to make line-item reductions to proposed investments. With the state operating as a Democratic trifecta, legislative leadership and Governor Newsom will do everything they can to avoid any potential line-item vetoes. Stay tuned.

TK Classroom Staff Qualifications

By: Patti F. Herrera, EdD and Wendi McCaskill

May 2, 2023

The implementation of universal transitional kindergarten (TK) no doubt has been top of mind for most school districts and charter schools since the state made a commitment to achieve universal access to TK by the 2025-26 school year. Local educational agencies (LEAs) across California have been working assiduously to provide TK facilities and staff to meet the needs of this growing population of young learners.

As we settle into this new normal of expanding our public education system to serve all four-year-olds, the state is signaling that the evolution of TK programs is not quite done, and on the table for change are the minimum qualifications of adults who support TK teachers in classrooms.

When Governor Gavin Newsom released his January State Budget proposal, his staff subsequently published proposed budget trailer bill language to establish new requirements for TK classroom staff that would need to be met beginning with the 2028-29 school year. Subsequently, Assemblymember Kevin McCarty (D-Sacramento) amended Assembly Bill (AB) 1192 to put his stake in the ground on the topic that offers an alternative to the Governor's proposal.

The table below compares the Governor's proposed qualifications for TK staff with those of AB 1192, as amended on May 1, 2023.

TK Staff Minimum Qualifications		
	Governor's Budget Proposal	AB 1192 (McCarty) Proposal
Effective date <i>Beginning with the...</i>	2028-29 school year	2025-26 school year
Qualifications	Adult must possess or be enrolled in a Commission on Teacher Credentialing (CTC) approved program to obtain a multiple subject credential including: <ul style="list-style-type: none"> • An educator apprenticeship or residency program • The Classified School Employee Teacher Credentialing Program • A pathway seeking clinical practicum experience • A regional occupational program/home economics related occupation/future teacher/dual enrollment 	Teacher aide received or begins to receive at least 48 hours of professional development over the course of a two-year period related to the California preschool learning foundation standards with coaching, induction, or supervised practicum The professional development shall be provided by the school district or charter school at no cost to the teacher aide during regular working hours

TK Staff Minimum Qualifications		
	participation in supervised practicum experience In addition to these pathways leading to credential, adults who hold any level of a child development permit, or are enrolled in a program with supervised practicum experience leading to a child development permit, issued by the CTC	

In addition to minimum qualifications for TK staff, Governor Newsom and Assemblymember McCarty propose to allow LEAs to offer early TK admission to four-year-olds whose fifth birthday occurs during the following summer, which is prohibited by current law. And while the Governor proposes to delay the requirement for TK classrooms to maintain ratios of ten students for every one adult contingent upon a budget appropriation by one year, AB 1192 proposes to move to 10:1 TK classroom ratios in the 2025-26 school year.

We anticipate that the Governor and Assemblymember McCarty will reconcile the differences between these proposals as part of the 2023-24 budget negotiations. Stay tuned.

Pupil Transportation Bill in Fiscal Committee

By: Kyle Hyland

May 11, 2023

[Senate Bill \(SB\) 88](#) (Skinner, D-Berkeley), one of the most controversial K-12 education bills being considered this year, is currently awaiting its fate in the Senate Appropriations Committee.

What Would SB 88 Do?

If signed into law, SB 88 would impose significant new requirements on any driver who provides transportation to students for compensation. Specifically, the bill requires a compensated driver transporting students in a vehicle with a maximum capacity of ten or fewer persons (including the driver) to comply with all of the following:

- Be at least 18 years old, hold a valid California driver's license for the appropriate class of vehicle, and have a satisfactory driving record
- Pass a criminal background check, including fingerprint clearance pursuant to [Education Code Section \(EC §\) 45125](#) for employees and [EC § 45125.1](#) for all other compensated drivers
- Not have demonstrated irrational behavior to the extent that a reasonable person would have reasonable cause to believe the driver's ability to perform the duties is impaired
- Not have been convicted of a sex offense or violent felony
- Provide their employer or the private entity contracting with the local educational agency (LEA) a report showing the driver's current public record as recorded by the Department of Motor Vehicles (DMV) and participate in the DMV's pull-notice system
- Be subjected to and comply with drug and alcohol testing
- Be a mandated reporter and comply with the provisions of law as required by the Child Abuse and Neglect Reporting Act
- Complete a medical examination and provide a copy of the medical examiner's certificate of clearance to their employer or the private entity contracting with the LEA
- Submit and clear a tuberculosis risk assessment
- Not drive for more than ten hours within a work period, or after the end of the 16th hour after coming on duty following eight consecutive hours off duty
- Complete a minimum of ten hours of initial training and a minimum of two hours of annual refresher courses
- Maintain a daily log sheet and complete the daily pre-trip inspection of the vehicle being driven that day

- Hold a valid and current first aid certificate

Who Supports and Opposes SB 88?

SB 88 is sponsored by the California School Employees Association and co-sponsored by the State Superintendent of Public Instruction; the California Federation of Teachers; the California Labor Federation; and the Sheet Metal, Air, Rail and Transportation Workers.

The bill is opposed by a number of organizations including the Association of California School Administrators; the California School Boards Association; the California Association of Suburban School Districts; and HopSkipDrive, a business that partners with LEAs to provide alternative transportation for students.

During the two Senate policy committee hearings, Joanna McFarland, the CEO and Co-Founder of HopSkipDrive, argued that alternative transportation organizations like HopSkipDrive are already subject to California Public Utilities Commission regulations and that the bill is trying to find a solution to a problem that does not exist, which would cause operational issues that could force organizations like HopSkipDrive to shut down service.

The author and the proponents of SB 88 argue that the bill is about ensuring that students are transported to and from school in a safe manner. They argue that third-party transportation organizations that contract with LEAs should be subject to the same regulations as LEA-employed school bus drivers.

What Would Be the Impact of SB 88 on LEAs?

SB 88 would have a number of significant implications for LEAs that have been using alternative transportation means to contend with the bus driver shortage. The bill would limit an LEA's ability to use third-party transportation services for students as the stringent requirements could lead to organizations like HopSkipDrive to shut down operations or become cost prohibitive for LEAs to meet. SB 88 would also require coaches, teachers, and LEA staff transporting students to sporting and academic events to also meet the stringent requirements listed above. Finally, the bill's regulations would also apply to any parent who receives a stipend from an LEA to drive their own student with a disability to and from school.

The Senate Appropriations Committee's fiscal analysis finds that SB 88 could lead to LEAs incurring additional costs to ensure that drivers meet the new qualifications such as verifying background checks, providing training on mandated reporter responsibilities, and confirming that vehicles are properly equipped. The analysis also states that to the extent that the bill leads to a reduction or elimination in contracts with third-party private transportation companies, LEAs could incur unknown local cost increases to find other means to replace these services.

Next Steps

SB 88 is currently on the Senate Appropriations Committee's suspense file, which is where bills that meet a certain cost magnitude go until all of those measures can be considered at once. The Senate Appropriations Committee will likely take up their suspense file on Thursday, May 18, 2023, which is the day before the deadline for bills to clear the first house fiscal committee.

If the bill is approved by the Senate Appropriations Committee, it will then proceed to the Senate floor for a vote and then move to the Assembly where the process starts anew.

We will continue to monitor SB 88 and other significant education bills via our “Top Legislative Issues” series and subsequent *Fiscal Report* articles. Stay tuned.

Bill Update

SCHOOL SERVICES OF CALIFORNIA, INC.

**Legislative Report Prepared for:
Fresno Unified School District
Status as of May 17, 2023**

<i>Bill No./ Author</i>	<i>Title</i>	<i>Position</i>	<i>Current Status</i>	<i>Page</i>
Accountability and Assessments				
AB 237 Wallis	Intradistrict and Interdistrict Transfers: Low-Performing Pupils	No Position	Assembly Appropriations Committee—Suspense File	22
AB 728 Jackson	School Accountability: Local Control and Accountability Plans	Watch	Assembly Education—Bill Did Not Meet Deadline	22
Employees				
AB 5 Zbur	The Safe and Supportive Schools Act	Support	Assembly Appropriations Committee	22
AB 238 Muratsuchi	California Student Teacher Support Grant Program	Support	Assembly Appropriations Committee—Suspense File	23
AB 796 Weber	Athletic Trainers	Support	Assembly Appropriations Committee—Suspense File	23
AB 1555 Quirk-Silva	Transitional Kindergarten: Teacher Assignments: Qualification Requirements	Support	Senate Education Committee	23
AB 1699 McCarty	K-14 Classified Employees: Part- Time or Full-Time Vacancies: Public Postings		Assembly Appropriations Committee—Suspense File	23
AB 1722 Dahle, Megan	Pupil Health: Credentialed School Nurses, Registered Nurses, and Licensed Vocational Nurses	Support	Assembly Appropriations Committee—Suspense File	24
SB 765 Portantino	Teachers: Retired Teachers: Teacher Preparation: Student Financial Aid		Senate Appropriations Committee—Suspense File	24
Facilities				
AB 247 Muratsuchi	Education Finance: School Facilities: Kindergarten Through Community College Public Education Facilities Bond Act of 2024	Watch	Assembly Appropriations Committee—Suspense File	24
AB 249 Holden	Water: School Sites: Lead Testing: Conservation	Support	Assembly Appropriations Committee—Suspense File	25

SB 28 Glazer	Education Finance: School Facilities: Public Preschool, K-12, and College Health and Safety Bond Act of 2024	Watch	Senate Appropriations Committee—Suspense File	25
SB 499 Menjivar	School Facilities: School Extreme Heat Action Plan Act of 2023	No Position	Senate Appropriations Committee—Suspense File	26
SB 532 Wiener	Ballot Measures: Local Taxes	Support	Senate Appropriations Committee—Suspense File	26
SB 760 Newman	School Facilities: All-Gender Restrooms	No Position	Senate Appropriations Committee—Suspense File	26
Governance and District Operations				
AB 275 Ward	School Governance: Governing Boards: Pupil Members: Compensation	Support	Senate Education Committee	27
AB 1637 Irwin	Local Government: Internet Websites and Email Addresses	Oppose	Assembly Appropriations Committee	27
SB 328 Dodd	Political Reform Act of 1974: Contribution Limits	Support	Senate Appropriations Committee—Suspense File	27
Instruction				
AB 714 McCarty	Pupil Instruction: Newcomer Pupils: Curriculum Frameworks: High School Coursework and Graduation Requirements: Exemptions and Alternatives		Assembly Appropriations Committee—Suspense File	28
SB 767 Rubio	Elementary Education: Kindergarten	Support	Senate Appropriations Committee—Suspense File	28
Miscellaneous				
SB 333 Cortese	Homeless Pupils: California Success, Opportunity, and Academic Resilience (SOAR) Guaranteed Income Program	Support	Senate Appropriations Committee—Suspense File	28
Nutrition				
AB 1178 Rivas, Luz	School Nutrition: Guardian Meal Reimbursement	Support	Assembly Appropriations Committee—Suspense File	29
SB 348 Skinner	Pupil Meals	Support	Senate Appropriations Committee—Suspense File	29

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Accountability and Assessments

[AB 237 \(Wallis\)](#)

Amended: 3/27/2023

Title: Intradistrict and Interdistrict Transfers: Low-Performing Pupils

Status: Assembly Appropriations Committee—Suspense File

Position: No Position

Summary:

As amended, this bill would require a school district of residence to approve an intradistrict or interdistrict transfer request for a low-performing student if the school of attendance has been identified for federal comprehensive support and improvement.

[AB 728 \(Jackson\)](#)

Amended: 4/17/2023

Title: School Accountability: Local Control and Accountability Plans

Status: Assembly Education Committee—Bill Did Not Meet Deadline

Position: Watch

Summary:

This bill would require the Local Control and Accountability Plan (LCAP) template to include an assessment of the effectiveness, or lack thereof, of the specific actions described in the existing LCAP toward achieving the local educational agency's (LEA's) goals. The bill would require actions that have not proven effective over a three-year period of implementation to be changed and would require the description of changes to include an explanation of the reasons for the lack of progress indicated by the analysis and how the action will be better addressed with a new or strengthened approach. The bill would also require certain actions to be changed for each school within an LEA that, for two consecutive years, receives the lowest performance measure for purposes of the school climate state priority.

Employees

[AB 5 \(Zbur\)](#)

Amended: 5/2/2023

Title: The Safe and Supportive Schools Act

Status: Assembly Appropriations Committee

Position: Support

Summary:

By the 2025-26 school year, requires schools to provide LGBTQ cultural competency training to certificated employees that serve students in grades 7-12. Schools may use online training developed by the California Department of Education for this purpose.

[AB 238 \(Muratsuchi\)](#)**Amended:** 4/17/2023**Title:** California Student Teacher Support Grant Program**Status:** Assembly Appropriations Committee—Suspense File**Position:** Support**Summary:**

Establishes the California Student Teacher Support Grant Program to compensate teacher credential candidates during the student teaching component that is required as part of the teacher preparation program.

[AB 796 \(Weber\)](#)**Amended:** 4/27/2023**Title:** Athletic Trainers**Status:** Assembly Appropriations Committee—Suspense File**Position:** Support**Summary:**

This bill requires an athletic trainer to register their certification with the newly created Athletic Trainer Registration Committee within the Medical Board of California in order to practice athletic training or use the title of athletic trainer.

[AB 1555 \(Quirk-Silva\)](#)**Amended:** 3/30/2023**Title:** Transitional Kindergarten: Teacher Assignments: Qualification Requirements**Status:** Senate Education Committee**Position:** Support**Summary:**

This bill extends the requirement from August 1, 2023, to August 1, 2025, for credentialed teachers assigned to transitional kindergarten classrooms to meet specified early childhood education requirements.

[AB 1699 \(McCarty\)](#)**Title:** K-14 Classified Employees: Part-Time or Full-Time Vacancies: Public Postings**Status:** Assembly Appropriations Committee—Suspense File**Position:****Summary:**

Among other things, this bill would require vacancies to be open only to current employees before the vacancy may be posted publicly for the general public to apply. An interested part-time employee who does not meet the minimum qualifications for a vacancy must be offered paid on-the-job training for that vacancy.

[AB 1722 \(Dahle, Megan\)](#)**Amended:** 3/30/2023**Title:** Pupil Health: Credentialed School Nurses, Registered Nurses, and Licensed Vocational Nurses**Status:** Assembly Appropriations Committee—Suspense File**Position:** Support**Summary:**

As amended, allows a local educational agency to hire a licensed vocational nurse that shall be supervised by a credentialed school nurse if a diligent search has been conducted for a suitable credentialed school nurse.

[SB 765 \(Portantino\)](#)**Amended:** 5/3/2023**Title:** Teachers: Retired Teachers: Teacher Preparation: Student Financial Aid**Status:** Senate Appropriations Committee—Suspense File**Position:****Summary:**

This bill would exempt a retired teacher returning to work to fulfill a critical need in a teaching position from postretirement compensation limits. This bill would also increase the maximum award amount for the Teacher Residency Grant Program to \$40,000 per teacher candidate and annually exempt 1,000 Cal Grant awardees from demonstrating financial need if they agree to enroll in a teacher preparation program after earning their baccalaureate degree.

Facilities

[AB 247 \(Muratsuchi\)](#)**Amended:** 4/3/2023**Title:** Education Finance: School Facilities: Kindergarten Through Community College Public Education Facilities Bond Act Of 2024**Status:** Assembly Appropriations Committee—Suspense File**Position:** Watch**Summary:**

This bill would place an unspecified K-14 school facilities bond before voters at either on the primary or General Election ballot in 2024.

AB 249 (Holden)**Amended:** 3/30/2023**Title:** Water: School Sites: Lead Testing: Conservation**Status:** Assembly Appropriations Committee—Suspense File**Position:** Support**Summary:**

This bill would require a community water system that serves a school site with a building constructed before January 1, 2010, to test for lead in the potable water system of the school site before January 1, 2027. The bill would require the community water system to report its findings to the applicable local educational agency (LEA). The bill would require the LEA, if the lead level exceeds five parts per billion at a school site, to notify the parents and guardians of the pupils who attend the school site or preschool. The bill would require the LEA to take immediate steps to make inoperable and shut down from use all fountains and faucets where excess lead levels may exist. The bill would also require that the LEA work with the school sites under its jurisdiction to ensure that a potable source of drinking water is provided for pupils.

SB 28 (Glazer)**Title:** Education Finance: School Facilities: Public Preschool, K-12, and College Health and Safety Bond Act of 2024**Status:** Senate Appropriations Committee—Suspense File**Position:** Watch**Summary:**

This bill would place a \$15.5 billion preschool through higher education bond before voters on the March 5, 2024, statewide Primary Election ballot. The bill proposes the following funding allocations for K-12:

- \$2.8 billion for new construction
- \$5.2 billion for modernization
- \$150 million for the remediation of lead in water
- \$500 million for charter schools
- \$500 million for career-technical facilities
- \$250 million for school mental health and wellness centers
- \$250 million for school stadium lighting projects

This bill would make significant changes to the existing school facilities program by requiring a school district to submit a five-year school facilities master plan if applying to access facilities funds and creating a score based on local bonding capacity and unduplicated pupil percentage that affects the school district's required local match and also affects the priority for application processing.

SB 499 (Menjivar)**Amended:** 5/2/2023**Title:** School Facilities: School Extreme Heat Action Plan Act of 2023**Status:** Senate Appropriations Committee—Suspense File**Position:** No Position**Summary:**

This bill would enact the School Extreme Heat Action Plan Act of 2023. Among many provisions, the bill would require, the next time resurfacing or replacement of outdoor surfaces of a school site is required, all school sites to replace low specific heat surfaces, such as cement, asphalt, brick, pebbles, sand, aggregates, rubber, and synthetic turf, with high specific heat surfaces, such as cool pavement technologies, natural grass, shrubs, trees, wood chips, or other natural systems that mitigate heat and pollution.

SB 532 (Wiener)**Amended:** 4/25/2023**Title:** Ballot Measures: Local Taxes**Status:** Senate Appropriations Committee—Suspense File**Position:** Support**Summary:**

Existing law requires that the ballots used when voting on a measure proposed by a local governing body or submitted to the voters as an initiative or referendum measure, including bonds, have printed on them a true and impartial statement describing the purpose of the measure. If the proposed measure imposes a tax or raises the rate of a tax, existing law requires the ballot to include in the statement of the measure the amount of money to be raised annually and the rate and duration of the tax to be levied. As amended, this bill would, if the proposed measure imposes or increases a tax with more than one rate or authorizes the issuance of bonds, require that the ballot include in the statement of the measure to be voted on an estimate of the amount of money to be raised annually and the rate and duration of the tax to be levied. This statement, which may contain bullet points, would not count toward any word limit that applies to the statement of the measure.

SB 760 (Newman)**Amended:** 4/18/2023**Title:** School Facilities: All-Gender Restrooms**Status:** Senate Appropriations Committee—Suspense File**Position:** No Position**Summary:**

As amended on April 18, 2023, this bill would require, on or before July 1, 2025, each school district, county office of education, and charter school maintaining any combination of classes from kindergarten to grade 12 to provide at least one all-gender restroom for pupil use at each of its school sites. The bill would require the all-gender restroom to have appropriate signage identifying the bathroom facility as being open to all genders and is unlocked, unobstructed, and easily accessible by any pupil.

Governance and District Operations

[AB 275 \(Ward\)](#)

Amended: 2/16/2023

Title: School Governance: Governing Boards: Pupil Members: Compensation

Status: Senate Education Committee

Position: Support

Summary:

The bill would authorize local governing boards to award a pupil member elective course credit, monthly financial compensation, or both.

[AB 1637 \(Irwin\)](#)

Amended: 4/27/2023

Title: Local Government: Internet Websites and Email Addresses

Status: Assembly Appropriations Committee

Position: Oppose

Summary:

As amended, by January 1, 2026, this bill would require a local agency that maintains an Internet website for use by the public to ensure that the Internet website utilizes a “.gov” top-level domain or a “.ca.gov” second-level domain. This bill, no later than January 1, 2026, would also require a local agency that maintains public email addresses to ensure that each email address provided to its employees utilizes a “.gov” domain name or a “.ca.gov” domain name. The bill applies to school districts.

[SB 328 \(Dodd\)](#)

Amended: 4/10/2023

Title: Political Reform Act of 1974: Contribution Limits

Status: Senate Appropriations Committee—Suspense File

Position: Support

Summary:

The Political Reform Act of 1974 limits contributions to elective state, county, or city office candidates to \$3,000 per election, adjusted for changes in the Consumer Price Index. This bill would apply the same contribution limits to candidates for school district, community college district, and other special district elections. The bill would make certain other provisions of the act relating to contribution limits applicable to candidates for district office. However, the bill would authorize school districts, community college districts, and other special districts to impose contribution limits on candidates for district office that differ from the limits imposed by the act.

Instruction

[AB 714 \(McCarty\)](#)

Amended: 3/30/2023

Title: Pupil Instruction: Newcomer Pupils: Curriculum Frameworks: High School Coursework and Graduation Requirements: Exemptions and Alternatives

Status: Assembly Appropriations Committee—Suspense File

Position:

Summary:

This bill would require the California Department of Education to issue guidance regarding best practices and available state and federally funded programs for newcomer students and to maintain at least one position dedicated to helping schools meet the needs of newcomers. The bill would also require the Instructional Quality Commission to consider adding content to help teachers meet the unique needs of newcomers to the next revision of the English Language Arts/English Language Development curriculum framework and would revise the definition of newcomers to align with the federal definition for purposes of specified educational rights in existing law.

[SB 767 \(Rubio\)](#)

Amended: 3/22/2023

Title: Elementary Education: Kindergarten

Status: Senate Appropriations Committee—Suspense File

Position: Support

Summary:

Starting with the 2024-25 school year, this bill requires the completion of kindergarten before entering first grade in a public school.

Miscellaneous

[SB 333 \(Cortese\)](#)

Amended: 4/10/2023

Title: Homeless Pupils: California Success, Opportunity, and Academic Resilience (SOAR) Guaranteed Income Program

Status: Senate Appropriations Committee—Suspense File

Position: Support

Summary:

This bill would require the State Department of Social Services to establish the California Success, Opportunity, and Academic Resilience Guaranteed Income Program, which would award high school seniors who are homeless youths a guaranteed income of \$1,000 each month for five months from April 1, 2025, to August 1, 2025.

Nutrition

[AB 1178 \(Rivas, Luz\)](#)

Amended: 3/30/2023

Title: School Nutrition: Guardian Meal Reimbursement

Status: Assembly Appropriations Committee—Suspense File

Position: Support

Summary:

This bill would, contingent upon an appropriation for its purposes and to the extent authorized by federal law, require the State Department of Education to establish a process for state reimbursement for meals served to guardians of eligible pupils receiving a meal pursuant to a summer meal program. A guardian of an eligible pupil would be required to be present at the summer meal program site in order for the summer meal program operator to receive reimbursement for that meal.

[SB 348 \(Skinner\)](#)

Amended: 3/20/2023

Title: Pupil Meals

Status: Senate Appropriations Committee—Suspense File

Position: Support

Summary:

This bill makes a few changes to the Universal Meals Program requirement:

- Requires the California Department of Education to submit a waiver to the United States Department of Agriculture to allow schools to serve lunch to student in non-congregate setting on short days
- Authorizes local educational agencies (LEAs) to provide only breakfast on each four-hour school day unless the State Department of Education receives a waiver of the congregate meal requirement so that lunch on a four-hour school day may be served in a noncongregate manner
- Requires LEAs to provide pupils with adequate time to eat, as determined by the State Department of Education
- Requires the State Department of Education, in partnership with specified entities, to determine the maximum amount of added sugar to be allowed in a nutritionally adequate breakfast or lunch

School Safety and Student Discipline

[AB 599 \(Ward\)](#)

Amended: 3/28/2023

Title: Suspensions and Expulsions: Tobacco

Status: Assembly Appropriations Committee—Suspense File

Position: No Position

Summary:

This bill removes the possession or use of tobacco products on school grounds or at a school activity as bases for suspension from school or recommendations for expulsion, as of July 1, 2025. It requires the California Department of Education to develop and make available a model policy for a public health approach to addressing student possession and use of illicit drugs on school property, by July 1, 2025.

[AB 1165 \(McCarty\)](#)

Amended: 4/17/2023

Title: Pupil Discipline: Racist Bullying, Harassment, or Intimidation: Restorative Justice Practice

Status: Senate Rules Committee

Position: Support

Summary:

If the superintendent of a school district or principal of a school determines that a pupil in any of grades 4-12 caused, attempted to cause, threatened to cause, or participated in an act of hate violence, this bill would require the pupil to participate in a restorative justice program.

[AB 1445 \(Arambula\)](#)

Amended: 5/1/2023

Title: The Neng Thao Drowning Prevention Safety Act

Status: Assembly Floor—Third Reading

Position: Support

Summary:

This bill would authorize a local, state, or national drowning or injury prevention organization to provide informational materials to a public elementary school regarding specified topics relating to drowning prevention. As amended, the bill would authorize, not require, beginning with the 2024-25 school year, upon receipt of the informational materials, a public elementary school to provide the informational materials to parents, legal guardians, or caregivers of pupils in kindergarten to grade 3 at the time the pupil enrolls at the school and at the beginning of each school year.

SB 31 (Jones)**Amended:** 3/22/2023**Title:** Encampments: Sensitive Areas: Penalties**Status:** Senate Public Safety Committee—Bill Did Not Meet Deadline**Position:** Oppose**Summary:**

This bill would prohibit a person from sitting, lying, sleeping, or storing, using, maintaining, or placing personal property upon any street, sidewalk, or other public right-of-way within 1000 feet of a school, daycare center, park, or library. A violation may be charged as a misdemeanor or infraction, and a person may not be found in violation unless provided at least 72 hours' notice.

SB 274 (Skinner)**Amended:** 4/10/2023**Title:** Suspensions and Expulsions: Willful Defiance**Status:** Assembly Desk**Position:** No Position**Summary:**

This bill would remove disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties from the list of acts for which a pupil, regardless of their grade of enrollment, may be suspended or recommended for expulsion. The bill further prohibits the suspension or expulsion of a pupil based solely on the fact that they are truant, tardy, or otherwise absent from school activities.

State Budget, Education Finance, and LCFF

AB 938 (Muratsuchi)

Amended: 5/1/2023

Title: Education Finance: Local Control Funding Formula: Base Grants: Classified and Certificated Staff Salaries

Status: Assembly Appropriations Committee—Suspense File

Position: No Position

Summary:

Starting in 2030-31, this bill would double the school district and charter school Local Control Funding Formula (LCFF) base rates that were put in place when the LCFF was established in 2013-14 to be as follows:

- \$13,749 for average daily attendance (ADA) in kindergarten and grades 1-3
- \$13,956 for ADA in grades 4-6
- \$14,370 for ADA in grades 7-8
- \$16,653 for ADA in grades 9-12

As amended, the bill also includes a goal that the additional LCFF funds be used to increase salaries for school staff. To that end, the bill requires the California Department of Education to update the existing J-90 data collection process to include classified staff, and local educational agencies would be required to submit certificated and classified bargaining unit salary data annually starting on September 1, 2024.

As amended, the bill also creates five classifications for reporting classified employee salary information:

- Secretaries or administrative assistants
- Custodians
- Bus drivers
- School food service workers
- Instructional aides

SB 98 (Portantino)

Title: Education Finance: Additional Education Funding

Status: Senate Appropriations Committee—Suspense File

Position: Support

Summary:

This bill would, beginning with the 2023-24 fiscal year, provide local educational agencies (LEAs) with supplemental education funding, in addition to their Local Control Funding Formula (LCFF) entitlement. The funding would be based on the difference between what the LEA would have received if LCFF funds were apportioned using enrollment numbers, and what the LEA did receive under the LCFF using average daily attendance information. At least 30% of the supplemental funds would have to be used to address chronic absenteeism and habitual truancy. In addition, there is a maintenance of effort requirement such that LEAs would need to 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.

Student Health

[AB 19 \(Patterson, Joe\)](#)

Amended: 2/27/2023

Title: Pupil Health: Opioid Antagonists

Status: Assembly Appropriations Committee—Suspense File

Position: Support

Summary:

This bill would require all public schools to maintain at least two doses of naloxone hydrochloride or other opioid antagonist on its campus.

[AB 230 \(Reyes\)](#)

Amended: 3/27/2023

Title: Menstrual Products: Menstrual Equity for All Act of 2021

Status: Assembly Appropriations Committee—Suspense File

Position: Support

Summary:

Expands the requirement that schools serving students in grades 6 through 12 stock specified restrooms with free menstrual products to include schools serving students in grades 3 to 5.

[AB 483 \(Muratsuchi\)](#)

Title: Local Educational Agency: Medi-Cal Billing Option

Status: Assembly Appropriations Committee—Suspense File

Position: Support

Summary:

This bill would require the Department of Health Care Services (DHCS) to establish a revised audit process for a local educational agency's (LEA's) Medi-Cal Billing Option claims submitted for dates of service on or after January 1, 2025. The DHCS would be required to provide technical assistance to the LEA or to complete appeals by the LEA within 180 days if an audit disallows a specified percentage of an LEA's total value of claims. An auditor would be prohibited from disallowing certain claims. The DHCS' would be required to report the number of audits conducted.

AB 659 (Aguiar-Curry)**Amended:** 4/12/2023**Title:** Cancer Prevention Act**Status:** Assembly Appropriations Committee**Position:** Support**Summary:**

As amended, this bill no longer appears to add immunization for human papillomavirus (HPV) to the list of required immunizations for admission to school. Instead, the bill would declare the public policy of the state that pupils are expected to be fully immunized against HPV before admission or advancement to the 8th grade level of any private or public elementary or secondary school. The bill would, upon a pupil's admission or advancement to the 6th grade level, require the school to submit to the pupil and their parent or guardian a notification containing a statement about that public policy and advising that the pupil be fully immunized against HPV before admission or advancement to the 8th grade level.

AB 915 (Arambula)**Amended:** 4/27/2023**Title:** Pupil Health: Drug Education: Opioid Overdose Certification and Training Program**Status:** Assembly Appropriations Committee—Suspense File**Position:****Summary:**

This bill requires the California Department of Public Health (CDPH), by March 1, 2025, to establish a certification training program for high school students in grades nine through 12 to gain skills to identify and respond to an opioid overdose. The training is to include information about how to administer naloxone hydrochloride nasal spray. The bill further authorizes local educational agencies (LEAs) serving students in grades nine through 12 to voluntarily determine whether or not to offer the training program. Lastly, the bill requires CDPH to annually collect data on the number of students participating in the program and share this information with the Legislature.

AB 1314 (Essayli)**Amended:** 3/9/2023**Title:** Gender Identity: Parental Notification**Status:** Assembly Education Committee—Bill Did Not Meet Deadline**Position:****Summary:**

This bill would provide that a parent or guardian has the right to be notified in writing within three days from the date any teacher, counselor, or employee of a school becomes aware that a pupil is identifying at school as a gender that does not align with the child's sex on their birth certificate, other official records, or sex assigned at birth; using sex-segregated school programs and activities, including athletic teams and competitions; or using facilities that do not align with the child's sex on their birth certificate, other official records, or sex assigned at birth.

AB 1362 (Davies)

Title: Pupil Instruction: Adopted Course of Study: Physical Education

Status: Assembly Education Committee—Bill Did Not Meet Deadline

Position: Support

Summary:

This bill would authorize the instruction in the physical education area of study to include information on the physical and mental dangers associated with the use of opioids, such as fentanyl, steroids, and other harmful addictive drugs.

SB 10 (Cortese)

Amended: 4/10/2023

Title: Pupil Health: Opioid Overdose Prevention and Treatment: Melanie's Law

Status: Senate Appropriations Committee—Suspense File

Position: Support

Summary:

This bill would require local educational agencies (LEAs) to embed opioid overdose treatment in their School Safety Plans. The bill would also distribute a School Resource Guide on Opioids to all LEAs regarding the emergency use of opioid antagonists, such as naloxone, on school campuses. The bill would also establish a State Working Group on Fentanyl Overdose/Abuse Prevention focused on public education, awareness, prevention, and minimizing overdoses.

SB 234 (Portantino)

Amended: 4/25/2023

Title: Opioid Antagonists: Schools, College Campuses, Stadiums, Concert Venues, and Amusement Parks

Status: Senate Appropriations Committee—Suspense File

Position: Support

Summary:

Requires all public schools to have naloxone hydrochloride or any other opioid antagonist at all times and to ensure at least two employees are aware of the location. As amended, the bill also requires local educational agencies to annually report all incidents of pupil opioid exposure to the California Department of Education and the Department of Health Care Services.

SB 283 (Ochoa Bogh)

Amended: 3/23/2023

Title: Pupil Health: Asthma Management

Status: Senate Appropriations Committee—Suspense File

Position: Support

Summary:

This bill would require local educational agencies, on or before the start of the 2024-25 school year, to adopt a comprehensive asthma management plan. The plan must create individualized asthma plans for students with asthma and provide professional development for school staff related to asthma.

SB 472 (Hurtado)**Amended:** 4/17/2023**Title:** Pupil Health: Opioid Overdose Reversal Medication**Status:** Senate Appropriations Committee—Suspense File**Position:** Support**Summary:**

Requires all public schools to maintain at least two doses of naloxone or another opioid antagonist on their campus. Requires local educational agencies to report to the California Department of Education and the Department of Health Care Services specified information by July 31, 2024, and annually thereafter. The information shall include the total supply of opioid antagonists at each school, the number of incidents in which an opioid antagonist was used to provide emergency aid, and the number of doses of opioid antagonists that expired during the school year. As amended, the requirement to maintain an opioid antagonist only applies to schools that have a person trained on the administration of the opioid antagonist.

SB 541 (Menjivar)**Amended:** 3/30/2023**Title:** Sexual Health: Contraceptives: Immunization**Status:** Senate Appropriations Committee—Suspense File**Position:** Support**Summary:**

As amended, this bill requires the following:

- Public schools to make free condoms available to all students in grades 9-12
- These public schools to inform students that free condoms are available and where the condoms can be obtained
- These public schools to post at least one notice that includes specified information such as abstinence from sexual activity and injection drug use being the only certain way to prevent HIV and other sexually transmitted infections, that abstinence from sexual intercourse is the only way to prevent unintended pregnancy, how to use condoms properly, and how to access local resources and students' legal rights to access those resource for sexual and reproductive health care
- Public schools serving grades 7-12 to allow the distribution of condoms during the course of, or in connection to, educational or public health programs and initiatives
- The Family Planning, Access, Care, and Treatment (PACT) program to provide coverage for immunization against HPV to persons 18 years of age or younger

Transportation

[AB 579 \(Ting\)](#)

Amended: 3/13/2023

Title: School Buses: Zero-Emission Vehicles

Status: Assembly Appropriations Committee—Suspense File

Position: Support

Summary:

This bill would, by January 1, 2035, require 100% of all newly purchased or contracted school buses of a local educational agency (LEA) to be zero-emission vehicles. The bill would authorize LEAs that are prevented from purchasing or contracting a zero-emission school bus due to terrain and route constraints to request from the California Department of Education a one-time extension, for a term not to exceed five years, to comply with that requirement.

[SB 88 \(Skinner\)](#)

Amended: 4/27/2023

Title: Pupil Transportation: Driver Qualifications

Status: Senate Appropriations Committee—Suspense File

Position:

Summary:

As amended, this bill would impose new requirements on drivers who provide transportation services to students, including background checks and requiring the drivers to be mandated reporters. The bill would apply to teachers and coaches who transport students for events such as field trips or sporting events, as well as parents who are compensated to transport their child with a disability. The new requirements include access to a Department of Motor Vehicles driving record, drug and alcohol testing, and at least ten hours of initial training and two hours of annual refresher training.


Fresno Unified School District
Board Communication

BC Number EA-1

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

Date: May 26, 2023

Phone Number: 457-3471


Carlos Castillo (May 25, 2023 11:23 PDT)

Regarding: Diversity, Equity, and Inclusion Division Staffing and Funding.

The purpose of this communication is to provide the Board an update regarding the total number of Black Student Unions (BSUs), information regarding the total current Full Time Equivalent (FTE) for the Office of African American Academic Acceleration (A4), and the total budget for the entire department of DEI.

The Diversity, Equity, and Inclusion (DEI) Division for the 2023/24 school year will comprise A4, Community Schools, American Indian Education, and DEI. The individual department budgets are as follows:

- The Community Schools' budget will be \$1,400,000.
- The American Indian Education budget will be a total of \$400,000.
- The A4 budget will be a total of \$11,200,000.
 - The BSU aligns with the district strategy of increasing student success by providing multiple engagement programs and activities for students to seek academic achievement and increase student leadership engagement. Currently, there are 35 active BSUs in the district. Middle and high school BSUs are active at all 17 middle schools and all 13 high schools with clubs that meet regularly. For the 2023/24 School year, the A4 Department has included in its strategic and budget plan to expand BSUs at the elementary sites. Currently, there are five Elementary BSU clubs.
 - The Office of A4 currently has twenty full-time staff and two part-time paraprofessionals.
 - There is a request for 5.0 additional FTE for the 2023/24 school year.
- The DEI budget will be a total of \$2,600,000.

The total budget for the 2023/24 DEI Division will be \$15,600,000.

If you have any questions pertaining to the information in this communication, or require additional information, please contact Carlos Castillo at 457-3471.


Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 05/26/2023

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: Jeremy Ward, Assistant Superintendent
Cabinet Approval: 

Date: May 26, 2023

Phone Number: 248-7465

Regarding: SkillsUSA National Student Competition

The purpose of this board communication is to provide the Board information about an out-of-state field trip for the end of the 2023 school year for two Duncan Polytechnical High School students who have been invited to compete in the SkillsUSA National Student Competition based on their performance at the state competition.

SkillsUSA, a Career Technical Student Organization, is a partnership with students, teachers, and industry partners working together to ensure America has a skilled workforce. A non-profit national education association, SkillsUSA serves middle school, high school and college post-secondary students preparing for careers in trade, technical, and skilled service occupations. SkillsUSA serves more than 331,000 students and instructors annually and has over 393,000 members including alumni and industry partners. SkillsUSA has served nearly 14 million annual members cumulatively since 1965 and is recognized by the United States Department of Education and the United States Department of Labor as a successful model of employer-driven workforce development.

Two Duncan Polytechnical High School seniors earned gold medals at the Skills USA State Competition in Electrical Wiring and Nursing Assisting. The students are in the Career Technical Education (CTE) Construction and Building Trades pathway and the CTE Nursing Services pathway at Duncan. The national competition is being held in Atlanta, Georgia from June 17-24, 2023. Students who place in the top three for their category can receive scholarships, tools, and/or industry-related equipment.

Pursuant to Board Policy 6153, "Field trips involving out-of-state travel shall require the prior approval of the Superintendent. The Board will receive notifications of field trips involving out-of-state travel by students. Other field trips shall be approved by the Superintendent or designee in accordance with administrative regulations."

If you have any questions pertaining to the information in this communication, or require additional information, please contact Jeremy Ward at 248-7465.


Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 05/26/2023

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: Marie Williams, Ed.D., Instructional Superintendent &
Edith Navarro, Administrator
Cabinet Approval: 

Date: May 26, 2023

Phone Number: 457-6470

Regarding: World Language Textbook Adoption Surveys

The purpose of this board communication is to provide the Board information regarding input used to inform the World Language Textbook Adoption. The textbook adoption identified two top options: Carnegie Learning (CL) and Vista Higher Learning (VHL). Spanish and French teachers had access to print and digital materials for each of the VHL and CL curricula for Spanish I-IV, Spanish for Native Speakers I-II, and French I-IV. A total of 56 teachers, 60 parents, and 954 students responded to surveys during the material review phase. Highlights of the survey responses are shown below:

Teacher responses were collected using a five-point Likert scale (strongly agree – strongly disagree):

- Teacher materials outline a logical unit sequence to support student language development and comprehension.
 - VHL: 93% of teachers strongly agreed or agreed.
 - CL: 43% of teachers strongly agreed or agreed.
- Teacher materials leverage diverse student cultural and social backgrounds to enhance their understanding of the many cultures that use the language.
 - VHL: 80% of teachers strongly agreed or agreed.
 - CL: 64% of teachers strongly agreed or agreed.

Parent/Guardian survey responses were collected on a five-point scale (1= lowest and 5 = highest):

- My child's Spanish would improve using the resources.
 - VHL 4.35
 - CL 4.18
- My child had the opportunity to practice speaking, reading, and writing in Spanish.
 - VHL 4.29
 - CL 4.18

Student survey responses were collected on a five-point scale (1= lowest and 5 = highest):

- I learned and/or practiced Spanish in useful and/or meaningful ways.
 - VHL 3.68
 - CL 3.34
- The materials were easy for me to use.
 - VHL 3.75
 - CL 3.4

If you have any questions pertaining to the information in this communication or require additional information, please contact Edith Navarro at 457-6470.


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



Date: 05/26/2023

Fresno Unified School District
Board Communication

BC Number ID-3

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Marie Williams, Ed.D., Instructional
Superintendent & Erica Piedra, Director
Cabinet Approval: 

Date: May 26, 2023

Phone Number: 457-3963

Regarding: American Indian Education Program Update

The purpose of this board communication is to provide the Board with an update on the current services provided to American Indian students in Fresno Unified through the Title VI Grant. American Indian Education Services funded through Title VI, requires that each student complete the ED506 Registration Form (via Adobe Sign). For the 2022/23 school year, additional district funds were utilized to increase staffing from three and a half (3.5) hours to eight (8) hours. In conjunction with district funds, Title VI funds currently provide one full-time community liaison. Our liaison connects with families to support with completion of 506 forms, maintains communication with students/families, implements all supports provided to students/families, and maintains partnerships with local tribes to provide additional resources to American Indian students.

The additional services added this year are noted below:

- Family Paint Night with local Choctaw Artist Boby Martin and the Fresno American Indian Health Project.
- Send a group of American Indian students to the Gathering of Native American (GONA) Summer Youth Camp.
- Increased outreach and communication with students and school sites regarding program
- Working relationship with the local tribes (North Fork Mono & Chukchansi) along with Native American Indian agencies (Fresno American Indian Health Project & North Fork Temporary Assistance for Needy Families). Our goal is to improve community engagement, academic, and cultural support services. As a result, an MOU with North Fork Rancheria is currently in progress.
- Increased services for one-on-one tutoring for American Indian students.
- Recognizing significant dates such as orange shirt day and Indigenous People Day.

American Indian Education received a total of \$62,805 for 2022/23 through Title VI funding, which supplements the per pupil allocation each student receives through all state and federal monies. Additionally, the district allocated \$80,286 to supplement Title VI funds for the purpose of increasing supports to American Indian students. For the 2023/24 school year, we will be increasing the funding for American Indian to \$238,000. Currently we have 218 students with completed 506 forms.

The following lists the students by region:

- Roosevelt: 22
- McLane: 33
- Edison: 20
- Sunnyside: 30
- Bullard: 31
- Fresno: 32
- Hoover: 30

- eLearn: 09
- Specialty Schools: 11

We recognize that we have more students that identify as Native American or Alaskan Native through the student enrollment/registration process that are not included in Title VI services, and we are working to identify supports to match the student need.

If you have any questions pertaining to the information in this communication, or require additional information, please contact Erica Piedra at 559-288-7034.


Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 05/26/2023

Fresno Unified School District
Board Communication

BC Number ID-4

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Jeremy Ward, Assistant Superintendent
Cabinet Approval: 

Date: May 26, 2023

Phone Number: 248-7534

Regarding: 2023 Summer Camp Enrollment

The purpose of this board communication is to provide the Board current enrollment for the upcoming Summer Enrichment Camps taking place July 10 through July 28, 2023. Registration for Summer Enrichment Camps was opened for unduplicated students on Monday, May 08, 2023 and will close on Friday, May 26, 2023. Students fall into the category of unduplicated if they are identified as English Learners, if they meet income or categorical eligibility requirements for free or reduced-price meals under the National School Lunch Program, or if they are foster youth. Students not identified as unduplicated were invited to register for summer enrichment camps beginning the afternoon of Tuesday, May 09, 2023.

Included in this board communication is an attachment that contains enrollment as of Tuesday, May 23, 2023, by vendor, camp type and current enrollment.

If you have any questions pertaining to the information in this communication, or require additional information, please contact Jeremy Ward at 248-7534.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 05/26/2023

2023 FUSD Summer Camps Enrollment

Camps by Type	# Enrolled
Adventure	2007
College and Career Discovery	1630
Crafts	674
Creative Arts	2238
Sports and Fitness	4542
Grand Total	11,091 out of 12,500


Camp Program	Sum of Enrolled
Artistic Endeavors	306
Be Your Own Boss - Start Up	144
Bowling Camp	158
Bulldog Baseball Summer Slam	288
Bulldog Boys Basketball Camp	246
Bulldog Softball	390
Bulldog Volleyball Camp	208
Call The Shots - Video Editing!	175
Camp Impact - Basketball	92
Camp Impact - Dance	70
Camp Impact - Photography	55
Construction Trades Camp	26
Craft Camp	156
Create the Next Hit Video Game Title!	208
Dance, Sing, Paint and Be Happy!	234
Digital Creator Studio	205
Digital Illustration and Design	312
Digital Media Camp	26
Dive into Space	75
Drone Legends Summer Camp	120
Enchanted/ Encanto	546
eSports	78
Fishing Camp	108
Fresno Discovery Camp	288
Fresno State Swim Camp	52
Fuel for Fun Camp	144
Garden to Fork Camp	67
Global Zoventures at Fresno Chaffee Zoo	1074
HPA Jr Summer Indoor Soccer Camp	276
HPA Summer Soccer & Day Camp	524
HPA Summer Sports & Adventure Camp	718
HPA Summer Sports Performance & Day Camp	194
I Lava Hawai'i	52
Introduction to Dive into Space	62
Jaime White Basketball Camp, LLC	165
Jr. Cooking Camp	156
Junior Chef Academy	198

2023 FUSD Summer Camps Enrollment

LEGO Brick Building Camp	156
Lil' Dog Track & Field Camp	293
Making the Banda	71
My Little Piñatas Pachanga!	206
Picture Perfect Summer Camp	164
RAM Camp	178
River Camp Academy at Sumner Peck Ranch	282
Rock Climbing Camp	118
Sports Science Institute	21
STEM Exploration Camp (1st-2nd grade)	52
STEM Exploration Camp (3rd-4th grade)	52
STEM Exploration Camp (5th-6th grade)	51
STEM Exploration Camp (7th-8th grade)	25
Summer Art Camp at Arte Americas	91
Summer Sound Studios	126
Summer Splash Water Polo Camp	52
Super Mario Adventures	138
T1 Sports Academy	125
Take Flight to Your Future	78
The Place to BEE!!!	287
Thrive Cheer Summer Camp	153
Woodworking Camp	44
Young Engineers	66
Young Engineer's Camp - LEGO Edition	66
Grand Total	11,091 out of 12,500

Fresno Unified School District
Board Communication

BC Number ID-5

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Marie Williams, Ed.D., Instructional Superintendent &
Teresa Morales-Young, Administrator
Cabinet Approval: 

Date: May 26, 2023

Phone Number: 457-6072

Regarding: Literacy Task Force Update

The purpose of this board communication is to provide the Board an update on the District's Literacy Task Force.

In August 2023, the District will launch a Literacy Campaign with an emphasis on students reading at grade level by the end of first grade. One of the key events in the campaign is to produce an actionable plan that includes quarterly monitoring benchmarks in the following three areas: Preschool through Grade Two Classroom Instruction, High Quality Supports beyond the classroom, and Family and Community Partnerships.

To create the plan, the district held three Literacy Task Force meetings. Educational partners are essential to the Literacy Task Force; therefore, community members, teachers, leaders, parents, and instructional assistants.

Fresno Unified has held two of the three Task Force sessions. Session one was held on April 27, 2023, and Session two was held on May 11, 2023. Outcomes for these sessions included the following:

1. Diversity of thought relative to evidenced-based literacy practices.
2. The current reality of literacy within Fresno Unified: assessment, curriculum, and instructional resources.
3. Recommendations for literacy focus areas.

The final session was Thursday, May 25, 2023. Next steps include developing the literacy plan with action steps before gathering feedback from our educational partners by June 30. District leadership will offer a session summarizing the Literacy Task Force for Board members unable to attend the sessions.

If you have any questions pertaining to the information in this communication, or require additional information, please contact Teresa Morales-Young at 457-6072.


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



Date: 05/26/2023

Fresno Unified School District
Board Communication

BC Number ID-6

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Tangee Pinheiro, Ed.D., Instructional Superintendent
Cabinet Approval: 

Date: May 26, 2023

Phone Number: 457-3220

Regarding: Individualized Education Program Compliance

The purpose of this board communication is to provide the Board with information on Individualized Education Program (IEP) Compliance in the Fresno Unified School District as of May 24, 2023. Currently, there are 327 students that have an IEP that is out of compliance meaning that their annual review or their eligibility review (formerly known as the triennial review) are overdue. In accordance with Federal Law, any student that has an IEP will have an annual review meeting to determine their present levels and updated annual goals. Federal law also requires that a student's eligibility for special education be reviewed every three years. Below is a breakdown, by region, of the status of IEPs that are overdue by number of annual reviews due, number of eligibility reviews due, and the distinct count of the number of students that have one or both overdue.

Region	Number of Annuals Due	Number of Eligibles Due	Number of Students (Distinct Count)
Bullard	16	6	22
Edison	50	22	72
Fresno	30	8	38
Hoover	58	16	74
McLane	26	3	29
Roosevelt	26	12	38
Sunnyside	24	7	31
Special Ed	4	4	8
Specialty	1	1	2
Private School, Charter, NPS, and County	4	4	5
Total	242	85	327

These data are updated weekly and shared with school sites and department teams to monitor progress. Teams are meeting weekly at the school site and department level to ensure that IEPs are all compliant by June 30, 2023.

If you have any questions pertaining to the information in this communication, or require additional information, please contact Tangee Pinheiro, Ed.D. at (559) 457-3220.


Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 05/26/2023

Fresno Unified School District
Board Communication

BC Number ID-7

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Tangee Pinheiro, Ed.D., Instructional Superintendent
Cabinet Approval: 

Date: May 26, 2023

Phone Number: 457-3220

Regarding: Staffing Allocations in Special Education

The purpose of this board communication is to provide the Board information on the current staff allocation for School Psychologists, Regional Instructional Managers (RIMs), Occupational Therapists (OTs), Physical Therapists (PTs) and Speech Language Pathologists (SLPs).

School Psychologists have been assigned to school sites based on an allocation plan that was established when \$33 million of Local Control Funding Formula (LCFF) funds were approved for additional School Psychologists and RIMs. An additional 27 School Psychologists and 15 RIM positions were added for the 2022/23 school year as on-going funding. Of the 107 School Psychologist positions, 98 are currently filled. The remaining positions, except for one, have been filled for the 2023/24 school year. Of the 29 RIM positions, we currently have 24 filled. Four of the RIMs have been hired within the last two months.

School Psychologists have been assigned to schools with the following allocation: Elementary Schools – One Full Time (with the exception of the five schools that do not have LCFF funding), Middle Schools – One Full Time, Comprehensive High Schools - Two Full Time. RIMs are assigned based on school site needs and program assignments.

There are currently 96.5 FTE for SLPs, currenting being provided by 47 employees and 49 contracted providers. In addition to the 96.5 FTE, there are 34 contracted positions to serve the number of students with this service on their IEPs. The current estimate for the 2023/24 school year for SLPs is that we will have approximately 75 filled positions at the start of the 2022/23 school year.

There are seven OT positions and an additional four contracted OT positions. There are four PT positions and one contracted PT. These positions are assigned based on services on students' Individualized Education Programs (IEPs).

If you have any questions pertaining to the information in this communication, or require additional information, please contact Tangee Pinheiro, Ed.D. at (559) 457-3220.

Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 05/26/2023