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BOARD COMMUNICATIONS – JUNE 23, 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
June 16, 2023

BFS-2 Kim Kelstrom June Legislative Committee Meeting

OPERATIONAL SERVICES – Paul Idsvoog, Chief Officer

OS-1 Yolanda Jimenez-Ruiz Fulton School Moving to 2000 East Cambridge
Avenue

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: June 23, 2023

Phone Number: 457-3884

Regarding: Superintendent Calendar Highlights

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

- Attended the Juneteenth Celebration
- Spoke at the Principal's Institute
- Held interviews for Assistant Superintendent Research, Evaluation and Assessment and Principals
- Attended the Fresno Unified School District Retirement Celebration


Approved by Superintendent
Robert G. Nelson Ed.D.



Date: 06/23/2023

Fresno Unified School District
Board Communication

BC Number S-2

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Ambra O'Connor, Chief of Staff
Cabinet Approval: 

Date: June 23, 2023

Phone Number: 457-3838

Regarding: Summer Break Office Closures

The purpose of this communication is to inform the Board that the Superintendent's Office and Board Office will be closed the week of July 3 - 7, 2023.

The last board communication packet for the 2022/23 school year will be on June 30, 2023.

Board communication deliveries for the 2023/24 school year will begin on Friday, July 28, 2023. If any items require your attention, I will contact you as needed.

If you have any questions, please call me.

Approved by Superintendent
Robert G. Nelson Ed.D. 

Date: 06/23/2023

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: June 23, 2023

Prepared by: Kim Kelstrom, Chief Executive

Phone Number: 457-3907

Cabinet Approval:



Regarding: School Services Weekly Update Reports for June 16, 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 June 16, 2023 is attached and includes the following articles:

- 2023-24 Legislative State Budget Announced – June 12, 2023
- Let's Make a Deal: Legislative Leaders Make California Budget Offer to Newsom – June 12, 2023
- Many California Districts Yet to Spend Federal COVID Relief Despite Deep, Widespread Learning Loss – June 14, 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: 06/23/2023



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DATE: June 16, 2023

TO: Robert G. Nelson
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

Legislature Passes Placeholder 2023-24 State Budget

On Thursday, the Assembly and Senate approved Senate Bill (SB) 101, which is the legislative version of the 2023-24 State Budget Act. Since the Legislature passed their version of the State Budget by the June 15 constitutional deadline, legislators will continue to collect their paychecks as legislative leadership negotiates with the Newsom Administration on a final State Budget agreement. It is important to view SB 101 as a placeholder budget that essentially allows the Legislature to meet its constitutional deadline and position itself in negotiations with Governor Gavin Newsom. You can find the details of SB 101 in the *Fiscal Report* article below, entitled “2023-24 Legislative State Budget Announced.”

Once SB 101 is presented to Governor Newsom, he will have 12 days to sign, veto, or line-item veto the bill. This 12-day timeline for the Governor to act on SB 101 marks when the Legislature and the Administration need to come to a deal on the State Budget package. Once the parties do come to an agreement, it will likely be reflected in a separate bill, known as the budget bill jr., which will make the necessary amendments to SB 101 and allow the Governor to sign both bills.

There are rumors that the Legislature and the Administration are not far off on a deal and that an agreement could be announced as early as next week.

Senate Education Committee Approves Bond Bill

The Senate Education Committee, chaired by Senator Josh Newman (D-Fullerton), met this Wednesday and approved 15 measures, including Assembly Bill (AB) 247 (Muratsuchi, D-Torrance), which would place a \$14 billion K-14 facilities bond before voters on either the primary (March 5, 2024) or General Election ballot (November 5, 2024). The bill will now go to the Senate Governance and Finance Committee.

AB 247 is one of the two bond bills making their way through the legislative process. The other, SB 28 (Glazer, D-Contra Costa), would place a \$15.5 billion preschool through higher education bond before voters on the March 5, 2024, primary election ballot. The Legislature will not place two bond proposals before voters next year, which means the two authors and the proponents of these two measures will have to work together to come up with one proposal.

Should state policymakers decide to place a statewide bond on the 2024 primary election ballot, the bond bill that reflects a final agreement between the Senate, the Assembly, and Governor Gavin Newsom must make its way to the Governor this fall. If policymakers decide to take a statewide bond measure to the voters at the 2024 General Election, lawmakers have until next summer to reach a final agreement.

Some of the other noteworthy education measures approved by the committee include:

- AB 10 (Lowenthal, D-Long Beach) would require the California Department of Education to, by June 30, 2024, develop and post on its website a model policy and resources about body shaming that local educational agencies may use to educate staff and pupils about the issue of body shaming
- AB 95 (Hoover, R-Folsom) would clarify that a school may sell an additional meal to a pupil after that pupil has already received a nutritiously adequate meal that qualifies for federal reimbursement
- AB 230 (Reyes, D-Colton) would, beginning with the 2024-25 school year, expand the grade range from grades 6-12 to grades 3-12 in which all of a public school's women's and gender-neutral restrooms, and in at least one men's restroom, must stock menstrual products
- AB 278 (Reyes) would, contingent upon an appropriation, establish the Dream Resource Center Grant program for purposes of creating Dream Resource Centers at school sites that service high school students
- AB 694 (Gipson, D-Carson) would authorize the establishment of a Teacher Residency Apprenticeship Program to address shortages in the educator workforce, expand the pipeline into the teaching profession, and grow a diverse, local pathway into teaching

The Senate Education Committee is scheduled to meet again next Wednesday to consider another 26 bills. The Assembly Education Committee, chaired by Assemblymember Al Muratsuchi (D-Torrance), however, will not hold its first hearing to consider education bills approved by the Senate until Wednesday, June 28, 2023. It is not surprising to see the Senate begin their second house policy committee hearings earlier, as the Assembly sends over significantly more bills for the upper house to consider.

Leilani Aguinaldo

2023-24 Legislative State Budget Announced

By SSC Governmental Relations Team
School Services of California Inc.'s *Fiscal Report*
June 12, 2023

On Monday, June 12, 2023, Senate President pro Tempore Toni Atkins and Assembly Speaker Anthony Rendon announced that the Legislature had agreed to a 2023-24 State Budget. (As a refresher on where the two houses' priorities lay just after the May Revision was released, see "[Differing Senate and Assembly Budget Proposals Emerge](#)" in the May 2023 *Fiscal Report*.)

This comes just in time to meet the 72-hour deadline for a budget bill to be in print before a vote by the Legislature and keeps the Legislature on track to meet its June 15 constitutional deadline for a State Budget to be approved.

The main budget bill is Assembly Bill (AB) and Senate Bill (SB) 101. These bills (which are identical) provide limited information about the use of TK-12 spending, along with the Senate summary of the plan, which outlines:

- 8.22% cost-of-living adjustment for categorical programs and the Local Control Funding Formula (LCFF), with a significant reduction in the reliance on one-time funds for the LCFF
- \$494.5 million reduction to the K-12 Learning Recovery Emergency Block Grant
- \$200 million reduction to the Arts, Music, and Instructional Materials Discretionary Block Grant
- \$80 million ongoing for county offices of education that operate a county juvenile court and community schools

Also included in the legislative plan is a delay of \$400 million for the Golden State Pathways Program and \$1 billion for last year's green buses program. The budget bill also eliminates the K-12 Strong Workforce Program and folds the current \$150 million ongoing funding for the program into the Career Technical Education Incentive Grant, as included in the Assembly budget proposal. At this point, the details that can be found in the TK-12 budget trailer bill language have not been released.

It is important to note that this *is not* the final State Budget, as Governor Gavin Newsom has not agreed to this spending plan. Both Assembly and Senate Budget Committees are meeting on Wednesday to approve this Budget, and floor votes in both houses are expected on Thursday, June 15.

In the meantime, the Legislature continues to negotiate with the Newsom Administration, and once a final deal has been reached, legislation to make changes to AB/SB 101 and accompanying trailer bill language will be released. We will keep you updated as California moves closer to a final 2023-24 State Budget.

We'll unpack the 2023-24 State Budget and discuss its implications on local educational agencies at our School Finance Conference webinar on Thursday July 20, 2023. You can register for the webinar [here](#). Remember that if you registered for the 2023 May Revision Workshop, you are already registered for the School Finance Conference—you receive two events for the price of one! If you did not, please register today to ensure your spot at this important event.

Note: Once the State Budget bill is presented to Newsom, he will have 12 days to take action, which is effectively the timeline that legislative leaders and the Administration have to come to an agreement on the 2023-24 State Budget.

Let's Make a Deal: Legislative Leaders Make California Budget Offer to Newsom

By Alexei Koseff
CalMatters
June 12, 2023

Still yet to strike a budget deal with Gov. Gavin Newsom, legislative Democrats have put their own spending priorities into a bill that they plan to pass this week ahead of a critical deadline.

The proposal, which was [published online](#) late Sunday, represents an agreement between the Democratic caucuses of the state Senate and Assembly, both of which hold supermajorities and can pass any measure without Republican support. The Legislature is constitutionally required to approve a balanced budget by Thursday to get paid. The Assembly and Senate approved the budget bill on Thursday morning, over Republican objections.

But negotiations are ongoing with Newsom, including over a looming shortfall in public transit funding and the governor's push to streamline permitting for infrastructure projects, as California faces a budget deficit estimated to be more than \$30 billion. They have just weeks remaining to work out a compromise before the start of the fiscal year on July 1.

"You cannot achieve that if you're not close," said Sen. Nancy Skinner, a Berkeley Democrat who leads the Senate budget committee. She characterized the remaining differences between the Legislature and the governor as a matter of details.

"The money will be very comparable," she told CalMatters today.

Assemblymember Phil Ting, a San Francisco Democrat who leads the Assembly budget committee, pointed to permitting overhaul as the biggest unresolved issue. Newsom recently announced a plan to speed up development of major infrastructure projects by limiting environmental challenges, which he is trying to jam through the budget process over the objections of some legislators.

"We're supportive of the overall direction of the governor's bills, but we still need time to go through the policy details," Ting said. "These are significant policy bills which all the different policy committees are reviewing."

Overall, the Legislature's \$312 billion spending plan aligns with Newsom on avoiding major cuts to ongoing programs and even increasing core funding for some, including schools, public universities, welfare payments and health coverage. It also approves many of the new proposals from the governor's own budget blueprint, such as \$250 million in additional funding for flood protection and another \$1 billion to help local governments address widespread homelessness.

How much assistance to provide public transit agencies, which warn that they may go over the “fiscal cliff” without an infusion of cash from the state because of steep ridership declines during the coronavirus pandemic, has been a key subject of disagreement.

Newsom wants to pull back more than \$2 billion that was previously promised for local rail infrastructure. Legislative Democrats not only rejected that move, but also proposed an additional \$1.1 billion over the next three years from the state’s cap-and-trade funds to help cover operating expenses for transit agencies.

Even that aid is not enough to avoid cutbacks in service, according to the California Transit Association, which represents the industry and pegs its revenue gap at closer to \$6 billion.

“We are acknowledging that this isn’t a funding package that will address the full balance of our needs, but we see this as something that will address the most immediate needs,” said Michael Pimentel, executive director of the association. “It gives us the ability to come back in future months and future years and continue the conversation.”

Legislative Democrats’ plan also seeks \$1 billion more than the governor for local homelessness initiatives and \$1 billion to increase reimbursement rates for providers of subsidized child care, who say they do not make enough money to cover their costs. Newsom is pushing to change those rates through a more comprehensive overhaul.

Newsom’s budget proposal eliminated \$6 billion in climate change programs, triggering alarm from environmentalists and some legislators. While most of those cuts remain in the legislative plan, it would restore \$167 million of the \$561 million the governor proposes cutting from projects to protect the coast against rising seas from climate change.

“The wrinkle this year, relative to other years, is there is a new degree of challenge when you’re trying to close a shortfall,” said H.D. Palmer, spokesperson for the governor’s Department of Finance.

Palmer declined to discuss what specific issues remain unresolved in the negotiations, though he acknowledged that the permitting proposal is a priority for Newsom.

“We hope we’ll be able to resolve those differences sooner than later,” Palmer said.

Note: State data show that California school districts have used only a third of the \$2.7 billion that the federal government set aside to address learning loss caused by COVID.

Many California Districts Yet to Spend Federal COVID Relief Despite Deep, Widespread Learning Loss

By John Fensterwald and Daniel J. Willis
EdSource
June 14, 2023

California school districts so far have used only a third of the \$2.7 billion that the federal government set aside to address the well-documented learning setbacks caused by Covid, state data show.

Nearly a quarter of school districts and charter schools had spent none of the money that Congress said should be put toward tutoring, after-school and summer programs, additional school hours or days to the school year, and other interventions to address lost learning; 242 districts and charter schools had spent all of it, as of March 31, the latest available information, an EdSource analysis found.

EdSource found that about a fifth of districts had spent 80% or more of their ESSER III funding as of the end of March, and a fifth had spent less than 20%.

But the pace of spending has been picking up, with the deadline for districts to spend \$13.5 billion in Elementary and Secondary School Emergency Relief funds — commonly referred to as ESSER III funds — a year and a half away. The state was allocated a total of \$23.4 billion over three installments, the most of any state.

Total learning recovery spending so far made up more than a third of the ESSER III funding, a higher share than the 20% Congress had mandated, according [to a new analysis of California spending by FutureEd](#), an independent think tank at Georgetown University’s McCourt School of Public Policy.

That spending includes at least \$303 million on summer learning, after-school and extended-time programs and \$74 million for tutoring, which experts have identified as the most effective strategy for learning acceleration if done intensively during school and in small groups.

The FutureEd study found that 19% of districts and charter schools had invested in tutoring, fewer than the 23% whose plans had earmarked money for tutoring. FutureEd reviewed more than 600 district plans. The study notes that some districts could have first used other sources of state aid, including the \$4 billion [Expanded Learning Opportunities Program](#).

While providing no examples, Mary Briggs, the California School Boards Association’s senior director of research and education policy development, said that’s what many districts did, based on her discussions with administrators. And she cautioned that the state’s reports captured only money that has “gone out the door” and only included the last but largest portion of the ESSER funding.

“We hear that districts have earmarked dollars at a much higher rate,” which would not be accounted for in the latest state data, she said.

California ranks eighth in the states in the rate of spending all three rounds of federal Covid aid. As of April 30, it has spent 58% of the \$23.4 billion it had received since the spring of 2020, according to FutureEd data. The national average was 52.3%. Four states had spent more than 60%, led by Iowa at 70%; four states and Washington, D.C., had spent under 40%. Nationwide, more than 99% of the ESSER I funding has been spent and 76% of ESSER II, which must be obligated by September 2023.

Spending on mental health

FutureEd found that spending on supporting students' mental health had increased more than other areas, from \$24 million in late 2021 to \$66 million most recently.

Los Banos Unified, 60 miles east of San Jose, spent \$8.9 million, nearly three-quarters of its expenditures so far, on mental health assistance, the report said. About 216 districts and charter schools purchased social-emotional learning curricula.

Of the ESSER III district and charter schools spending plans studied, 44% said they would utilize psychologists and mental health professionals. Briggs told FutureEd that many districts relied on contract workers, or like Los Angeles County, telehealth programs, rather than make long-term commitments with one-time funding.

Passed in 2021, ESSER III, part of what is also known as the American Rescue Plan, is the final and last batch of the \$23.4 billion in federal Covid assistance, the Elementary and Secondary School Emergency Relief fund.

School districts and charter schools had spent 37% — \$5 billion of the \$13.5 billion — of ESSER III through March 31. That means districts must commit an average of more than \$1.5 billion every three months by Sept. 30, 2024, or risk losing it. Jordan and Briggs said that should be doable, although the spending has varied widely among districts. Districts' funding levels were based on Title I eligibility, tied to student poverty rates.

FutureEd found that San Francisco Unified, which is facing a budget deficit, has spent 74% of its allocated \$94 million on a broad category covering maintaining existing services and "continuing the employment of their existing staff."

Long Beach Unified, the state's fourth-largest district, has spent only 5% of its \$212 million allotment, although public information director Chris Eftychiou noted the district's master plan intentionally called for using state and federal Covid money with earlier deadlines first and backloading ESSER III money for modernization projects, playground equipment and the remaining installment of its student success initiative over the next 15 months.

While 20% of the total allocation must be spent on learning recovery, districts have great discretion with the remaining 80%. Besides mental health supports and counseling, many have put the money toward more staffing, technology and ventilation systems to prevent the spread of future pandemics.

West Contra Costa Unified has used \$9.5 million, or nearly half of its total expenditures so far, on technology. One-quarter of California's local education agencies made heating, ventilation and air-conditioning investments through March, FutureEd reported. A third of districts and charter schools have spent on other facilities repairs, about the same committed to that use in their plans.

Other districts have used the one-time funding for Covid bonuses and future raises for staff and teachers and ongoing expenses to make up for declining enrollments.

At the school board meeting Tuesday, Los Angeles Unified administrators said that \$559 million of the \$926 million in remaining ESSER III money would go toward staff recruitment and retention, which officials said reflects the pay increases and other costs the district negotiated earlier this year with staff unions.

Difficulty tracking some expenses

For its analysis, FutureEd studied the quarterly spending reports on the state's [ESSER III spending page](#), interviewed local administrators and compared expenditures with the 625 spending plans that districts wrote as an addendum to their Local Control and Accountability Plans two years ago.

"We found both encouraging trends and cause for concern," the analysis said.

The state's quarterly reports that districts must fill out break down spending into 29 categories, more than most states. But it's still often difficult to know how districts are spending the money because some of the catch-all spending categories are broad, FutureEd, wrote in its analysis. These include "maintain operations" and "other authorized activities" that included \$1 billion of the \$5 billion that districts spent so far. The state likely will not publish the more detailed final annual report for spending until the spring of 2026.

"The opacity of the state's ESSER reporting system makes the extent of local agencies' use of ESSER monies to buttress their operating budgets rather than support students' pandemic recovery nearly impossible to know," Phyllis Jordan, the primary author, wrote.

Some staffing costs, like tutoring or extended time expenditures are spelled out, but FutureEd said no specific categories capture bonuses or professional development for teachers and support personnel that are priorities in many districts' ESSER III plans.

Malia Vella, a deputy superintendent of California Department of Education, said the state has imposed reporting and accountability measures beyond the federal requirements. These include making districts' quarterly spending reports available on the state's ESSER III website and requiring districts to write spending plans after soliciting public suggestions. If spending decisions change, districts must modify the plans, she said. The reporting requirements apply to the 1,751 districts, charter schools and county offices of education allocated the federal funds.

"We take misspending seriously" in randomly monitoring district plans, she said. "Where discrepancies exist, we will flag them.

Fresno Unified School District
Board Communication

BC Number BFS-2

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

Date: June 23, 2023

Prepared by: Kim Kelstrom, Chief Executive

Phone Number: 457-3907

Cabinet Approval:



Regarding: June Legislative Committee Meeting

The purpose of this board communication is to provide the Board information shared at the June 15, 2023, Legislative Committee Meeting.

Budget and Economic Update – Ms. Leilani Aguinaldo provided an update on the 2023/24 State Budget. The legislature submitted the 2023/24 spending plan by the constitutional deadline of June 15, 2023. The state now awaits the Governor's 2023/24 State Budget by June 30, 2023. The legislature proposed the following changes to the state's budget:

- An 8.22% COLA (cost-of-living adjustment) which is the same as the May Revise
- A reduction of \$200 million to the Arts, Music, and Instructional Material Block Grant instead of \$1.8 billion as proposed in the May Revise
- A reduction of \$495 million to the Learning Recovery Block Grant instead of \$2.5 billion as proposed in the May Revise
- Delay of \$400 million for the Golden State Pathways Program

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

- 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 a maximum of 10 hours of paid on-the-job training for that vacancy
- SB 765 (Portantino) – No Position – Exempts a retired teacher returning to work to fulfill a critical need in a teaching position from postretirement compensation limits
- AB 1637 (Irwin) – Opposed – Requires local agencies to maintain a Local Government internet address by January 01, 2026 with the exception of school districts
- SB 499 (Menjivar) – No Position – Requires during replacement or resurfacing of outdoor surfaces to be replaced with low specific heat sources
- AB 714 (McCarty) – Watch – Requires California Department of Education to issue guidance for resources available for newcomer students
- AB 1445 (Arambula) – Support – Authorizes a local, state, or national drowning or injury prevention organization to provide informational materials to public elementary schools

The following are no longer active for the fiscal year:

- SB 767 (Rubio) – Support – Requires the completion of kindergarten before entering first grade in public school
- AB 1362 (Davies) – Support – Authorizes instruction on the physical and mental dangers associated with the use of opioids in physical education
- AB 472 (Hurtado) – Support – Requires all public schools to maintain at least two doses of naloxone or another opioid antagonist on their campus

The School Services Legislative Committee June 2023 report is attached. The next Legislative Committee meeting is scheduled for July 13, 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: 06/23/2023

Fresno Unified School District

**LEGISLATIVE COMMITTEE MEETING
JUNE 15, 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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June 14, 2023

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FISCAL REPORT

PUBLIC EDUCATION'S POINT OF REFERENCE FOR MAKING EDUCATED DECISIONS

2023-24 Legislative State Budget Announced

By: SSC Governmental Relations Team

June 12, 2023

On Monday, June 12, 2023, Senate President pro Tempore Toni Atkins and Assembly Speaker Anthony Rendon announced that the Legislature had agreed to a 2023-24 State Budget. (As a refresher on where the two houses' priorities lay just after the May Revision was released, see [“Differing Senate and Assembly Budget Proposals Emerge”](#) in the May 2023 *Fiscal Report*.)

This comes just in time to meet the 72-hour deadline for a budget bill to be in print before a vote by the Legislature and keeps the Legislature on track to meet its June 15 constitutional deadline for a State Budget to be approved.

The main budget bill is Assembly Bill (AB) and Senate Bill (SB) 101. These bills (which are identical) provide limited information about the use of TK-12 spending, along with the Senate summary of the plan, which outlines:

- 8.22% cost-of-living adjustment for categorical programs and the Local Control Funding Formula (LCFF), with a significant reduction in the reliance on one-time funds for the LCFF
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Also included in the legislative plan is a delay of \$400 million for the Golden State Pathways Program and \$1 billion for last year's green buses program. The budget bill also eliminates the K-12 Strong Workforce Program and folds the current \$150 million ongoing funding for the program into the Career Technical Education Incentive Grant, as included in the Assembly budget proposal. At this point, the details that can be found in the TK-12 budget trailer bill language have not been released.

It is important to note that this *is not* the final State Budget, as Governor Gavin Newsom has not agreed to this spending plan. Both Assembly and Senate Budget Committees are meeting on Wednesday to approve this Budget, and floor votes in both houses are expected on Thursday, June 15.

In the meantime, the Legislature continues to negotiate with the Newsom Administration, and once a final deal has been reached, legislation to make changes to AB/SB 101 and accompanying trailer bill language will be released. We will keep you updated as California moves closer to a final 2023-24 State Budget.

We'll unpack the 2023-24 State Budget and discuss its implications on local educational agencies at our School Finance Conference webinar on Thursday July 20, 2023. You can register for the

webinar [here](#). Remember that if you registered for the 2023 May Revision Workshop, you are already registered for the School Finance Conference—you receive two events for the price of one! If you did not, please register today to ensure your spot at this important event.

Recession or No Recession? Flip a Coin

By: Michelle McKay Underwood

June 9, 2023

For its third Anderson Forecast (Forecast) in a row, the UCLA Anderson School of Management has the outlook of the U.S. economy on the flip of a coin—with both a mild recession and a slowly growing economy having nearly equal likelihood of occurring in the third quarter of this year.

One of the biggest determining factors is likely consumer confidence and spending. UCLA's economists noted that Americans still have somewhere between \$800 billion and \$1.2 trillion in excess savings from the pandemic. Under UCLA's recession scenario, the deficit in gross domestic product (GDP) would be \$384 billion less than a steady growth scenario—meaning Americans' consumption of goods and services could make the difference between a mild recession and a continued growing economy. Americans' spending patterns would also affect business investment, and whether companies believe they need to continue to grow to keep up with demand or hit the brakes. Another major sector of GDP, government spending, is likely to remain flat and therefore not be a significant factor in the recession equation.

If a recession does take place, it would likely be experienced by Americans the same way the first half of 2022 felt, with negative GDP annual growth rates but declining inflation and unemployment rates. In the U.S. recession scenario, GDP would be negative for three quarters, returning to positive growth in mid-2024; unemployment would peak at 4.5% in the second quarter of 2024; and inflation would stay higher initially, but ease down more quickly in 2024 and 2025.

Turning to California, UCLA's economists once again focused on the solid footing that the state finds itself in if a recession is on the horizon. Forecast Director Jerry Nickelsburg noted that the current-day State Budget negotiations taking place between the Legislature and Newsom Administration revolve around whether it is sufficiently a "rainy day" situation to warrant tapping into the state's reserves or whether those funds should be retained for more severe economic conditions.

California has regained and surpassed its pre-pandemic number of nonfarm payroll jobs by 2.1% in April 2023, but Nickelsburg stated that job recovery has been uneven by sector and by region of the state, with job growth higher than the nation in every region except the Inland Empire and the State of Jefferson area. Regarding technology layoffs, he notes that those jobs leaving large tech firms are being quickly absorbed by small tech firms and start-ups, fueled by venture capital and high-tech production growth.

Regarding housing, the median price has dropped 8.4% from its peak in California, although this drop only brings the rate back to mid-2021 levels. Nickelsburg stated that Californians moving out of the state during the pandemic did a great job of exporting housing unaffordability with them, driving prices up elsewhere and removing the price advantage that Californians migrating out of state experienced previously.

In summation, if the nation goes into a recession, California will experience basically flat job growth in 2024, and a slightly higher unemployment rate in 2023 and the following two years than in the absence of a recession.

UCLA's economists expect the outlook to be clearer by its next Forecast in early October 2023, and hope to drop the dueling scenario projections. Until then, we'll wait to see if Americans spend their savings like the fate of the national economy depends up on it.

Daycare License Requirement Proposed for ELOP

By: Leilani Aguinaldo

June 8, 2023

Launched in the 2021-22 school year, the Expanded Learning Opportunities Program (ELOP) has been an ambitious state investment in learning recovery and educational enrichment for California's public school students. In accordance with ELOP statute, some local educational agencies (LEAs) have used their share of the \$4.0 billion ongoing funding to provide access to enrichment opportunities that previously were out of reach for many students.

Education Code Section 46120 requires school districts and charter schools to include educational and literacy elements as well as educational enrichment elements as part of ELOP. Statute also encourages LEAs to collaborate with community-based organizations and childcare providers to "maximize the number of expanded learning opportunity programs offered across their attendance areas." In that spirit, LEAs have partnered with various third parties for ELOP, with the added benefit of exposing students to new opportunities. Examples of these ventures include partnering with the local zoo for summer camps, universities for athletics, art studios for afterschool programs, and nonprofit organizations for swim lessons and water safety classes, among other creative, age-appropriate offerings. These partnerships have been particularly helpful for districts that have struggled with hiring the instructional aides that are necessary to staff ELOP so that the requirements to offer and provide access to the required students are met.

As LEAs continue to ramp up to full implementation of ELOP in 2023-24, the May Revision trailer bill proposal includes a provision that could pose a challenge for these partnerships with third parties. If adopted, the new language would require LEAs to ensure that a program that operates on a non-school site and serves students in transitional kindergarten (TK) or kindergarten must comply with child daycare facility license requirements (Chapters 3.4 and 3.5 of the Health and Safety Code). While these licensing requirements ensure that child daycare facilities are developmentally appropriate and meet minimum health and safety standards for children, there are numerous exemptions in Health and Safety Code Section 1596.792, including but not limited to:

- Public recreation programs operated by the state, city, county, school district, or community college district that operate for under 20 hours per week or for 14 or fewer weeks during a 12-month period
- Extended daycare programs operated by public or private schools
- Any program that provides activities for children of an instructional nature in a classroom-like setting and generally operates when school is not in session

In addition, Health and Safety Code Section 1596.793 exempts recreation programs conducted by the YMCA, Boys and Girls Clubs, or similar organizations from the licensing requirement. Any ELOP that serves students in first grade or higher, regardless of the location, is not required to obtain the child daycare facility license. Any ELOP that operates on a school campus, including a program that serves TK or kindergarten students, also is not required to obtain the additional daycare facility license.

A deal has not yet been reached for the 2023-24 State Budget, and final implementation language in the trailer bills are still being negotiated. A future *Fiscal Report* article will detail any changes to ELOP that will be implemented in 2023-24.

FISCAL REPORT

PUBLIC EDUCATION'S POINT OF REFERENCE FOR MAKING EDUCATED DECISIONS

Statewide Facilities Bond Bills Pending in the Legislature

By: Patti F. Herrera, EdD and Brianna García

June 7, 2023

As hundreds of local educational agencies (LEAs) across California prepare to take advantage of the summer months to build new, modernize, and address deferred maintenance issues related to their facilities, one of the biggest questions on their minds is when we can anticipate another statewide bond to provide critical state matching funds to perfect local projects (or, more likely, replenish local coffers that have been fronting anticipated state funds)?

The answer is hopefully soon. There are two statewide school facilities bond bills making their way through the Legislature this year in the hopes of being presented to the voters in 2024—Assembly Bill (AB) 247 (Muratsuchi, D-Torrance) and Senate Bill (SB) 28 (Glazer, D-Orinda)—that, while largely similar to each other, contain some significant differences.

The chart below provides a side-by-side comparison of the major provisions of AB 247 and SB 28.

	AB 247 (Muratsuchi) Transitional Kindergarten Through Community College Public Education Facilities Bond Act of 2024	SB 28 (Glazer) Public Preschool, K-12, and College Health and Safety Bond Act of 2024
Bond Amount	\$14.0 billion K-12: unspecified Community Colleges: unspecified	\$15.5 billion K-12: \$9.5 billion Community Colleges: \$2.0 billion California State University (CSU): \$2.0 billion University of California (UC): \$2.0 billion
Segments	K-12 and community colleges	K-12, community colleges, CSU, and UC
Ballot	Unspecified	March 5, 2024
Key School Facility Program Changes		
Bonding Capacity	Unchanged	2.0% Elementary/high school districts 4.0% Unified school districts
Conditions	One-time submittal of facilities inventory	Submittal of new or updated, as appropriate, five-year master plan
LEA Priority Points	Establishes new priority point system for LEA applicants based	Establishes new priority point system for LEA applicants based on bonding

	AB 247 (Muratsuchi) Transitional Kindergarten Through Community College Public Education Facilities Bond Act of 2024	SB 28 (Glazer) Public Preschool, K-12, and College Health and Safety Bond Act of 2024
	on bonding capacity, enrollment, and unduplicated pupil percentage (UPP) to determine state and local matching funds	capacity, enrollment, and UPP to determine state and local matching funds and project funding priority
Funding Process	Unchanged	<p>Quarterly processing with priority to fund applicants in the following order:</p> <p>New Construction</p> <ol style="list-style-type: none"> 1. Health and safety projects 2. Financial hardship projects 3. Unprocessed applications from previous two quarters 4. Overcrowding relief projects 5. LEA priority point score <p>Modernization</p> <ol style="list-style-type: none"> 1. Health and safety projects 2. Financial hardship projects 3. Lead mitigation projects 4. Unprocessed applications from previous two quarters 5. Overcrowding relief projects 6. LEA priority point score
Local Matching Requirement	<p>Based on LEA priority point calculation:</p> <p>New Construction</p> <p>11-13 points: 45%</p> <p>9-10 points: 47%</p> <p>8 points: 48%</p> <p>6-7 points: 49%</p> <p><6 points: 50%</p> <p>Modernization</p> <p>11-13 points: 35%</p> <p>9-10 points: 37%</p> <p>8 points: 38%</p> <p>6-7 points: 39%</p> <p><6 points: 40%</p>	
Financial Hardship Eligibility	Increases bonding capacity from \$5,000,000 to \$15,000,000 for financial hardship eligibility	

	AB 247 (Muratsuchi) Transitional Kindergarten Through Community College Public Education Facilities Bond Act of 2024	SB 28 (Glazer) Public Preschool, K-12, and College Health and Safety Bond Act of 2024
Small School District Assistance	Establishes a new process to assist small school districts in accessing state bond funds, including receiving preliminary apportionments and project and construction management grants	
Other	Establishes unspecified provisions to address climate resilience in public schools	

Both bond bills passed out of their respective houses of origin and will soon be considered by the policy committees in the Assembly and the Senate. AB 247 is scheduled to be heard by the Senate Education Committee on June 14, 2023, while SB 28 is awaiting a hearing date in the Assembly Higher Education Committee.

Should state policymakers decide to place a statewide bond on the 2024 primary election ballot, the bond bill that reflects a final agreement between the Senate, the Assembly, and Governor Gavin Newsom must make its way to the Governor this fall. If policymakers decide to take a statewide bond measure to the voters at the 2024 General Election, lawmakers have until next summer to reach a final agreement.

Bill Update

SCHOOL SERVICES OF CALIFORNIA, INC.

**Legislative Report Prepared for:
Fresno Unified School District
Status as of June 14, 2023**

<i>Bill No./ Author</i>	<i>Title</i>	<i>Position</i>	<i>Current Status</i>	<i>Page</i>
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AB 1722 Dahle, Megan	Pupil Health: Credentialed School Nurses, Registered Nurses, and Licensed Vocational Nurses	Support	Senate Rules Committee	15
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AB 1637 Irwin	Local Government: Internet Websites and Email Addresses	Oppose	Senate Rules Committee	19
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AB 278 Gómez Reyes	High Schools: Dream Resource Center Grant Program		Senate Education Committee	20
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AB 1178 Rivas, Luz	School Nutrition: Guardian Meal Reimbursement	Support	Senate Education Committee	21
SB 348 Skinner	Pupil Meals	Support	Assembly Education Committee	21
School Safety and Student Discipline				
AB 599 Ward	Suspensions and Expulsions: Tobacco	No Position	Senate Education Committee	22

AB 1165 McCarty	Pupil Discipline: Racist Bullying, Harassment, or Intimidation: Restorative Justice Practice	Support	Senate Floor—Consent	22
AB 1445 Arambula	The Neng Thao Drowning Prevention Safety Act	Support	Senate Education Committee	22
SB 274 Skinner	Suspensions and Expulsions: Willful Defiance	No Position	Assembly Education Committee	23
State Budget, Education Finance, and LCFF				
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Student Health				
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AB 230 Reyes	Menstrual Products: Menstrual Equity for All Act of 2021	Support	Senate Education Committee	24
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SB 88 Skinner	Pupil Transportation: Driver Qualifications	Watch	Assembly Desk	28

Employees

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

Amended: 5/2/2023

Title: The Safe and Supportive Schools Act

Status: Senate Education 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: Senate Education Committee

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: 5/26/2023

Title: Athletic Trainers

Status: Senate Rules Committee

Position: Support

Summary:

This bill would enact the Athletic Training Practice Act, which would establish, until January 1, 2028, the Athletic Trainer Registration Committee (Committee) within the Medical Board of California to register athletic trainers. The bill would require an athletic trainer to register their certification with the newly created Athletic Trainer Registration Committee in order to practice athletic training or use the title of athletic trainer.

The bill would define the practice of athletic training and require an athletic trainer to practice only under the supervision of a physician and surgeon.

The bill would provide that an athletic trainer's registration would be valid for two years and subject to renewal, and it would authorize the Committee to deny, suspend, or revoke a registration and to discipline an athletic trainer for specified reasons. The bill would make it a misdemeanor for any person to violate the act.

[AB 1555 \(Quirk-Silva\)](#)**Amended:** 3/30/2023**Title:** Transitional Kindergarten: Teacher Assignments: Qualification Requirements**Status:** Senate Appropriations 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 \(McCarty\)](#)**Amended:** 5/18/2023**Title:** K-14 Classified Employees: Part-Time or Full-Time Vacancies: Public Postings**Status:** Senate Rules Committee**Position:****Summary:**

As amended on May 18, 2023, this bill would require vacancies to be offered with priority to current regular nonprobationary classified employees who meet the minimum job qualifications of the position or who could meet the minimum job qualifications after ten or fewer hours of paid training that is paid for by the education employer. If no qualified internal candidate applies for the new position within at least 10 business days after the education employer provides notice, or if no internal candidate accepts the new position, only then may the education employer offer the new position to an external applicant.

[AB 1722 \(Dahle, Megan\)](#)**Amended:** 5/18/2023**Title:** Pupil Health: Credentialed School Nurses, Registered Nurses, and Licensed Vocational Nurses**Status:** Senate Rules Committee**Position:** Support**Summary:**

As amended, allows a local educational agency (LEA) 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. If an LEA hires a licensed vocational nurse as prescribed, the LEA must report this to the California Department of Education (CDE), and the CDE must report to the Legislature a list of LEAs that use this authority.

[SB 765 \(Portantino\)](#)**Amended:** 5/3/2023**Title:** Teachers: Retired Teachers: Teacher Preparation: Student Financial Aid**Status:** Assembly Education Committee**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: 5/18/2023

Title: Education Finance: School Facilities: Transitional Kindergarten Through Community College Public Education Facilities Bond Act of 2024

Status: Senate Education Committee

Position: Watch

Summary:

As amended on May 18, 2024, Assembly Bill (AB) 247 would place a school bond on the 2024 statewide ballot in an unspecified election for \$14 billion. If passed by the voters, the bond would support the K-12 and community college facilities projects. AB 247 would replenish funding under the School Facility Program (SFP) to support new construction, modernization, and charter school projects while also establishing new processes to better support local educational agencies (LEA) that qualify for financial hardship. The bill would also reform the SFP's state and local matching contribution requirements to make them more equitable based on an LEA's local financial capacity. Finally, the bill would authorize LEAs to replace, rather than modernize, facilities that are at least 50 years old.

AB 247 is largely a reintroduction of AB 75 (O'Donnell, D-Long Beach) from 2021, with some minor differences. SB 28 (Glazer, D-Orinda) is a Senate measure that would also place a school bond on the 2024 ballot and contains a few policies that are significantly different than AB 247, particularly the policy that governs the order in which K-12 projects would be funded. AB 247, as amended on April 3, 2023, would retain the existing project funding process, while SB 28 establishes a new funding process that prioritizes certain types of projects and LEAs over others. Senate Bill 28 is largely a reintroduction of AB 48 (O'Donnell), which placed Proposition 13 on the 2020 primary election ballot but failed to gain the requisite votes to pass.

[AB 249 \(Holden\)](#)

Amended: 5/18/2023

Title: Water: School Sites: Lead Testing: Conservation

Status: Senate Rules Committee

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: Assembly Higher Education Committee

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: 5/18/2023

Title: School Facilities: School Extreme Heat Action Plan Act of 2023

Status: Assembly Desk

Position: No Position

Summary:

This bill would enact the School Extreme Heat Action Plan Act of 2023. Among many provisions, the bill would require that the next time outdoor surfaces are resurfaced or replaced at the school site, all school sites are 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.

This bill would, on or before January 1, 2025, require all school sites to develop an extreme heat action plan. The bill would require the plan to address the installation or planting of (1) shade trees, or mini-forests, positioned on school sites where pupils can access them when in attendance; (2) school garden infrastructure and plantings; and (3) green barriers between the school site and any adjacent high-polluting streets or commercial projects. This bill would also require, on or before January 1, 2027, school sites to begin implementation of their extreme heat action plan. The bill would make implementation of the plan contingent upon appropriation by the Legislature.

SB 532 (Wiener)**Amended:** 5/18/2023**Title:** Ballot Measures: Local Taxes**Status:** Assembly Desk**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:** 5/18/2023**Title:** School Facilities: All-Gender Restrooms**Status:** Assembly Desk**Position:** No Position**Summary:**

By July 1, 2025, requires all schools to have at least one all-gender restroom for student use. The all-gender restroom must have appropriate signage and be unlocked, unobstructed, and easily accessible by students.

Governance and District Operations

AB 275 (Ward)**Amended:** 5/31/2023**Title:** School Governance: Governing Boards: Pupil Members: Compensation**Status:** Senate Floor—Third Reading**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:** 5/18/2023**Title:** Local Government: Internet Websites and Email Addresses**Status:** Senate Rules Committee**Position:** Oppose**Summary:**

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. As amended on May 18, 2023, this bill only applies to cities and counties.

[SB 328 \(Dodd\)](#)**Amended:** 5/18/2023**Title:** Political Reform Act of 1974: Contribution Limits**Status:** Assembly Desk**Position:** Support**Summary:**

As amended on May 18, 2023, this bill applies the same contribution limitations for candidates seeking city and county elective offices to candidates for school districts, community college districts, and other special districts beginning January 1, 2025.

Instruction

[AB 714 \(McCarty\)](#)**Amended:** 5/18/2023**Title:** Pupil Instruction: Newcomer Pupils: Curriculum Frameworks: High School Coursework and Graduation Requirements: Exemptions and Alternatives**Status:** Senate Education Committee**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.

Miscellaneous

[AB 278 \(Reyes\)](#)

Amended: 3/16/2023

Title: High Schools: Dream Resource Center Grant Program

Status: Senate Education Committee

Position:

Summary:

This bill establishes the Dream Resource Center Grant program, administered by the California Department of Education (CDE) for four years, for purposes of creating Dream Resource Centers at high schools. Dream Resource Centers would provide high school students, including undocumented students, with resources that include:

- Financial aid support
- Social services support
- State-funded immigration legal services
- Academic opportunities
- Parent and family workshops

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

Amended: 4/10/2023

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

Status: Assembly Education Committee

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: 5/18/2023

Title: School Nutrition: Guardian Meal Reimbursement

Status: Senate Education Committee

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: 5/18/2023

Title: Pupil Meals

Status: Assembly Education Committee

Position: Support

Summary:

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

- Requires the California Department of Education (CDE) to submit a waiver to the United States Department of Agriculture to allow schools to serve lunch to students in a noncongregate setting on short days
- Authorizes local educational agencies (LEAs) to provide only breakfast on each four-hour school day unless the CDE 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 CDE
- Requires the CDE, 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: Senate Education Committee

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 Floor—Consent

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: Senate Education Committee

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 274 (Skinner)**Amended:** 4/10/2023**Title:** Suspensions and Expulsions: Willful Defiance**Status:** Assembly Education Committee**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:** Senate Rules Committee**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: Assembly Education Committee

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: Senate Education Committee

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: Senate Education Committee

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: Senate Rules Committee

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:** 5/22/2023**Title:** Cancer Prevention Act**Status:** Senate Rules 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:** Senate Education Committee**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.

SB 10 (Cortese)**Amended:** 5/18/2023**Title:** Pupil Health: Opioid Overdose Prevention and Treatment: Melanie's Law**Status:** Assembly Education Committee**Position:** Support**Summary:**

This bill adds to the list of requirements for a comprehensive school safety plan a protocol in the event a pupil is suffering from an opioid overdose. Requires the Department of Education to establish the State Working Group on Fentanyl Education in Schools to promote public education, awareness, and prevention of fentanyl overdoses, with outreach aimed at staff and pupils in schools.

SB 234 (Portantino)**Amended:** 5/18/2023**Title:** Opioid Antagonists: Schools, College Campuses, Stadiums, Concert Venues, and Amusement Parks**Status:** Assembly Desk**Position:** Support**Summary:**

This bill requires all public schools and community colleges 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 would also require local educational agencies (LEAs) to annually report all incidents of on-campus pupil opioid exposure to the California Department of Education and Department of Health Care Services during that school year. LEAs and community colleges shall ensure that employees who volunteer to administer the opioid antagonist are provided defense and indemnification and shall not be liable in a civil action.

SB 283 (Ochoa Bogh)**Amended:** 3/23/2023**Title:** Pupil Health: Asthma Management**Status:** Assembly Education Committee**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 541 (Menjivar)**Amended:** 5/18/2023**Title:** Sexual Health: Contraceptives: Immunization**Status:** Assembly Desk**Position:** Support**Summary:**

As amended, this bill requires the following:

- Public schools make free condoms available to all students in grades 9-12
- These public schools inform students that free condoms are available and where the condoms can be obtained
- These public schools 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 human immunodeficiency virus 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 resources 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 with, educational or public health programs and initiatives
- The Family Planning, Access, Care, and Treatment program to provide coverage for immunization against the human papillomavirus to persons 18 years of age or younger

Transportation

AB 579 (Ting)**Amended:** 3/13/2023**Title:** School Buses: Zero-Emission Vehicles**Status:** Senate Rules Committee**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:** Assembly Desk**Position:** Watch**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.

Two-Year Bills

<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	30
AB 728 Jackson	School Accountability: Local Control and Accountability Plans	Watch	Assembly Education Committee	30
Instruction				
SB 767 Rubio	Elementary Education: Kindergarten	Support	Senate Appropriations Committee—Suspense File	30
School Safety and Student Discipline				
SB 31 Jones	Encampments: Sensitive Areas: Penalties	Oppose	Senate Public Safety Committee	31
Student Health				
AB 1314 Essayli	Gender Identity: Parental Notification		Assembly Education Committee	31
AB 1362 Davies	Pupil Instruction: Adopted Course of Study: Physical Education	Support	Assembly Education Committee	31
SB 472 Hurtado	Pupil Health: Opioid Overdose Reversal Medication	Support	Senate Appropriations Committee—Suspense File	32

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

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.

Instruction

[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.

School Safety and Student Discipline

[SB 31 \(Jones\)](#)

Amended: 3/22/2023

Title: Encampments: Sensitive Areas: Penalties

Status: Senate Public Safety Committee

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.

Student Health

[AB 1314 \(Essayli\)](#)

Amended: 3/9/2023

Title: Gender Identity: Parental Notification

Status: Assembly Education Committee

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

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 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.

Fresno Unified School District
Board Communication

BC Number OS-1

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Yolanda Jimenez-Ruiz, Administrator, and
Alex Belanger, Chief Executive
Cabinet Approval: 

Date: June 23, 2023

Phone Number: 457-6126

Regarding: Fulton School Moving to 2000 East Cambridge Avenue

The purpose of this board communication is to provide the Board with information on the Fulton School move to 2000 East Cambridge Avenue. This site is the prior residence of Design Science High School.

Fulton School is currently located in an old medical office building at 3058 North Millbrook Avenue. Student classrooms are in former patient rooms, and students do not have a cafeteria, common area, or green space.

For the 2023/24 school year, Fulton School will be moved in order to provide students' instructional classrooms, confidential support spaces, and access to shared green space with proximity to Patiño and Fresno City College. The school will have the opportunity to expand course offerings and offer additional social emotional support both individually and in group settings.

Currently Fresno City College (FCC) is occupying the campus, but the FCC construction timeline plans show a move out date of June 30, 2023.

If you have any questions pertaining to the information in this communication, or require additional information, please contact Alex Belanger, Chief Executive (559) 457-6126.

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



Date: 06/23/2023